

January 23, 2023

Via Email: DOMPolicy@medicaid.ms.gov
Attn: Robin Bradshaw

Drew Snyder, Director
Mississippi Division of Medicaid
Walter Sillers Building, Suite 1000
550 High Street
Jackson, Mississippi 39201

Re: Mississippi Administrative Procedures Notice Filing 26711
Rule: Title 23 Division of Medicaid, Part 305 Program Integrity, Chapter 1: Program Integrity, Rules 1.1 and 1.4

Dear Director Snyder:

Maxey Wann represents the Mississippi Health Care Association (“MHCA”) and we submit written comments to the Division of Medicaid (“Medicaid” or “Division”) on behalf of MHCA and its membership in response to Mississippi Administrative Procedures Notice Filing, number 26711, filed with the Mississippi Secretary of State December 29, 2022 (the “Notice Filing”). The MHCA is a trade association representing member entities comprised of nursing homes, assisted living, and ICF-IID facilities.

The revisions modify the procedures for the Provider Peer Review Protocol. We submit limited comments on the proposed changes.

The proposed revisions implement a new step in the Provider Peer Review Protocols of review by a Peer Review Panel following the Peer Review Consultant identifying any violation. This Peer Review Panel consideration includes a requirement of participation in a Peer Review Panel conference. The requirements for the Peer Review Panel conference are not detailed. The current protocols allow for Reconsideration Review of the Peer Review Consultants’ findings. While this language remains in the proposed revisions, it has been moved to a sub-section concerning review of a completed Corrective Action Plan and appears to limit Reconsideration Review to after review of the completed Corrective Action Plan.

We would ask that you provide education on the reasoning behind implementing a Peer Review Panel as part of the Provider Peer Review Protocols and clarify the procedures for the Provider Peer Review Protocol, including when a Provider may take advantage of the Reconsideration Review process.

Thank you for your consideration of the comments set forth herein. If you should have any questions or request any additional information, please do not hesitate to contact me.

Sincerely,

MAXEY WANN PLLC

By: 

Kelly H. Stringer