

NOTICE OF RULE ADOPTION – FINAL RULE

STATE OF MISSISSIPPI
MS State Department of Health



MS State Department of Health
c/o Vickey Maddox/Marilynn Winborne
P. O. Box 1700
Jackson, MS 39215-1700
601-364-1100
Telephone Number
Vickey.Maddox@msdh.state.ms.us
Email Address

Specific Legal Authority Authorizing the promulgation
of Rule: §41-85-1 through 41-85-25 et. seq.

Reference to Rules repealed, amended or suspended by
the Final Rule:
Minimum Standards of Operation for Hospice

Date Rule Proposed: June 10, 2008
Date Rule Adopted: July 9, 2008

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

Changes were made to Section 101.26, Geographic Service Area, to clarify that the referenced 50 mile radius does not expand the Parent's designated geographic service area and that the hospice must seek approval from MSDH to expand their geographic service area. In addition, there are changes to Section 105.05 Application for License, which clarifies that the existing satellite branch offices operating outside the 50 mile radius as referenced in 101.26 prior to the effective date of these regulations are permitted to remain satellite branch offices under their existing Parent facility.

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: June 25, 2008
Time: 10:15 a.m.
Place: MS State Department of Health, Office of Licensure, Bureau of Health Facilities Licensure and Certification, 143-B Lefleur's Square, Jackson, Ms 39211

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: August 9, 2008

Marilynn Winborne, Bureau Director
Printed Name/Title of Person Submitting Rule for Filing

Marilynn Winborne
Signature