

By: Representative Currie

To: Medicaid

## HOUSE BILL NO. 1565

1 AN ACT TO DIRECT THE DIVISION OF MEDICAID TO ENTER INTO  
2 NEGOTIATIONS WITH THE FEDERAL GOVERNMENT TO OBTAIN A WAIVER OF  
3 APPLICABLE PROVISIONS OF THE MEDICAID LAWS AND REGULATIONS FOR A  
4 DEMONSTRATION PROJECT TO PROVIDE MEDICAID BENEFITS TO INDIVIDUALS  
5 WHO ARE IN NEED OF MENTAL HEALTH SERVICES OR SUBSTANCE USE  
6 DISORDER SERVICES DURING A PRESUMPTIVE ELIGIBILITY PERIOD; TO  
7 PROVIDE THAT DURING THE PRESUMPTIVE ELIGIBILITY PERIOD, THE  
8 MEDICAID BENEFITS AVAILABLE FOR THOSE INDIVIDUALS WILL BE LIMITED  
9 TO MENTAL HEALTH SERVICES OR SUBSTANCE USE DISORDER SERVICES, AS  
10 APPLICABLE; TO PROVIDE THAT THE DEMONSTRATION PROJECT WILL  
11 INCLUDE, AT A MINIMUM, PROVISIONS FOR THE PRESUMPTIVE ELIGIBILITY  
12 PERIOD, QUALIFIED ENTITIES, NOTIFICATION REQUIREMENTS, AND A  
13 REQUIREMENT TO APPLY FOR MEDICAID BENEFITS; AND FOR RELATED  
14 PURPOSES.

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

16 **SECTION 1.** (1) The Office of the Governor, Division of  
17 Medicaid shall enter into negotiations with the Centers for  
18 Medicare and Medicaid Services (CMS) to obtain a waiver of  
19 applicable provisions of the Medicaid laws and regulations under  
20 Section 1115 of the Social Security Act for a demonstration  
21 project to provide Medicaid benefits to individuals who are in  
22 need of mental health services or substance use disorder services  
23 during a presumptive eligibility period. During the presumptive  
24 eligibility period, the Medicaid benefits available for those



25 individuals will be limited to mental health services or substance  
26 use disorder services, as applicable. The demonstration project  
27 will include, at a minimum, the provisions of subsections (2)  
28 through (5) of this section.

29       (2) **Presumptive eligibility period.** The presumptive  
30 eligibility period for those individuals will be the period that  
31 (a) begins with the date on which a qualified entity determines,  
32 on the basis of preliminary information, that the individual is  
33 otherwise eligible for Medicaid benefits, and (b) ends with and  
34 includes the earlier of (i) the day on which a determination is  
35 made with respect to the eligibility of the individual for  
36 Medicaid benefits, or (ii) in the case of such an individual who  
37 does not file an application by the last day of the month  
38 following the month during which the entity makes the  
39 determination that the individual is otherwise eligible for  
40 Medicaid benefits, such last day.

41       (3) **Qualified entities.** The determination of presumptive  
42 eligibility for those individuals will be made qualified entities  
43 approved by the division that are Medicaid providers and  
44 determined by the division to be capable of making Medicaid  
45 eligibility determinations for those types of individuals.

46       (4) **Notification requirements.** A qualified entity that  
47 determines that an individual is presumptively eligible for  
48 Medicaid benefits shall (a) notify the division of the  
49 determination within five (5) working days after the date on which



determination is made, and (b) inform the individual at the time the determination is made that an application for Medicaid benefits is required to be made by not later than the last day of the month following the month during which the determination is made.

(5) **Requirement to apply Medicaid benefits.** In the case of an individual who is determined by a qualified entity to be presumptively eligible for Medicaid benefits, the individual must apply for Medicaid benefits by not later than the last day of the month following the month during which the determination is made.

(6) The division shall submit the application for the waiver described in this section not later than October 1, 2025.

**SECTION 2.** This act shall take effect and be in force from and after July 1, 2025.

