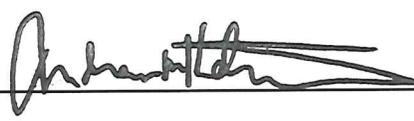


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Chapter No. 334
12/HR12/R1018CS
RB 1 Sec

HOUSE BILL NO. 316

Originated in House  Clerk

HOUSE BILL NO. 316

AN ACT TO AMEND SECTIONS 41-86-1, 41-86-5, 41-86-7, 41-86-9, 41-86-11, 41-86-13 AND 41-86-15, MISSISSIPPI CODE OF 1972, TO TRANSFER THE ADMINISTRATION OF THE MISSISSIPPI CHILDREN'S HEALTH INSURANCE PROGRAM FROM THE STATE AND SCHOOL EMPLOYEES HEALTH INSURANCE MANAGEMENT BOARD TO THE DIVISION OF MEDICAID; TO REPEAL SECTIONS 41-86-3, 41-86-17, 41-86-19 AND 41-86-21, MISSISSIPPI CODE OF 1972, WHICH PROVIDE FOR A TEMPORARY PROGRAM FOR CHILDREN'S HEALTH INSURANCE, SPECIFY THE COVERED BENEFITS AND SERVICES TO BE PROVIDED UNDER THE CHILDREN'S HEALTH INSURANCE PROGRAM, ESTABLISH A CHILDREN'S HEALTH INSURANCE PROGRAM ENROLLMENT OUTREACH INITIATIVE, AND ESTABLISH A CHILDREN'S HEALTH INSURANCE PROGRAM ADVISORY BOARD AND JOINT LEGISLATIVE ADVISORY COMMITTEE; 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 Insurance Program Act.

SECTION 2. Section 41-86-5, Mississippi Code of 1972, is amended as follows:

41-86-5. As used in this chapter, the following definitions shall have the meanings ascribed in this section, unless the context indicates otherwise:

* * *

(a) "Child" means an individual who is under nineteen (19) years of age who is not eligible for Medicaid benefits and is not covered by other health insurance.

* * *

(b) "Covered benefits" means the types of health care benefits and services provided to eligible recipients under the * * * program.

(c) "Division" means the Division of Medicaid in the Office of the Governor.

(d) "Low-income child" means a child whose family income does not exceed two hundred percent (200%) of the poverty level for a family of the size involved.

(e) "Plan" means the State Child Health Plan.

(f) "Program" means the Mississippi Children's Health Insurance Program established by this chapter.

(g) "Recipient" means a person who is eligible for assistance under the program.

(h) "State Child Health Plan" means the permanent plan that sets forth the manner and means by which the State of Mississippi will provide health care assistance to eligible uninsured, low-income children consistent with the provisions of Title XXI of the federal Social Security Act, as amended.

SECTION 3. Section 41-86-7, Mississippi Code of 1972, is amended as follows:

41-86-7. There is established a Children's Health Insurance Program in Mississippi, which * * * shall be financed by state appropriations and federal matching funds received by the state under the * * * Children's Health Insurance Program established by Title XXI of the federal Social Security Act, as amended.

SECTION 4. Section 41-86-9, Mississippi Code of 1972, is amended as follows:

41-86-9. On January 1, 2013, the Mississippi Children's Health Insurance Program and the current contract for insurance services shall be transferred from the State and School Employees Health Insurance Management Board to the Division of Medicaid, and the division shall be responsible for the implementation and administration of the Mississippi Children's Health Insurance Program in accordance with federal law and regulations and this chapter from and after January 1, 2013. The Health Insurance Management Board shall be responsible for any audit or claims

processing issues for the period during which the board administered the program.

SECTION 5. Section 41-86-11, Mississippi Code of 1972, is amended as follows:

41-86-11. (1) The division shall adopt, in accordance with Section 25-43-1.101 et seq., rules and regulations for the implementation of the program, and for the coordination of the program with the state's other medical assistance programs.

(2) * * * The division shall have all of the authority set forth in Section 43-13-101 et seq. in administering the program.

(3) The division shall make reports to the federal government and to the Legislature on the providing of benefits to those children under the program.

(4) The division shall execute a contract or contracts to provide the health care coverage and services under the program in a manner that is consistent with all federal and state procurement regulations.

* * *

SECTION 6. Section 41-86-13, Mississippi Code of 1972, is amended as follows:

41-86-13. (1) The division * * * shall receive state appropriations for the program and federal matching funds under the * * * Children's Health Insurance Program established by Title XXI of the federal Social Security Act, as amended, * * * for the administration of the program. The Legislature shall include those funds as a line item in the appropriation to the division * * *.

(2) The program is subject to the availability of state funds specifically appropriated by the Legislature for the purpose of the program and federal matching funds under the * * * Children's Health Insurance Program established by Title XXI of the federal Social Security Act, as amended. The division may limit enrollment as necessary to ensure that the costs of the

program do not exceed the total amount of state and federal funds appropriated by the Legislature for that purpose.

SECTION 7. Section 41-86-15, Mississippi Code of 1972, is amended as follows:

41-86-15. Persons eligible to receive covered benefits under this chapter shall be low-income children who meet the eligibility standards set forth in the State Child Health Plan. Any person who is eligible for benefits under the Mississippi Medicaid Law, Section 43-13-101 et seq., shall not be eligible to receive benefits under this chapter. A person who is without insurance coverage at the time of application for the program and who meets the other eligibility criteria in the plan shall be eligible to receive covered benefits under the program.

SECTION 8. Sections 41-86-3, 41-86-17, 41-86-19 and 41-86-21, Mississippi Code of 1972, which provide for a temporary program for children's health insurance, specify the covered benefits and services to be provided under the Children's Health Insurance Program, establish a Children's Health Insurance Program enrollment outreach initiative, and establish a Children's Health Insurance Program advisory board and joint legislative advisory committee, are repealed.

SECTION 9. This act shall take effect and be in force from and after January 1, 2013.

PASSED BY THE HOUSE OF REPRESENTATIVES
March 13, 2012


SPEAKER OF THE HOUSE OF REPRESENTATIVES

PASSED BY THE SENATE
April, 2012


PRESIDENT OF THE SENATE

APPROVED BY THE GOVERNOR


GOVERNOR

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