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	Mitchell Adcock		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.ms.gov	Regulations Governing Licensure of Child Care Facilities and Regulations Governing Licensure of Child Care Facilities for 12 or Fewer Children in the Operator's Home		
Specific Legal Authority Authorizing the promulgation of Rule: Section 43-20-8	Reference to Rules repealed, amended or suspended by the Proposed Rule: SEE ATTACHED		

SIGNATURE	TITLE
[signature]	Deputy State Health Officer/Chief Administrative Officer
DATE 10/15/2014	PROPOSED EFFECTIVE DATE OF RULE 30 days after filing

1. Describe the need for the proposed action:

   To protect the safety and well-being of the children cared for in licensed child care facilities.

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

   These regulation amendments will benefit the approximately 89,501+ children cared for in licensed child care facilities. The benefits will include, but are not limited, to a better and safer physical environment in which children are cared for in licensed child care facilities, requirement for a complaint hotline for reporting complaints, clarification of space requirements in licensed facilities, clarifying conditions under which a child care facility may be re-measured, establishment of a Grandfather Provision" regarding amendments to licensing regulations, streamlining hearing regarding actions against a licensed child care facility, establishment of conditions under which facilities will not be considered in violation of certain licensing regulations, and establishment of procedures under which administrative hearings are conducted.

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

The proposed action will provide for better overall health, safety, and welfare of children cared for in licensed child care facilities and provide clarification of Rules in the licensing regulations to providers and the public.

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:

   There will be no additional cost to other state or local government entities. There will be no increase in paper work and no effect on state or local revenues.

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

   The benefit to child care providers will be that the quality of the product they offer, and the care for children will be enhanced and with that may come an increase in business.

6. Provide an analysis of the impact of the proposed rule on small business: See 5 above.
   a. Identify and estimate the number of small businesses subject to the proposed regulation:

      1,575 licensed child care providers

   b. 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:

      The Mississippi State Department of Health is the licensing authority for child care facilities and the costs associated with the regulation amendments will be absorbed in the current budget of $2,041,035 for FY2015.

   c. State the probable effect on impacted small businesses:

      The MSDH has not received any indication from any licensed child care providers that they will close their business because of the proposed amendments.

   d. 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;
      ii. The establishment of less stringent schedules or deadlines for compliance or reporting requirements for small businesses;
      iii. The consolidation or simplification of compliance or reporting requirements for small businesses;
      iv. The establishment of performance standards for small businesses to replace design or operational standards required in the proposed regulation; and
      v. The exemption of some or all small businesses from all or any part of the requirements contained in the proposed regulations:

      The Department feels that each child should be afforded high quality, safe care in Mississippi's licensed child care centers. There are no less intrusive or less costly alternative methods to achieving the purpose of the proposed regulations.

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:

   The cost to providers will not be significantly different if the proposed rule is not adopted.

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:

   It has been determined that there are no less costly methods for the achieving the purpose of the proposed rule.

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

   There are no other reasonable alternative methods.

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

    N/A

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

    The data in the child care database was thoroughly analyzed, child care providers were consulted, Child Care Advisory Council was consulted, and a review of pertinent literature was completed.

Attachment

Regulations Governing Licensure of Child Care Facilities - Rules to be Amended

Rule 1.1.2 (4) & (5), Rule 1.11.2 (1), Rule 1.11.2 (8) & (9), Rule 1.25.3 (2), Rule 1.25.4 (1), Rule 1.25.4 (3), Rule 1.25.5 (1), Rule 1.25.5 (3) & (4), Rule 1.25.9, APPENDIX J

Regulations Governing Licensure of Child Care Facilities For 12 or Fewer Children in the Operator's Home - Rules to be Amended

Rule 2.1.2 (4), & (5), Rule 2.11.2 (1), Rule 2.11.2 (8) & (9), Rule 2.22.3 (2), Rule 2.22.4 (1), (2), & (3) Rule 2.22.5 (1), Rule 2.22.5 (3) & (4), Rule 2.22.9, APPENDIX J