

By: Senator(s) Blackwell

To: Medicaid

SENATE BILL NO. 2659
(As Passed the Senate)

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

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

11 **SECTION 1.** Section 43-13-139, Mississippi Code of 1972, is
12 amended as follows:

13 43-13-139. Nothing contained in this article shall be
14 construed to prevent the Governor, in his discretion, from
15 discontinuing or limiting medical assistance to any individuals
16 who are classified or deemed to be within any optional group or
17 optional category of recipients as prescribed under Title XIX of
18 the federal Social Security Act or the implementing federal
19 regulations. If the Congress or the United States Department of
20 Health and Human Services ceases to provide federal matching funds
21 for any group or category of recipients or any type of care and



22 services, the division shall cease state funding for such group or
23 category or such type of care and services, notwithstanding any
24 provision of this article. If any state plan amendment submitted
25 to comply with the provisions of Section 43-13-117 is disapproved
26 by the United States Department of Health and Human Services, the
27 division may operate under the state plan as previously approved
28 by the United States Department of Health and Human Services in
29 order to preserve federal matching funds. The division shall
30 provide notice of the disapproval to the Chairmen of the House and
31 Senate Medicaid Committees.

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

