

16398

NOTICE OF RULE ADOPTION – FINAL RULE

STATE OF MISSISSIPPI  
MS State Department of Health

**FILED**  
JUL 31 2009  
**MISSISSIPPI  
SECRETARY OF STATE**

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Reference to Rules repealed, amended or suspended by  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 Final Rule:  
Mississippi State Department of Health – FY 2010  
Mississippi State Health Plan

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

Date Rule Proposed: June 4, 2009  
Date Rule Adopted: July 8, 2009

**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.

**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: 06/26/2009  
Time: 10:30 a.m.  
Place: Mississippi State Department of Health, Health Services Conference Room, 2<sup>nd</sup> Floor, Osborne Building, 570 East 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 1, 2009

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

  
Signature