NOTICE OF RULE ADOPTION—FINAL RULE

STATE OF MISSISSIPPI
MISSISSIPPI DEPARTMENT OF REHABILITATION SERVICES
Office of Vocational Rehabilitation

Mississippi Department of Rehabilitation Services
c/o Mr. Gary Neely, OVR Director
Post Office Box 1698
Jackson, MS 39215-1698
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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Reference to Rules repealed, amended or suspended by the Proposed Rule: Amendment To Existing Rules

Date Rule Proposed: May 15, 2006

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.

The Agency Rule Making Record for this rule including any written comments received during the comment period and the record of any oral proceeding is available for public inspection by contacting the Agency at the above address.

☒ An oral proceeding was held on this rule on April 21, 2006, 10:00 PM, Mississippi Department of Rehabilitation Services Auditorium, 1281 Hwy 51 North, Madison, MS 39110.

☐ An oral proceeding was not held on this rule.

The Agency has considered the written comments and the presentations made in any oral proceedings, and

☒ This rule as adopted is without variance from the proposed rule.

☐ This rule as adopted differs from the proposed rule as there are minor editorial changes which affect the form rather than the substance of the rule.

☐ The rule as adopted differs from the proposed rule. The differences however are:
Within the scope of the matters in the Notice of Proposed Rule Adoption, the logical outgrowth of the contents of the Notice of Proposed Rule Adoption and the comments submitted in response thereto, and
The Notice of Proposed Rule Adoption provided fair warning that the outcome of the proposed rule adoption could be the rule in question.

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

Effective Date of Rule: July 17, 2006

H. S. McMillan

H. S. McMillan, Executive Director