

By: Representative White

To: Medicaid

HOUSE BILL NO. 897

1 AN ACT TO AMEND SECTION 43-13-149, MISSISSIPPI CODE OF 1972,
2 TO DELETE THE REQUIREMENT FOR MEDICAID PLANNERS TO HAVE A SURETY
3 BOND; AND FOR RELATED PURPOSES.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

5 **SECTION 1.** Section 43-13-149, Mississippi Code of 1972, is
6 amended as follows:

7 43-13-149. (1) As used in this section, the following terms
8 shall be defined as provided in this subsection:

9 (a) "Medicaid planner" means an individual who provides
10 Medicaid planning services to other individuals for compensation.
11 However, this term does not include (i) individuals who are
12 licensed attorneys engaged in the practice of law, or (ii) other
13 individuals who are licensed to provide services that may include
14 Medicaid planning services.

15 (b) "Medicaid planning" means any assistance provided
16 to a potential Medicaid applicant in advance of and in preparation
17 for their Medicaid application, in order to help the applicant



18 apply for and obtain benefits from the Mississippi Medicaid
19 program.

20 (2) Each Medicaid planner shall register annually with the
21 Division of Medicaid and provide the following information about
22 the planner to the division:

23 (a) The planner's place of business, physical address,
24 mailing address, email address and other contact information;

25 (b) The planner's education level and the number of
26 years that the planner has engaged in Medicaid planning;

27 (c) Whether the planner holds certification as a
28 Certified Medicaid Planner; and

29 (d) Such other information as required by the Division
30 of Medicaid.

31 (3) The Division of Medicaid shall provide the list of
32 registered Medicaid planners and the information contained in the
33 registrations to each local and regional Medicaid office in the
34 state.

35 (4) The Division of Medicaid shall include a question on the
36 application for Medicaid benefits asking if the applicant has used
37 or is using the services of a Medicaid planner for compensation in
38 the process of applying for Medicaid benefits, and the name and
39 contact information of the Medicaid planner if one was used or is
40 being used by the applicant.

41 * * *



42 (* * *5) Any Medicaid planner who willfully fails to
43 register with the Division of Medicaid * * * is guilty of a
44 misdemeanor and, upon conviction thereof, shall be punished by a
45 fine of not more than Five Hundred Dollars (\$500.00) for the first
46 violation and not more than Two Thousand Five Hundred Dollars
47 (\$2,500.00) for the second and any later violations.

48 (* * *6) This section shall stand repealed on July 1, 2017.

49 **SECTION 2.** This act shall take effect and be in force from
50 and after its passage.

