SOS APA Form 003
Rev. 6/12

DELBERT HOSEMANN
Secretary of State

ECONOMIC IMPACT STATEMENT

An Economic Impact Statement is required for this proposed rule by Section 25-43-3.105 of the Administrative Procedures Act. An Economic Impact Statement must be attached to this Form and address the factors below. A PDF document containing this executed Form and the Economic Impact Statement must be filed with any proposed rule, if required by the aforementioned statute.

AGENCY NAME	CONTACT PERSON		TELEPHONE NUMBER
Mississippi State Department of Health	Mike Lucius		601-576-7847
ADDRESS	CITY	STATE	ZIP
PO Box 1700/570 E Woodrow Wilson Blvd.	Jackson	MS	39215
EMAIL	DESCRIPTIVE TITLE OF PROPOSED RULE		
Bob.Fagan@msdh.state.ms.us	Mississippi State Department of Health – FY 2013 Mississippi State Health Plan		

Specific Legal Authority Authorizing the promulgation of Rule: Mississippi Code Section 41-7-185(g)	Reference to Rules repealed, amended or suspended by the Proposed Rule: FY 2012 Mississippi State Health Plan

SIGNATURE	TITLE
Mike Lucius	Deputy State Health Officer/and Chief Administrative Officer
DATE October 1, 2012	PROPOSED EFFECTIVE DATE OF RULE December 1, 2012

1. Describe the need for the proposed action:

   Mississippi Code Section 41-7-185(g) requires the State Department of Health to develop a revised State Health Plan tri-annually. The FY 2013 revision will update all chapters with the most recent statistical data available and make revisions to certain criteria and standards. This is necessary to keep the State Health Plan (SHP) current to achieve its goal guiding Mississippi's health planning and health regulatory activities: to improve the health of Mississippi residents; to increase the accessibility, acceptability, continuity, and quality of health service; to prevent unnecessary duplication of health resources; and to provide some cost containment.

2. Describe the benefits which will likely accrue as the result of the proposed action:

   Mississippi Code Section 41-7-185(g) requires the State Department of Health to develop a revised State Health Plan tri-annually. The State Health Plan (SHP) His necessary to properly administer the Certificate of Need program that requires review of health care facilities and defined health care services. Parties to benefit include, all health care facilities and health care service providers, and their consumers and the State of Mississippi.

3. Describe the effect the proposed action will have on the public health, safety, and welfare:

The SHP is to assess need for all defined health care facilities and health care services. Mississippi's health planning and health regulatory activities have the following purposes: to improve the health of Mississippi residents; to increase the accessibility, acceptability, continuity, and quality of health service; to prevent unnecessary duplication of health resources; and to provide some cost containment.

In furtherance of the above activities, the SHP impacts all regulated health care facilities, health care providers of defined services, and all their respective consumers and the State of Mississippi

4. Estimate the cost to the agency and to any other state or local government entities, of implementing and enforcing the proposed action, including the estimated amount of paperwork, and any anticipated effect on state or local revenues:

   For MSDH to prepare, publish, and distribute, FY 2013 SHP it is estimated to not exceed $25,000.00. We do not anticipate any costs to other state agencies, including paperwork, or any effect on state or local revenues.

5. Estimate the cost or economic benefit to all persons directly affected by the proposed action:

   Mississippi Code Section 41-7-185(g) requires the State Department of Health to develop a revised State Health Plan tri-annually. The State Health Plan (SHP) is necessary to properly administer the Certificate of Need program that requires review of health care facilities and defined health care services. Parties to benefit include, all health care facilities and health care service providers, and their consumers and the State of Mississippi. During FY 2012, the program review 32 applications under the program and 75 declaratory rulings, these involved capital expenditures of $321,367,381. MSDH estimates that the economic benefit to the public is excess of the annual capital expenditures by the regulated health care facilities and service providers. MSDH estimates the costs are significantly less than the annual capital expenditures.

6. Provide an analysis of the impact of the proposed rule on small business:

   MSDH estimate of impact of small business is minimal at best since the number of small businesses that are impacted by the SHP are limited.

7. Compare the costs and benefits of the proposed rule to the probable costs and benefits of not adopting the proposed rule or significantly amending an existing rule:

   Without annual update of the SHP, the consumers of health care facilities and service providers and the general citizens of the State of Mississippi will not be afforded access to improve their health. The costs of the CON program and the SHP are minimal when compared to the health of all health care consumers and the health of all the citizens of the State of Mississippi.

8. Determine whether less costly methods or less intrusive methods exist for achieving the purpose of the proposed rule where reasonable alternative methods exist which are not precluded by law:

   Mississippi Code Section 41-7-185(g) requires the State Department of Health to develop a revised State Health Plan tri-annually. Waiting every three years to publish the SHP will save costs, but at the expense of having static health planning resulting in negative impact on the health of Mississippi residents. MSDH cannot determine a less costly method in preparation and publication of the SHP at this time.

9. Describe reasonable alternative methods, where applicable, for achieving the purpose of the proposed action which were considered by the agency:

   Without restating the answer to Question 8, hereinabove, MSDH only could consider not preparing and publishing a SHP.

10. State reasons for rejecting alternative methods that were described in #9 above:

    See response to Question 8, hereinabove.

11. Provide a detailed statement of the data and methodology used in making estimates required by this subsection:

    MSDH used historical costs of the SHP and CON program and other historical data relating to each.