

JAN 23 2012

EXECUTIVE ORDER
12-2SECRETARY OF STATE
COMMISSIONS DIVISION

WHEREAS, the Department of Social Services, established pursuant to Article IV, Section 37 of the Missouri Constitution, is the single state agency responsible for the administration of the Missouri Medicaid Title XIX, SCHIP Title XXI, and Medicaid Waiver programs; and

WHEREAS, the Department of Health and Senior Services, established pursuant to Section 192.005, RSMo, is responsible for public health and aging issues, including administration of the Personal Care and Home and Community-Based Medicaid programs for the aged and disabled; and

WHEREAS, the Department of Mental Health, established pursuant to Article IV, Section 37(a) of the Missouri Constitution, is responsible for issues and programs related to mental disorders, developmental disabilities, and substance abuse; and

WHEREAS, the Missouri Medicaid Audit and Compliance Unit (MMAC) was established in January 2011, within the Department of Social Services, to oversee audit and compliance of Missouri Medicaid Program providers and participants; and

WHEREAS, the MMAC is responsible for detecting, investigating, and preventing fraud against the Missouri Medicaid Program; and

WHEREAS, all Medicaid Program audit and compliance appropriations were transferred from the Department of Social Services' MO HealthNet Division, Department of Health and Senior Services, and the Department of Mental Health to the Department of Social Services MMAC unit in Fiscal Year 2012 by the General Assembly; and

WHEREAS, the work of MMAC has already resulted in the doubling of recoupment of provider overpayments in its first reporting quarter compared with the same quarter in previous years; and

WHEREAS, consolidation of Missouri's Medicaid Title XIX, SCHIP Title XXI and Medicaid Waiver programs' provider enrollment, audit and compliance responsibilities will promote consistent guidance to providers participating in these programs; and

WHEREAS, I am committed to prudently consolidating executive branch operations to ensure that the state delivers vital services in the most efficient and effective manner possible.

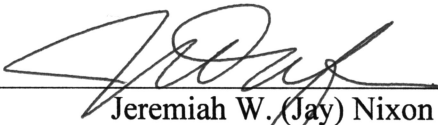
NOW, THEREFORE, I, JEREMIAH W. (JAY) NIXON, GOVERNOR OF THE STATE OF MISSOURI, by virtue of the authority vested in me by the Constitution and the laws of the State of Missouri, do hereby order the Department of Health and Senior Services, the Department of Mental Health, and the Department of Social Services to cooperate to:


1. Transfer all the authority, powers, duties, functions, records, personnel, property, contracts, budgets, matters pending, and other pertinent vestiges of all remaining audit and compliance responsibilities relating to Medicaid Title XIX, SCHIP Title XXI, and Medicaid Waiver programs from the Department of Health and Senior Services and the Department of Mental Health to the Department of Social Services, by Type I transfer, as defined under the Reorganization Act of 1974.
2. Develop mechanisms and processes necessary to effectively transfer these duties and functions to the Department of Social Services.
3. Transfer the responsibility for staff support for these duties and functions to the Department of Social Services.
4. Take the steps necessary to maintain compliance with federal requirements, so as not to jeopardize federal financial participation with this consolidation.

This Order shall become effective August 28, 2012, unless disapproved within sixty days of its submission to the Second Regular Session of the 96th General Assembly

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri, in the City of Jefferson, on this 23rd day of January, 2012.




Jeremiah W. (Jay) Nixon
Governor


Robin Carnahan
Secretary of State