

NOTICE OF RULE ADOPTION—FINAL RULE



STATE OF MISSISSIPPI
MISSISSIPPI DEPARTMENT OF HUMAN SERVICES
Division of Family & Children's Services

Mississippi Department of Human Services
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Specific Legal Authority Authorizing the promulgation of
Rule: Mississippi Code, annotated; Sections: 43-21-
353(6)(7)(8), 43-21-257, 43-21-261(17), 43-21-355, 43-21-
105(m)(v)(x), 43-21-357
1978 ICWA

Reference to Rules repealed, amended or suspended by the
Proposed Rule : Amending the DFCS policy manual

Date Rule Proposed: October 6, 2006

Explanation of the Purpose of the Proposed Rule and the reason(s) for proposing the rule: : 1) Removed several
sections that were "practice" to a DFCS Worker's Practice Guide; 2) Created a section on screening reports and developed a
"Level" system of response time as well as a 72 hour response time on reports that are not felony child abuse/neglect; 3)
Created assessment tools to help the DFCS worker make a better determination on a report; 4) Created a section for
additional information on an existing investigation by assigning this new information as "post-allegation"; 5) Created a
section explaining to the DFCS worker how to handle reports of "Child on Child" abuse/neglect; 6) Enhanced the section of
reports on Native Americans by adding the counties the Mississippi Band of Choctaw Indians reside as well as questions the
DFCS worker must ask to determine if the child is Indian; 7) Enhanced the definition of "other settings" where abuse/neglect
occur and how the DFCS worker should handle these reports; and 8) Included instruction to the DFCS worker on steps to
take when a child fatality is discovered during an investigation of child abuse/neglect.

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:

Date: {Insert Date}
Time: {Insert Time}
Place: {Insert Place}

[x] 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

[x] 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: December 31, 2006

Rita C. Graham
Signature and Title of Person Submitting Rule for Filing
Rita C. Graham, Program Administrator/Protection Unit