

By: Representatives McGee, Summers, Hulum

To: Medicaid

HOUSE BILL NO. 662

1 AN ACT TO AMEND SECTION 43-13-115.1, MISSISSIPPI CODE OF
2 1972, TO REVISE THE CRITERIA FOR PRESUMPTIVE ELIGIBILITY FOR
3 MEDICAID FOR PREGNANT WOMEN TO CONFORM TO FEDERAL LAW AND
4 REGULATIONS; AND FOR RELATED PURPOSES.

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

6 **SECTION 1.** Section 43-13-115.1, Mississippi Code of 1972, is
7 amended as follows:

8 43-13-115.1. (1) Ambulatory prenatal care shall be
9 available to a pregnant woman under this article during a
10 presumptive eligibility period in accordance with the provisions
11 of this section.

12 (2) For purposes of this section, the following terms shall
13 be defined as provided in this subsection:

14 (a) "Presumptive eligibility" means a reasonable
15 determination of Medicaid eligibility of a pregnant woman made by
16 a qualified provider based only on the countable family income of
17 the woman, which allows the woman to receive ambulatory prenatal
18 care under this article during a presumptive eligibility period



19 while the Division of Medicaid makes a determination with respect
20 to the eligibility of the woman for Medicaid.

21 (b) "Presumptive eligibility period" means, with
22 respect to a pregnant woman, the period that:

23 (i) Begins with the date on which a qualified
24 provider determines, on the basis of preliminary information, that
25 the total countable net family income of the woman does not exceed
26 the income limits for eligibility of pregnant women in the
27 Medicaid state plan; and

28 (ii) Ends with, and includes, the earlier of:

29 1. The day on which a determination is made
30 with respect to the eligibility of the woman for Medicaid; or

31 2. In the case of a woman who does not file
32 an application by the last day of the month following the month
33 during which the provider makes the determination referred to in
34 subparagraph (i) of this paragraph, such last day * * *.

35 (c) "Qualified provider" means any provider that meets
36 the definition of "qualified provider" under 42 USC Section
37 1396r-1. The term includes, but is not limited to, county health
38 departments, federally qualified health centers (FQHCs), and other
39 entities approved and designated by the Division of Medicaid to
40 conduct presumptive eligibility determinations for pregnant women.

41 (3) A pregnant woman shall be deemed to be presumptively
42 eligible for ambulatory prenatal care under this article if a
43 qualified provider determines, on the basis of preliminary



44 information, that the total countable net family income of the
45 woman does not exceed the income limits for eligibility of
46 pregnant women in the Medicaid state plan. * * * A pregnant woman
47 who is determined to be presumptively eligible may receive no more
48 than one (1) presumptive eligibility period per pregnancy.

49 (4) A qualified provider that determines that a pregnant
50 woman is presumptively eligible for Medicaid shall:

51 (a) Notify the Division of Medicaid of the
52 determination within five (5) working days after the date on which
53 determination is made; and

54 (b) Inform the woman at the time the determination is
55 made that she is required to make application for Medicaid by not
56 later than the last day of the month following the month during
57 which the determination is made.

58 (5) A pregnant woman who is determined by a qualified
59 provider to be presumptively eligible for Medicaid shall make
60 application for Medicaid by not later than the last day of the
61 month following the month during which the determination is made.

62 (6) The Division of Medicaid shall provide qualified
63 providers with such forms as are necessary for a pregnant woman to
64 make application for Medicaid and information on how to assist
65 such women in completing and filing such forms. The division
66 shall make those application forms and the application process
67 itself as simple as possible.



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

