

By: Senator(s) Blackwell

To: Medicaid

COMMITTEE SUBSTITUTE  
FOR  
SENATE BILL NO. 2659

1 AN ACT TO AMEND SECTION 43-13-122, MISSISSIPPI CODE OF 1972,  
2 TO PROVIDE THAT THE DIVISION OF MEDICAID MAY ISSUE GRANTS FOR THE  
3 PURPOSES AUTHORIZED UNDER THE AMERICAN RESCUE PLAN ACT HOME AND  
4 COMMUNITY BASED SERVICES SPENDING PLAN AS APPROVED BY THE CENTERS  
5 FOR MEDICARE AND MEDICAID SERVICES OF THE UNITED STATES DEPARTMENT  
6 OF HEALTH AND HUMAN SERVICES; TO AMEND SECTION 43-13-139,  
7 MISSISSIPPI CODE OF 1972, TO PROVIDE THAT IF ANY STATE PLAN  
8 AMENDMENT SUBMITTED TO COMPLY WITH THE PROVISIONS OF SECTION  
9 43-13-117 IS DISAPPROVED BY THE UNITED STATES DEPARTMENT OF HEALTH  
10 AND HUMAN SERVICES, THE DIVISION MAY OPERATE UNDER THE STATE PLAN  
11 AS PREVIOUSLY APPROVED BY THE UNITED STATES DEPARTMENT OF HEALTH  
12 AND HUMAN SERVICES IN ORDER TO PRESERVE FEDERAL MATCHING FUNDS.  
13 THE DIVISION SHALL PROVIDE NOTICE OF THE DISAPPROVAL TO THE  
14 CHAIRMEN OF THE HOUSE AND SENATE MEDICAID COMMITTEES; AND FOR  
15 RELATED PURPOSES.

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

17 **SECTION 1.** Section 43-13-122, Mississippi Code of 1972, is  
18 amended as follows:

19 43-13-122. (1) The division is authorizeded to apply to the  
20 Center for Medicare and Medicaid Services of the United States  
21 Department of Health and Human Services for waivers and research  
22 and demonstration grants.

23 (2) The division is further authorized to accept and expend  
24 any grants, donations or contributions from any public or private



25 organization together with any additional federal matching funds  
26 that may accrue and, including, but not limited to, one hundred  
27 percent (100%) federal grant funds or funds from any governmental  
28 entity or instrumentality thereof in furthering the purposes and  
29 objectives of the Mississippi Medicaid program, provided that such  
30 receipts and expenditures are reported and otherwise handled in  
31 accordance with the \* \* \* state law. The Department of Finance  
32 and Administration is authorized to transfer monies to the  
33 division from special funds in the State Treasury in amounts not  
34 exceeding the amounts authorized in the appropriation to the  
35 division.

36 (3) The division may issue grants for the purposes  
37 authorized under the American Rescue Plan Act Home and Community  
38 Based Services Spending Plan as approved by the Centers for  
39 Medicare and Medicaid Services of the United States Department of  
40 Health and Human Services.

41 **SECTION 2.** Section 43-13-139, Mississippi Code of 1972, is  
42 amended as follows:

43 43-13-139. Nothing contained in this article shall be  
44 construed to prevent the Governor, in his discretion, from  
45 discontinuing or limiting medical assistance to any individuals  
46 who are classified or deemed to be within any optional group or  
47 optional category of recipients as prescribed under Title XIX of  
48 the federal Social Security Act or the implementing federal  
49 regulations. If the Congress or the United States Department of



50 Health and Human Services ceases to provide federal matching funds  
51 for any group or category of recipients or any type of care and  
52 services, the division shall cease state funding for such group or  
53 category or such type of care and services, notwithstanding any  
54 provision of this article. If any state plan amendment submitted  
55 to comply with the provisions of Section 43-13-117 is disapproved  
56 by the United States Department of Health and Human Services, the  
57 division may operate under the state plan as previously approved  
58 by the United States Department of Health and Human Services in  
59 order to preserve federal matching funds. The division shall  
60 provide notice of the disapproval to the Chairmen of the House and  
61 Senate Medicaid Committees.

62       **SECTION 3.** This act shall take effect and be in force from  
63 and after its passage.

