
TITLE 844 MEDICAL LICENSING BOARD OF INDIANA

**Administrative Rules Oversight Committee Notice
60 Day Requirement ([IC 4-22-2-19](#))
LSA Document #05-92**

September 14, 2006

Senator R. Michael Young, Chair
Administrative Rules Oversight Committee
C/o Legislative Services Agency
200 West Washington Street, Suite 301
Indianapolis, Indiana 46204-2789
Attn: Sarah Burkman

Re: LSA 05-92 – Proposed rule regarding Office Based Procedures

Dear Senator Young:

On behalf of the Medical Licensing Board of Indiana (Board), Indiana Professional Licensing Agency, I am submitting this notice to the Administrative Rules Oversight Committee in compliance with [IC 4-22-2-19](#) which requires an agency to begin the rulemaking process not later than sixty (60) days after the effective date of the statute that authorizes the rule.

The Board published its notice of intent to adopt a rule, LSA document number 05-92, at 28 IR 2759 on June 1, 2005, within sixty (60) days after the effective date of SB 225 which was signed into law on April 13, 2005, in compliance with [IC 4-22-2-19](#).

The proposed rule will establish the standards for office based procedures that require moderate sedation, deep sedation, or general anesthesia. The completion of drafting the proposed rule has taken longer than anticipated since the last correspondence with AROC sent January 24, 2006, in which October 1, 2006, was listed as the expected date for the Governor to approve the rule.

Since the January notice, the Board has held two meetings strictly for the purposes of receiving input from interested parties and the public. These meetings held on March 22, 2006, and August 23, 2006, were very productive and a substantial amount of information was gathered. However, what was discovered during these meetings is just how complicated this issue is and how more work is needed to finish the task. Therefore, the Board will need to file a new Notice of Intent since the time period for completing the promulgation process for LSA 05-92 will expire October 1, 2006.

It is anticipated that a new Notice of Intent will be filed in the next few months once the rule language is complete and the small business impact is formulated which would allow for the Public Hearing to be held sometime in the spring of 2007. The Medical Licensing Board will continue to work with interested parties in developing the language of the proposed rule and in assessing the impact of the proposed rule on small businesses.

Your understanding of these circumstances is greatly appreciated. If you need additional information, please do not hesitate to contact me at 234-2011.

Sincerely,
Michael Rinebold

Director
Medical Licensing Board of Indiana

Cc: Frances L. Kelly, Executive Director
Kristen Kelley, Deputy Director
Barbara M. McNutt, Chief Counsel

Posted: 10/04/2006 by Legislative Services Agency
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