FILED
DEC 21 2007
MISSISSIPPI
SECRETARY OF STATE

NOTICE OF PROPOSED RULE ADOPTION

STATE OF MISSISSIPPI
MS State Department of Health

MS State Department of Health

c/o Vickey Maddox
P.O. Box 1700
Jackson, MS 39215-1700

601-364-1101
Telephone Number

Vickey.Maddox@msdh.state.ms.us
Email Address

Specific Legal Authority Authorizing the promulgation of Rule: §43-11-1 through 43-11-17 et. seq.

Reference to Rules repealed, amended or suspended by the Proposed Rule: ***Minimum Standards of Personal Care Homes – Assisted Living***

Explanation of the Purpose of the Proposed Rule and the reason(s) for proposing the rule:

The amendment deletes the word, "alleged" in Section 101.03 (8) Criminal History Record Check; deletes the word "Excessive" in Section 108.01 (4) Denial, Suspension, and Revocation of a License; and adds two (2) new Sections - Section 121 Emergency Operations Plan (EOP) and a new title/section - Section 122 Facility Fire Preparedness. These two (2) new sections replace the Section formerly known as Disaster Planning.

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: January 16, 2008 Time: 1:45 p.m. Location: MS Dept. of Health Osborne 320, 570 E Woodrow Wilson, Jackson, MS**

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 five (5) days 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: December 21, 2007

Proposed Effective Date of Rule: February 22, 2008.

Vickey Maddox, Office Director
Printed Name/Title of Person Submitting Rule for Filing

Vickey J. Maddox
Signature