



"People
helping people
help
themselves"

Michael R. Pence, Governor
State of Indiana

Indiana Family and Social Services Administration
402 W. WASHINGTON STREET, P.O. BOX 7083
INDIANAPOLIS, IN 46207-7083

MEMORANDUM

TO: The Office of Governor Mike Pence
FROM: Debra F. Minott, Secretary
RE: Report of compliance with Executive Order 13-05
DATE: August 5, 2013

The purpose of this memorandum is to report the Family and Social Services Administration's ("FSSA") implementation of Executive Order 13-05 ("Order"), regarding family impact assessments.

I. Summary of Executive Order 13-05

Executive Order 13-05 directs the FSSA to assess the impact of new rules and policies on the formation and well-being of Indiana families in light of certain criteria in the Order. The FSSA must also prepare written statements to accompany its proposed rules for the Office of Management and Budget ("OMB") certifying that it has complied with the family impact assessment requirement. Additionally, section four of the Order requires the FSSA to submit a report "documenting implementation of this Order" within 180 days of the Order and annually thereafter.

II. FSSA's procedure for implementation of the Order

Upon receipt of the Order, the FSSA Office of General Counsel, in consultation with the FSSA Secretary, directed its staff attorneys to prepare a family impact statement and to submit it to the OMB along with the agency's request to proceed with formal rulemaking under Executive Order 13-03. FSSA staff attorneys work closely with individuals in the programs and divisions to facilitate the rulemaking process. Accordingly, programs and divisions consider a policy's potential impact on family formation at the outset of any policy planning discussions. FSSA staff attorneys are expected to notify the OMB when a public hearing is set in order for the OMB to timely respond under Section 3 of the Order.

III. Family impact statements submitted

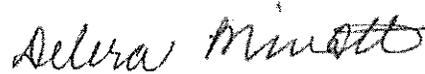
To date, the FSSA has submitted six (6) requests to the OMB to proceed with formal rulemaking all with family impact statements. FSSA determined that three¹ of the proposed rules had a neutral

¹ The proposed rules with a neutral impact: 1) home health face-to-face requirement for provision of home health services submitted to OMB on April 29, 2013; 2) establishing regulatory criteria on hospitals determining



impact on family formation; two² rules would positively impact families; and one³ rule potentially had a negative impact on family formation or well-being. The OMB has approved two of the six requests to proceed with rulemaking but has not yet responded to the FSSA's family impact statements. The FSSA has not yet scheduled a public hearing for the two rules that have been approved.

Office of the Secretary of Family and Social
Services



Debra F. Minott
Secretary

presumptive Medicaid eligibility submitted to the OMB on June 3, 2013; and 3) establishing regulatory criteria for health care acquired conditions and other preventable conditions submitted on June 6, 2013.

² Both of these rule requests included program requirements for child and adult mental health rehabilitation.

³ The proposed rule amended the criteria for determining Medicaid eligibility was submitted to the OMB on June 14, 2013.