

NOTICE OF RULE ADOPTION – FINAL RULE

STATE OF MISSISSIPPI  
MS State Department of Health

MS State Department of Health  
c/o [Sam Dawkins](#)  
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Specific Legal Authority Authorizing the promulgation  
of Rule: [Mississippi Code Section 41-7-185](#)

Reference to Rules repealed, amended or suspended by  
the Final Rule:  
[Mississippi Department of Health – Certificate of Need  
Manual \(November 12, 2006\)](#)

Email Address

Date Rule Proposed: [December 13, 2006](#)  
Date Rule Adopted: [August 8, 2007](#)

Explanation of the Purpose of the Proposed Rule and the reason(s) for proposing the rule: Revision of the Mississippi Department of Health Certificate of Need Manual, Chapter 3, Section 100, (Notice of Intent to Apply for a Certificate of Need) to remove extracorporeal shockwave lithotripsy services form the list of services requiring filing of a Notice of Intent to Apply for a Certificate of Need and to require submission of a Notice of Intent to Apply for a Certificate of Need at least 30 days prior to the Application for a Certificate of Need.

The Agency Rule Making Record for this rule including any written comment(s) 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: January 4, 2006  
Time: 10:30 a.m.  
Place: Mississippi Department of Health, Osborne Building, Room 150, 570 E. Woodrow Wilson, Jackson, Mississippi 39215
- 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.
- This rule as adopted differs from the proposed rule and all of the following apply:
  - The differences are within the scope of the matter in the notice of proposed rule adoption,
  - The differences are a 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 Final Rule including the text of any rule being amended or changed is attached.

Effective Date of Rule: [September 8, 2007](#)

**Sam Dawkins, Director of Office of Health Policy and Planning**  
Printed Name/Title of Person Submitting Rule for Filing

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Signature