

Mississippi Secretary of State
700 North Street P. O. Box 136, Jackson, MS 39205-0136

ADMINISTRATIVE PROCEDURES NOTICE FILING

AGENCY NAME Mississippi State Department of Health		CONTACT PERSON <u>Mitchell Adcock</u>	TELEPHONE NUMBER 601-576-7847	
ADDRESS 570 E Woodrow Wilson Ave		CITY Jackson	STATE MS	ZIP 39215
EMAIL Ingrid.williams@msdh.ms.gov	SUBMIT DATE 05/25/16	Name or number of rule(s): Title 15-21 Subpart 78 Division of Radiological Health -Regulations for the Control of Radiation in Mississippi; Subchapter 1; Rule 1.1.18		

Short explanation of rule/amendment/repeal and reason(s) for proposing rule/amendment/repeal: Update to Regulations for Control of Radiation Fee Schedule

Specific legal authority authorizing the promulgation of rule: Miss. Code Ann. §45-14-31

List all rules repealed, amended, or suspended by the proposed rule: Subchapter 1: Rule 1.1.18

ORAL PROCEEDING:

An oral proceeding is scheduled for this rule on: Date: June 13, 2016 Time: 10 am Place: MSDH Central Campus/Osborne Auditorium/570 E Woodrow Wilson Ave Jackson, MS

Auditorium/570 E Woodrow Wilson Ave Jackson, MS

Presently, an oral proceeding is not scheduled on this rule.

If an oral proceeding is not scheduled, an oral proceeding must be held if a written request for an oral proceeding is submitted by a political subdivision, an agency or ten (10) or more persons. The written request should be submitted to the agency contact person at the above address within twenty (20) days after the filing of this notice of proposed rule adoption and should include the name, address, email address, and telephone number of the person(s) making the request; and, if you are an agent or attorney, the name, address, email address, and telephone number of the party or parties you represent. At any time within the twenty-five (25) day public comment period, written submissions including arguments, data, and views on the proposed rule/amendment/repeal may be submitted to the filing agency.

ECONOMIC IMPACT STATEMENT:

Economic impact statement not required for this rule. Concise summary of economic impact statement attached.

TEMPORARY RULES	PROPOSED ACTION ON RULES	FINAL ACTION ON RULES
<input type="checkbox"/> Original filing <input type="checkbox"/> Renewal of effectiveness To be in effect in _____ days Effective date: <input type="checkbox"/> Immediately upon filing <input type="checkbox"/> Other (specify): _____	Action proposed: <input type="checkbox"/> New rule(s) <input checked="" type="checkbox"/> Amendment to existing rule(s) <input type="checkbox"/> Repeal of existing rule(s) <input type="checkbox"/> Adoption by reference Proposed final effective date: <input checked="" type="checkbox"/> 30 days after filing <input type="checkbox"/> Other (specify): _____	Date Proposed Rule Filed: _____ Action taken: <input type="checkbox"/> Adopted with no changes in text <input type="checkbox"/> Adopted with changes <input type="checkbox"/> Adopted by reference <input type="checkbox"/> Withdrawn <input type="checkbox"/> Repeal adopted as proposed Effective date: <input type="checkbox"/> 30 days after filing <input type="checkbox"/> Other (specify): _____

Printed name and Title of person authorized to file rules: Mitchell Adcock, Chief Administrative Officer

Signature of person authorized to file rules: *Mitchell Adcock*

<p>OFFICIAL FILING STAMP</p> <div style="border: 1px solid black; height: 100px; width: 100%;"></div> <p>Accepted for filing by</p>	<p>DO NOT WRITE BELOW THIS LINE OFFICIAL FILING STAMP</p> <div style="border: 1px solid black; padding: 10px;">  </div> <p>Accepted for filing by <u>#21981</u> <i>[Signature]</i></p>	<p>OFFICIAL FILING STAMP</p> <div style="border: 1px solid black; height: 100px; width: 100%;"></div> <p>Accepted for filing by</p>
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The entire text of the Proposed Rule including the text of any rule being amended or changed is attached.



DELBERT HOSEMANN
Secretary of State

CONCISE SUMMARY OF ECONOMIC IMPACT STATEMENT

An Economic Impact Statement is required for this proposed rule by Section 25-43-3.105 of the Administrative Procedures Act. This is a Concise Summary of the Economic Impact Statement which must be filed with the Secretary of State's Office.

AGENCY NAME Mississippi State Department of Health	CONTACT PERSON Mitchell Adcock		TELEPHONE NUMBER 601-576-7847
ADDRESS 570 E Woodrow Wilson Ave	CITY Jackson	STATE MS	ZIP 39215
EMAIL Ingrid.williams@msdh.ms.gov	DESCRIPTIVE TITLE OF PROPOSED RULE 15-21 Subpart 78 Division of Radiological Health-Regulations for Control of Radiation		
Specific Legal Authority Authorizing the promulgation of Rule: Section 45-14-31	Reference to Rules repealed, amended or suspended by the Proposed Rule: See Attached		

A. Estimated Costs and Benefits

1. Briefly summarize the benefits that may result from this regulation and who will benefit:

These regulation amendments will benefit Mississippi citizens experiencing any exposure to radiation sources. Benefits will include, but are not limited to, better and safer work environment at licensed and registered facilities that use sources of radiation, strengthening interaction with the public, educating the public on radiation safety, maintaining quality assurance and calibration of equipment, and ensuring compliance and compatibility with federal regulations.

2. Briefly describe the need for the proposed rule:

Amend the fee schedule for providing better protection and safety to members of the public from sources of radiation.

3. Briefly 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 radiation workers at licensed and registered facilities and for our citizens.

4. Estimated Cost of implementing proposed action:

- a. To the agency
 Nothing Minimal Moderate Substantial Excessive
- b. To other state or local government entities
 Nothing Minimal Moderate Substantial Excessive

5. Estimated Cost and/or economic benefit to all persons directly affected by the proposed rule:

- c. Cost:

- Nothing Minimal Moderate Substantial Excessive
- d. Economic Benefit:
 Nothing Minimal Moderate Substantial Excessive
6. Estimated impact on small businesses:
 Nothing Minimal Moderate Substantial Excessive
- a. Estimate of the number of small businesses subject to the proposed regulation: 30 out of 300 licensees
- b. Projected costs for small businesses to comply: 15% increase in annual fee
- c. Statement of probable effect on impacted small businesses: Minimal effect to small business.
7. The cost of adopting the rule compared to not adopting the rule or significantly amending the existing rule (check option):
 Substantially less than moderately less than minimally less than
 the same as minimally more than moderately more than
 substantially more than excessively more than
8. The benefit of adopting the rule compared to not adopting the rule or significantly amending the existing rule (check option):
 substantially less than moderately less than minimally less than
 the same as minimally more than moderately more than
 substantially more than excessively more than

B. Reasonable Alternative Methods

1. Other than adopting this rule, are there less costly or less intrusive methods for achieving the purpose of the proposed rule?
 yes no
2. If yes, please briefly describe available, reasonable alternative(s) and the reasons for rejecting those alternatives in favor of the proposed rule. (Please see §25-43-4.104 for factors you must consider.)
 N/A
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C. Data and Methodology

1. Please briefly describe the data and methodology you used in making the estimates required by this form.
- Fees were determined using a calculation of different sources of radiation users and providing that service. Calculations included time to conduct activity (FTE hourly costs), cost of travel, IT support, equipment, calibration, supervisory approval, administrative review, training, and overhead.

D. Public Notice

1. Where, when, and how may someone present their views on the proposed rule and request an oral proceeding on the proposed rule if one is not already scheduled? An Oral Proceeding is scheduled for at pm at the Osborne Auditorium, 570 E Woodrow Wilson Ave, Jackson, MS.

SIGNATURE



TITLE

Mitchell Adcock, Chief Administrative Officer

DATE

5/25/16

PROPOSED EFFECTIVE DATE OF RULE

30 days after filing