

**Administrative Rules Oversight Committee Notice
One Year Requirement ([IC 4-22-2-25](#))
LSA Document #06-428**

May 17, 2007

Honorable R. Michael Young, Chairperson
Administrative Rules Oversight Committee
c/o Sarah Burkman, Indiana Legislative Services Agency
200 West Washington Street, Suite 301
Indianapolis, Indiana 46204-2789

RE: LSA Document #06-428 – Amendments to residential care services rule

Dear Senator Young,

On behalf of the Indiana State Department of Health (Department), I am submitting this notice to the Administrative Rules Oversight Committee in compliance with [IC 4-22-2-25](#), because the Department has determined that the promulgation of the captioned rule may not be completed within one year after publication of the notice of intent to adopt a rule.

The Department published its notice of intent to adopt a rule for the captioned document on October 4, 2006 (DIN: [20061004-IR-410060428NIA](#)). On January 17, 2007, the agency sent the Office of Management and Budget (OMB) a copy of the proposed rule and fiscal analysis as required under [IC 4-22-2-28](#). Under [IC 4-22-2-28](#), the agency cannot send the proposed rule for publication in the Indiana Register until the agency receives OMB approval. The agency has not yet received approval from OMB to go forward with this rulemaking. Once approval is received, the proposed rule must be published and public hearing held 21 days after publication of the notice.

Following the public hearing, the agency must consider and respond to public comments and present the rule to the ISDH Executive Board for final adoption. Pursuant to [IC 4-22-2-32](#), the Attorney General has 45 days to complete review of the rule. Whether a quorum is present at the ISDH Executive Board meeting, and the Attorney General's time frame for rule review, are outside of the agency's control. Thus promulgation of this rule will likely not be completed by October 4, 2007. The agency expects that the rule can be approved by the Governor by October 4, 2008.

This notice setting forth the expected date of approval of LSA Document #06-428 as October 4, 2008 is being submitted in a timely manner. June 10, 2007, is the two hundred fiftieth day after publication of the notice of intent to adopt a rule.

Sincerely,

Mary L. Hill, RN, Esq.
Deputy State Health Commissioner

cc: Stephen Barnes, Managing Editor, Legislative Services Agency

Posted: 06/06/2007 by Legislative Services Agency
An [html](#) version of this document.