

NOTICE OF PROPOSED RULE ADOPTION

STATE OF MISSISSIPPI
MS State Department of Health

MS State Department of Health
c/o Donald E. Eicher, III
P. O. Box 1700
Jackson, MS 39215-1700

Specific Legal Authority Authorizing the promulgation
of Rule: Mississippi Code Section 41-7-185 (g)

Telephone Number
(601)-576-7874

Reference to Rules repealed, amended or suspended by
the Proposed Rule:
Mississippi State Department of Health - FY 2010
Mississippi State Health Plan

Email Address
Don.Eicher@msdh.state.ms.us

Explanation of the Purpose of the Proposed Rule and the reason(s) for proposing the rule:
Revisions of the FY 2010 Mississippi State Health Plan to update statistical data for health care facilities and services and
other information concerning health care issues. Further this includes changes to Acute Care Chapter (New General Hospital
Service Areas and General Acute Care Hospital for Counties located in an underdeveloped General Hospital Service Area
with rapidly growing population), Obstetrical Services, and Neonatal Special Care Services.

This rule is proposed as a [X] 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):

- [X] An oral proceeding is scheduled on this rule on Date: 06/26/2009 at Time: 10:30 a.m. at
Location: Mississippi State Department of Health, Health Services Conference Room, 2nd Floor, Osborne
Building, 570 East Woodrow Wilson, Jackson, Mississippi 39215.

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
[X] 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: June 4, 2009

Proposed Effective Date of Rule: August 7, 2009

Donald E. Eicher, III, Director of Office of Health Policy and Planning

[Handwritten Signature]

Printed Name/Title of Person Submitting Rule for Filing

Signature

# CONCISE SUMMARY OF ECONOMIC IMPACT STATEMENT

## STATE OF MISSISSIPPI MS State Department of Health

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c/o [Donald E. Eicher, III](#)  
P.O. Box 1700  
Jackson, MS 39215-1700

Telephone Number  
[\(601\)-576-7874](#)

Email Address  
[Don.Eicher@msdh.state.ms.us](mailto:Don.Eicher@msdh.state.ms.us)

Specific Legal Authority Authorizing the promulgation of  
Rule: [Mississippi Code Section 41-7-185 \(g\)](#)

Reference to Rules repealed, amended or suspended by the  
Proposed Rule: [Mississippi Department of Health – FY  
2010 Mississippi State Health Plan](#)

An Economic Impact Statement is required for this proposed rule by Section 25-43-3.105 of the Administrative Procedures Law. This is a Concise Summary of the Economic Impact Statement which must be filed with the Notice of Proposed Rule Adoption in the Secretary of State's Office. The full text of the Economic Impact Statement may be obtained from the agency contact person at the above address.

Persons may present their views by submitting written comments on the proposed rule adoption to the agency contact person at the above address. Additional information on where, when and how persons may present their views or demand an oral proceeding on the proposed rule are included in the Notice of Proposed Rule Adoption to which this is attached.

a. Description of the need for and the benefits of the proposed rule: [Mississippi Code Sections 41-7-185 \(g\) requires the State Department of Health to develop a revised State Health Plan tri-annually. The FY 2010 revision will update all chapters with the most recent statistical data available and make revisions to certain criteria and standards.](#)

b. Cost estimate to the agency and other state or local government entities: [Printing and binding of the State Health Plan will cost approximately \\$2,500 in FY 2010. Other state agencies are provided copies free of charge.](#)

c. Estimate of the cost or economic benefit to all persons: [The Department recoups this cost by charging \\$50 per copy to health care providers and others. The State Health Plan is also available electronically](#)

d. Analysis of the impact on small business: [There will be no impact on small business.](#)

e. Comparison of the costs and benefits of the proposed rule to the probable costs and benefits of not adopting the rule: [The FY 2010 revision will update all chapters with the most recent statistical data available and make revisions to certain criteria and standards, specifically Acute Care Chapter.](#)

f. Determination as to whether less costly or less intrusive methods exist to achieve the purpose of the rule: [The Department considered only publishing the FY 2010 State Health Plan electronically, but elected to continue traditional hardcopy publication due to demands of providers and other interested parties.](#)

g. Description of reasonable alternative methods and reasons for rejection of the alternative methods: [The Department considered only publishing the FY 2010 State Health Plan electronically, but elected to continue traditional hardcopy publication due to demands of providers and other interested parties.](#)

f. Data and methodology in making the estimates in the economic impact statement: [The department used actual historical cost data based on number of copies produced in previous fiscal years.](#)

Date Rule Proposed: [June 4, 2009](#)

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Donald E. Eicher, III, Director of Office of Health Policy and Planning  
Printed Name/Title of Person Submitting Rule for Filing

  
Signature