FILED
JAN 25 2008
MISSISSIPPI
SECRETARY OF STATE

NOTICE OF RULE ADOPTION – FINAL RULE

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
601-364-1100
Telephone Number
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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Reference to Rules repealed, amended or suspended by the Final Rule:
Minimum Standards for Institutions For the Aged or Infirm

Date Rule Proposed: **December 21, 2007**
Date Rule Adopted: **January 23, 2008**

Explanation of the Purpose of the Proposed Rule and the reason(s) for proposing the rule:
The amendment deletes the word, "alleged" in Section 101.05 (8) Criminal History Record Check; deletes the word "Excessive" in Section 107.01 (3) Denial, Suspension, and Revocation of a License; and adds two (2) new Sections - Section 113.01 Emergency Operations Plan (EOP) and adds a new title/section of Facility Fire Preparedness - Section 113.02 to allow placement of language from previous Disaster Planning. These two (2) new sections replace the Section formerly known as Disaster Planning.

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 16, 2008**
Time: **1:30 p.m.**
Place: **MS State Department of Health, Osborne 320, 570 E Woodrow Wilson, Jackson, MS**

☐ 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: February 24, 2008

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

Vickey J. Maddox
Signature