MISSISSIPPI LEGISLATURE REGULAR SESSION 1999

By: Representative Scott (80th)

To: Public Health and Welfare; Appropriations

HOUSE BILL NO. 159

AN ACT TO AMEND SECTION 41-86-1, MISSISSIPPI CODE OF 1972, TO CHANGE THE NAME OF THE MISSISSIPPI CHILDREN'S HEALTH CARE ACT TO THE MISSISSIPPI CHILDREN'S HEALTH INSURANCE PROGRAM ACT; TO AMEND SECTION 41-86-3, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE CHILDREN'S HEALTH INSURANCE PROGRAM SHALL BE ADMINISTERED BY THE DIVISION OF MEDICAID; TO PROVIDE THAT THE PROGRAM SHALL COVER CHILDREN UNDER 19 YEARS OF AGE WHOSE FAMILY INCOME DOES NOT EXCEED 200% OF THE FEDERAL POVERTY LEVEL; TO PROVIDE THAT THE PROGRAM SHALL PROVIDE THE SAME BENEFITS AND SERVICES TO CHILDREN AS ARE PROVIDED TO MEDICAID RECIPIENTS; TO CREATE A NEW SECTION TO BE CODIFIED AS SECTION 41-86-4, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE ELIGIBILITY OF ALL CHILDREN ENROLLED IN THE CHILDREN'S HEALTH INSURANCE PROGRAM SHALL BE DETERMINED ANNUALLY BY THE DIVISION OF MEDICAID, AND SHALL COVER 12 CONTINUOUS MONTHS UNDER THE PROGRAM; TO PROVIDE THAT FAMILIES OF CHILDREN ENROLLED IN THE PROGRAM SHALL BE ALLOWED TO SELECT THE MEDICAID PROVIDERS FROM WHICH THEIR CHILDREN WILL RECEIVE SERVICES UNDER THE PROGRAM; TO DIRECT THE DIVISION OF MEDICAID TO MAINTAIN THE REIMBURSEMENT RATES TO RURAL HEALTH CLINICS AND FEDERALLY QUALIFIED HEALTH CENTERS THAT PROVIDE SERVICES TO CHILDREN ENROLLED IN THE PROGRAM; TO AUTHORIZE THE DIVISION OF MEDICAID TO INCREASE THE NUMBER OF ITS EMPLOYEES WHO DETERMINE ELIGIBILITY TO MEET THE REQUIREMENTS OF THIS SECTION; TO CREATE A NEW SECTION TO BE CODIFIED AS SECTION 41-86-6, MISSISSIPPI CODE OF 1972, TO ESTABLISH A JOINT OVERSIGHT COMMITTEE OF THE CHILDREN'S HEALTH INSURANCE PROGRAM COMPOSED OF THE PUBLIC HEALTH AND WELFARE COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND THE SENATE; TO PROVIDE FOR REGULAR MEETINGS OF THE COMMITTEE; TO PROVIDE THAT THE COMMITTEE MAY MAKE RECOMMENDATIONS TO THE LEGISLATURE PERTAINING TO ANY MATTER REGARDING THE CHILDREN'S HEALTH INSURANCE PROGRAM; TO REPEAL SECTIONS 41-86-5, 41-86-7, 41-86-9, 41-86-11, 41-86-13, 41-86-15 AND 41-86-17, MISSISSIPPI CODE OF 1972, WHICH PROVIDE DEFINITIONS, ESTABLISH THE CHILDREN'S HEALTH CARE PROGRAM, ESTABLISH THE CHILDREN'S HEALTH INSURANCE PROGRAM COMMISSION, PROVIDE POWERS AND DUTIES OF THE ADMINISTERING AGENCY, PROVIDE FOR FUNDING, PROVIDE FOR ELIGIBILITY FOR BENEFITS, AND SPECIFY BENEFITS AND SERVICES TO BE PROVIDED; AND FOR RELATED PURPOSES.

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

SECTION 1. Section 41-86-1, Mississippi Code of 1972, is amended as follows:

41-86-1. This chapter shall be known as and may be cited as the Mississippi Children's Health <u>Insurance Program</u> Act.

SECTION 2. Section 41-86-3, Mississippi Code of 1972, is

amended as follows:

41-86-3. (1) There is established a statewide Children's Health Insurance Program under Title XXI of the Social Security Act, as amended, to provide child health care assistance to * * * uninsured, low-income children. The program shall be administered by the Division of Medicaid in the Office of the Governor. The term * * * "low-income child" means a child under nineteen (19) years of age whose family income exceeds the Medicaid applicable income level but does not exceed two hundred percent (200%) of the federal poverty level, and who is not eligible for Medicaid benefits under Title XIX and is not covered under a group health plan or by other health insurance.

(2) The Children's Health Insurance Program shall provide the same benefits and services to children enrolled in the program as are provided to Medicaid recipients under the Mississippi Medicaid Law, Section 43-13-117.

(3) The Children's Health Insurance Program shall be * * * subject to the availability of funds specifically appropriated by the Legislature for this purpose and federal matching funds as set forth in Title XXI of the Social Security Act, as amended.

(4) In administering the Children's Health Insurance Program, the Division of Medicaid shall have all the authority, duties and responsibilities set forth in Section 43-13-101 et seq.

(5) This section authorizes the Division of Medicaid to submit a * * * plan for children's health insurance to the U.S. Department of Health and Human Services.

* * *

SECTION 3. The following shall be codified as Section 41-86-4, Mississippi Code of 1972:

41-86-4. (1) The eligibility of all children enrolled in the Children's Health Insurance Program shall be determined annually by the Division of Medicaid, and shall cover twelve (12) continuous months under the program.

(2) Families of children enrolled in the Children's Health

Insurance Program shall be allowed to select the Medicaid providers from which their children will receive services under the program.

(3) The Division of Medicaid shall maintain the reimbursement rates to rural health clinics and federally qualified health centers (FQHCs) that provide services to children enrolled in the Children's Health Insurance Program.

(4) The Division of Medicaid shall be authorized to increase the number of its employees who determine eligibility to meet the requirements of subsection (1) of this section.

SECTION 4. The following shall be codified as Section 41-86-6, Mississippi Code of 1972:

41-86-6. There shall be a Joint Oversight Committee of the Children's Health Insurance Program composed of the Public Health and Welfare Committees of the House of Representatives and the Senate. The chairmanship of the committee shall alternate for twelve-month periods, beginning on May 1 of each year, between the chairmen of the House and Senate Public Health and Welfare Committees, with the Chairman of the House Public Health and Welfare Committee serving as the first chairman. The committee shall meet once each month, or upon the call of the chairman at such times as he deems necessary or advisable. The committee may make recommendations to the Legislature pertaining to any matter regarding the Children's Health Insurance Program.

SECTION 5. Sections 41-86-5, 41-86-7, 41-86-9, 41-86-11, 41-86-13, 41-86-15 and 41-86-17, Mississippi Code of 1972, which provide definitions, establish the Children's Health Care Program, establish the Children's Health Insurance Program Commission, provide powers and duties of the administering agency, provide for funding, provide for eligibility for benefits, and specify benefits and services to be provided, are repealed.

SECTION 6. This act shall take effect and be in force from and after its passage.