

Spotlight on State: Mississippi

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Mississippi has been active in promoting telehealth services, as one of the first states to enact parity laws for telehealth services in the state. Since before the COVID-19 pandemic, the state has had comprehensive parity laws that require health plans to cover and reimburse telehealth services on the same basis and at the same rate as in-person services. Legislators also put forward a proposal to study and implement a state-based public option.

In the provider market, the state requires healthcare providers to apply for and receive a Certificate of Need (CON) prior to the construction, acquisition, or transfer of ownership of a health care facility. In addition to maintaining a CON program, the legislature has been active in pursuing other strategies to ensure market competition. Mississippi was one of the few states to propose legislation in recent terms that would prohibit anticompetitive contract clauses in provider and insurer contracts, including most-favored nation clauses and all-or-nothing provisions.

Mississippi has also made various attempts to rein in healthcare costs and prescription drug prices in the state. As scrutiny of pharmacy benefit managers continues to intensify across the country, Mississippi became the first state to sue drug makers and PBMs for conspiring to set prices for insulin in a lawsuit filed by the state attorney general.

Additionally, to promote transparency in pharmaceutical pricing, the state passed the Prescription Drug Consumer Affordable Alternative Payment Options Act, which allows pharmacists to provide patients with information about affordable alternatives of drugs. Mississippi law also provides robust protection for consumers against surprise medical billing by prohibiting balance billing in both emergency and non-emergency situations.