

By: Senator(s) Nunnelee

To: Public Health and
Welfare; Appropriations

SENATE BILL NO. 2080

1 AN ACT TO AMEND SECTION 41-86-11, MISSISSIPPI CODE OF 1972,
2 TO PROHIBIT ANY PLAN PROVIDING BENEFITS FOR THE CHILDREN'S HEALTH
3 INSURANCE PROGRAM (CHIP) FROM DENYING PROVIDER PARTICIPATION UNDER
4 CERTAIN CONDITIONS; AND FOR RELATED PURPOSES.

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

6 **SECTION 1.** Section 41-86-11, Mississippi Code of 1972, is
7 amended as follows:

8 41-86-11. (1) The administering agency shall adopt, in
9 accordance with Section 25-43-1 et seq., rules and regulations for
10 the implementation of the program, and for the coordination of the
11 program with the state's other medical assistance programs.

12 (2) If the Division of Medicaid is designated as the
13 administering agency for the program, the division shall have all
14 of the authority set forth in Section 43-13-101 et seq.

15 (3) The administering agency shall make reports to the
16 federal government and to the Legislature on the providing of
17 benefits to those children under the program.

18 (4) (a) If the commission provides that the administering
19 agency will have such authority, the administering agency shall
20 execute a contract or contracts to provide the health care
21 coverage and services under the program, after first receiving
22 bids. The contract or contracts may be executed with one or more
23 corporations or associations authorized to do business in
24 Mississippi. All of the coverage and services to be provided
25 under the program may be included in one or more similar
26 contracts, or the coverage and services may be classified into
27 different types with each type included under one or more similar

28 contracts issued by the same or different corporations or
29 associations.

30 (b) The administering agency shall execute a contract
31 or contracts with one or more corporations or associations that
32 have submitted the best and most cost-effective bids, or shall
33 reject all bids. If the administering agency rejects all bids, it
34 shall notify all bidders of the rejection and shall actively
35 solicit new bids.

36 (c) A plan providing benefits for the Children's Health
37 Insurance Program shall not deny a health care provider that
38 provides health care services the right to enter into a contract
39 to participate in its network of health care providers if that
40 health care provider is willing to meet the terms and conditions
41 of the contract offered by the plan to its participating health
42 care providers and to accept their payment rates and rules and
43 meet the credentialing qualifications of the plan.

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