NOTICE OF PROPOSED RULE ADOPTION

STATE OF MISSISSIPPI
Mississippi Department Rehabilitation Services
Office of Vocational Rehabilitation

Mississippi Department Rehabilitation Services
c/o Mr. Gary Neely, OVR Director
Post Office Box 1698
Jackson, MS 39215-1698
(601) 853-5230
gneely@mdrs.state.ms.us

Specific Legal Authority authorizing the promulgation of Rule: OVR/OVRB Resource Guide, Section 3.21 Weight Management

Reference to Rules repealed, amended or suspended by the Proposed Rule: Amendment to existing rules

Explanation of the Purpose of the Proposed Rule and the reason(s) for proposing the rule: Re-define definition of obesity to a Body Mass Index of 40 or more; add foods and exercise/weight loss equipment to list of services Agency will not pay for; and delete Agency sponsorship of surgical procedures to controlling obesity.

This rule is proposed as a ☒ Final Rule, and/or a ☐ Temporary Rule (Check one or both boxers as applicable.)

Persons may present their views on the proposed rule by addressing written comments to the agency at the above address. Persons making comments should include their name and address, as well as other contact information, and if you are an agent or attorney, the name, address and telephone number of the party or parties you represent.

Oral Proceeding: Check one box below:

☒ An oral proceeding was held on this rule on April 21, 2006, 10:00 PM, Mississippi Department of Rehabilitation Services Auditorium, 12 81 Hwy 51 North, Madison, MS 39110.

If you wish to be heard and present evidence at the oral proceeding you must make a written request to the agency at the above address at least _____ day(s) prior to the proceeding to be placed on the agenda. The request should include your name, address, telephone number as well as other contact information; and if you are an agent or attorney, the name, address and telephone number of the party or parties you represent.

☐ An oral proceeding is not scheduled on this rule. Where an oral proceeding is not scheduled, an oral proceeding will be held if a written request for an oral proceeding is submitted by a political subdivision, an agency or ten (10) persons. The written request should be submitted to the agency contact person at the above address within twenty (20) days after the filing of this notice of proposed rule adoption and should include the name, address and telephone number of the person(s) making the request; and if you are an agent or attorney, the name, address and telephone number of the party or parties you represent.

Economic Impact Statement: Check one box below:

☒ The agency has determined that an economic impact statement is not required for this rule, or

☐ The concise summary of the economic impact statement required is attached.

The entire text of the Proposed Rule including the text of any rule being amended or changed is attached.

Date Rule Proposed: 5/15/2006 **Proposed Effective Date of Rule:**

H.S. McMillan H.S. McMillan, Executive Director
Signature and Title of Person Submitting Rule for Filing