

By: Senator(s) Blackwell

To: Medicaid

SENATE BILL NO. 2567  
(As Sent to Governor)

1 AN ACT TO ENACT THE MISSISSIPPI PEDIATRIC ACCESS TO CRITICAL  
2 HEALTH CARE PROTECTION ACT; TO REQUIRE THE DIVISION OF MEDICAID TO  
3 MAKE PAYMENTS TO A BORDER CITY UNIVERSITY-AFFILIATED PEDIATRIC  
4 TEACHING HOSPITAL IF THE CENTERS FOR MEDICARE AND MEDICAID  
5 SERVICES (CMS) APPROVE AN INCREASE IN THE ANNUAL REQUEST FOR THE  
6 PROVIDER PAYMENT INITIATIVE AUTHORIZED UNDER 42 CFR § 438.6(C) OR  
7 ANOTHER MEDICAID STATUTE OR REGULATION IN AN AMOUNT EQUAL TO OR  
8 GREATER THAN THE ESTIMATED ANNUAL PAYMENT TO BE MADE TO THE BORDER  
9 CITY UNIVERSITY-AFFILIATED PEDIATRIC TEACHING HOSPITAL; TO PROVIDE  
10 THAT NO PAYMENTS SHALL BE MADE UNDER THIS ACT UNTIL AFTER THE  
11 DIVISION OF MEDICAID HAS RECEIVED THE AMOUNT OF THE NON-FEDERAL  
12 SHARE OF SUCH PAYMENTS FROM A PUBLIC ENTITY CAPABLE OF FURNISHING  
13 AN INTERGOVERNMENTAL TRANSFER; TO PROVIDE THAT THE INTENT OF THE  
14 LEGISLATURE IS THAT THE COST OF PROVIDING SERVICES TO MISSISSIPPI  
15 MEDICAID BENEFICIARIES UNDER THE AGE OF TWENTY-ONE YEARS WHO ARE  
16 TREATED BY A BORDER CITY UNIVERSITY-AFFILIATED PEDIATRIC TEACHING  
17 HOSPITAL SHALL NOT EXCEED THE COST OF PROVIDING THE SAME SERVICES  
18 TO INDIVIDUALS IN HOSPITALS IN THE STATE, AND THAT SUCH PAYMENTS  
19 SHALL NOT RESULT IN ANY IN-STATE HOSPITAL RECEIVING PAYMENTS LOWER  
20 THAN THEY WOULD OTHERWISE RECEIVE IF NOT FOR THE PAYMENTS MADE TO  
21 ANY BORDER CITY UNIVERSITY-AFFILIATED PEDIATRIC TEACHING HOSPITAL;  
22 AND FOR RELATED PURPOSES.

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

24 **SECTION 1.** (1) This section shall be known and may be cited  
25 as the "Mississippi Pediatric Access to Critical Health Care  
26 Protection Act."



27 (2) The purpose of this section is to promote quality health  
28 care and to ensure Mississippi children have access to pediatric  
29 inpatient hospital care.

30 (3) For the purposes of this section, the term "border city  
31 university-affiliated pediatric teaching hospital" means an  
32 out-of-state hospital located within a city bordering the eastern  
33 bank of the Mississippi River and the State of Mississippi that  
34 submits to the division a copy of a current and effective  
35 affiliation agreement with an accredited university and other  
36 documentation establishing that the hospital is  
37 university-affiliated, is licensed and designated as a pediatric  
38 hospital or pediatric primary hospital within its home state,  
39 maintains at least five (5) different pediatric specialty training  
40 programs and maintains at least one hundred (100) operated beds  
41 dedicated exclusively for the treatment of patients under the age  
42 of twenty-one (21) years.

43 (4) (a) To align with other similar payments and address  
44 access to care needs, the Division of Medicaid shall, if the  
45 requirements of paragraph (b) of this subsection (4) have been  
46 met, make payments to a border city university-affiliated  
47 pediatric teaching hospital if the Centers for Medicare and  
48 Medicaid Services (CMS) approve an increase in the annual request  
49 for the provider payment initiative authorized under 42 CFR  
50 Section 438.6(c) or another Medicaid statute or regulation in an  
51 amount equal to or greater than the estimated annual payment to be



52 made to the border city university-affiliated pediatric teaching  
53 hospital. The estimate shall be based on the hospital's prior  
54 year Mississippi managed care utilization.

55 (b) No payments shall be made under paragraph (a) of  
56 this subsection (4) until after the Division of Medicaid has  
57 received the amount of the non-federal share of such payments from  
58 a public entity capable of furnishing an intergovernmental  
59 transfer, including, but not limited to, a state institution of  
60 higher learning, public community college, local government, or  
61 instrumentality of local government, provided that any funds  
62 received by a public entity from the border city  
63 university-affiliated pediatric teaching hospital must be bona  
64 fide donations as provided in 42 CFR Section 433.54.

65 (5) It is the intent of the Legislature that the cost of  
66 providing services to Mississippi Medicaid beneficiaries under the  
67 age of twenty-one (21) years who are treated by a border city  
68 university-affiliated pediatric teaching hospital shall not exceed  
69 the cost of providing the same services to individuals in  
70 hospitals in the state. Further, it is the intent of the  
71 Legislature that payments shall not result in any in-state  
72 hospital receiving payments lower than they would otherwise  
73 receive if not for the payments made to any border city  
74 university-affiliated pediatric teaching hospital.

75 (6) This section shall stand repealed on July 1, 2027.



76           **SECTION 2.** This act shall take effect and be in force from  
77 and after July 1, 2026.

