

**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  
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**Specific Legal Authority authorizing the promulgation of Rule:** Mississippi Code 43-15-13; 43-21-105; 43-21-609; 43-21-613

**Reference to Rules repealed, amended or suspended by the Proposed Rule:** Amending the DFCS policy manual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) Placing a child within a 50 mile radius from his/her original home was added to MEPA policy and the section on Factors to Consider for Placement was removed to a practice guide. Compliance with Civil Rights section was incorporated with MEPA compliance; 2) Indian heritage in ICWA was changed from as soon as possible after custody to “as soon as possible after contact with the family”. Six questions were added that the Worker must ask the family to determine Native American Heritage. The counties where the Mississippi Band of Choctaw Indians reside were identified in the revised policy; 3) Paragraph under legal base that referred to the prohibition of federal financial participation for placements in unlicensed facilities was deleted and moved to Resource Family policy; 4) Legal father was more clearly defined; 5) Exception to Reasonable Efforts has been moved to TPR policy; 6) Confidentiality and Photographs policy has been moved to the Protection section of the Volume IV manual; 7) Family Centered Permanency Planning was redefined and condensed. Several sections were deleted or moved to a practice guide; 8) Working with other counties was moved to the practice guide; 9) Time frame for Worker to complete an adult ISP was changed from 30 days to 25 days; 10) Defined the differences in Initial ISP, Review ISP, Add/Change ISP and Final ISP; 11) Revised and condensed the Components of the Child’s ISP and included the term youth in the revision; 12) Quarterly Reports-Out of State Placement was removed and placed in ICPC policy; and 13) Social Workers’ Responsibilities were incorporated separately under each re-defined Permanent Plan.

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 24, 2007, 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:** May 9, 2007

**Proposed Effective Date of Rule:** June 9, 2007

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**Signature and Title of Person Submitting Rule for Filing**

Rita C. Graham, Program Administrator/Policy

Terri Yetter, Projects Officer II/Policy