



DELBERT HOSEMAN
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 Dept of Health	CONTACT PERSON Mitchell Adcock		Telephone Number 601-576-7847
ADDRESS PO Box 1700	CITY Jackson	STATE MS	ZIP 39215-1700
EMAIL Ingrid.williams@msdh.ms.gov	DESCRIPTIVE TITLE OF PROPOSED RULE Minimum Standards of Operation for Mississippi Hospitals: Freestanding Emergency Departments		
Specific Legal Authority Authorizing the promulgation of Rule: Miss Code Ann. §41-9-17 and §41-75-13		Reference to Rules repealed, amended or suspended by the Proposed Rules: Minimum Standards of Operation for Mississippi Hospitals Amended: Rule 41.27.3 and subchapter 83	

SIGNATURE 	TITLE Mitchell Adcock, Chief Administrative Officer
DATE 5/18/2016	PROPOSED EFFECTIVE DATE OF RULE 30 days after filing

- Describe the need for the proposed action. It makes it possible to provide services in rural areas where Critical Access Hospitals have been closed because of loss of funds from CMS.
- 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 freestanding emergency departments. This potentially will make emergency services available in more locations in Mississippi, thus making treatment available to more people, i.e., the public.
- Describe the effect the proposed action will have on the public health, safety, and welfare: It will provide opportunities for treatment where none exist.
- 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. 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..

6. Provide an analysis of the impact of the proposed rule on small business: None; this is an optional program for hospitals that have lost their CAH status and wish to open an FED.
7. Identify and estimate the number of small businesses subject to the proposed regulation: None; this is an optional program for hospitals that have lost their CAH status and wish to open an FED.
8. 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 that have lost their CAH status and wish to open an FED.
9. State the probable effect on impacted small businesses: None; this is an optional program for hospitals that have lost their CAH status and wish to open an FED.
 - a. 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.
10. 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.
11. 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
12. Describe reasonable alternative methods, where applicable, for achieving the purpose of the proposed action which were considered by the agency: There are none. Program is optional.
13. State reasons for rejecting alternative methods that were described in #9 above: NA
14. Provide a detailed statement of the data and methodology used in making estimates required by this subsection: We did not have specific data to refer to since there are no such facilities in Mississippi.