



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 MS State Department of Health	CONTACT PERSON Mike Lucius	TELEPHONE NUMBER 601-576-7847
ADDRESS PO Box 1700	CITY Jackson	STATE MS
EMAIL bob.fagan@msdh.state.ms.us	DESCRIPTIVE TITLE OF PROPOSED RULE Minimum Standards of Operation for Mississippi Hospitals	
Specific Legal Authority Authorizing the promulgation of Rule: Miss. Code Ann. §41-9-17	Reference to Rules repealed, amended or suspended by the Proposed Rule: Amended Rule 41.27.3 Added Subchapter 83	

A. Estimated Costs and Benefits

SIGNATURE <i>Mike Lucius</i>	TITLE Deputy State Health Officer/Chief Administrative Officer
DATE 5/30/13	PROPOSED EFFECTIVE DATE OF RULE: 30 days after filing

- Describe the need for the proposed action:
This amended rule and new subsection provides the provision to allow for Pilot project Freestanding Emergency Departments. The Subsection 83 addendum provides guidelines should an entity wish to operate a PFED.
- Describe the benefits which will likely accrue as the result of the proposed action:
The benefit is that the proposed rule allows for the operation of Pilot project Freestanding Emergency Departments (PFED). This potentially will make emergency services available in more locations in Mississippi, thus making treatment available to the citizens of Mississippi.
- Describe the effect the proposed action will have on the public health, safety, and welfare:
It has the potential to provide additional opportunities for treatment and, if the Pilot program is successful, opens the way for other facilities to provide services in the same manner.
- 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:
There should be no cost to any other state or local government entities. The cost to the MSDH would be minimal as survey monitoring cost will be incorporated into Department's routine business. This facility would be included in the regular schedule for surveys for licensure and certification.
- Estimate the cost or economic benefit to all persons directly affected by the proposed action:
We cannot identify with certainty the exact cost of such a facility. The initial expenditure to build such a facility is estimated at three to five million dollars. The cost of running the facility after it is built would depend on size and complexity of services offered. Since such a facility has yet to be built and operated in Mississippi, we cannot provide more exact data.

However, this is a voluntary Pilot program. There is no requirement for any provider or facility to provide emergency services at an off-site facility. All existing hospitals may continue to provide emergency services in the same manner that they are provided currently. Therefore, unless a facility chooses to provide services at a free-standing emergency department, there should be no economic impact for the facility.

6. Provide an analysis of the impact of the proposed rule on small business:
None; this is an optional program for hospitals.
7. Identify and estimate the number of small businesses subject to the proposed regulation:
None; this is an optional program for hospitals.
 - a. Provide the projected reporting, recordkeeping, and other administrative costs required for compliance with the proposed regulation, including the type of professional skills necessary for preparation of the report or record:
None; this is an optional program for hospitals.
 - b. State the probable effect on impacted small businesses:
The cost of the IGRA test is \$106.00
 - c. Describe any less intrusive or less costly alternative methods of achieving the purpose of the proposed regulation including the following regulatory flexibility analysis:
 - i. The establishment of less stringent compliance or reporting requirements for small businesses;
None.
 - ii. The establishment of less stringent schedules or deadlines for compliance or reporting requirements for small businesses;
None.
 - iii. The consolidation or simplification of compliance or reporting requirements for small businesses;
None.
 - iv. The establishment of performance standards for small businesses to replace design or operational standards required in the proposed regulation;
None.
 - v. The exemption of some or all small businesses from all or any part of the requirements contained in the proposed regulations:
The program is optional.
8. 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:
Cost to those who choose to provide this service could be substantial. The benefit could also be substantial to those using these facilities. Optional program.
9. 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:
None.
10. Describe reasonable alternative methods, where applicable, for achieving the purpose of the proposed action which were considered by the agency:
None; this is an optional program for hospitals.
11. State reasons for rejecting alternative methods that were described in #9 above:
NA
12. Provide a detailed statement of the data and methodology used in making estimates required by this subsection:
The Department does not have specific data to use as a reference since there are no such facilities in Mississippi.