

NOTICE OF PROPOSED RULE ADOPTION

**STATE OF MISSISSIPPI
MISSISSIPPI DEPARTMENT OF HUMAN SERVICES
Division of Family and Children’s Services**

Mississippi Department of Human Services
Donald R. Taylor, Executive Director
c/o Rickie Felder, Director
Division of Family & Children’s Services
750 N. State Street
Jackson, MS 39202
601-359-4999
rfelder@mdhs.state.ms.us
rgraham@mdhs.state.ms.us

Specific Legal Authority authorizing the promulgation of Rule: Mississippi Code Sections 41-88-3; 41-23-37; 37-13-91; 37-23-3(1); and 37-23-5

Reference to Rules repealed, amended or suspended by the Proposed Rule: Amending the DFCS policy manual

Explanation of the Purpose of the Proposed Rule and the reason(s) for proposing the rule: 1) Removed sections considered to be practice to a DFCS Worker’s Practice Guide; 2) Defined timeline to obtain a referral for dental exam for children age 3 and over who are in custody; 3) Defined timeline to obtain a medical examination for all children in custody; 4) Added assessment of mental health needs for all children in custody and deleted psychosocial assessment for children 4 and older in custody ; 5) Defined educational requirements to state that children 6-17 be enrolled in and attend regularly a public school or legitimate non-public school; 6) Expanded policy regarding referring children for Early Intervention services; and 7) Defined Immunization policy to conform to Mississippi State Law

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 is scheduled on this rule on Date: May 7, 2007 Time: 11:00 A.M.
Place: Mississippi Department of Human Services, 750 N. State St., Jackson, MS 39205
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 5 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: April 27, 2007

Proposed Effective Date of Rule: May 31, 2007

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