
TITLE 410 INDIANA STATE DEPARTMENT OF HEALTH

**Administrative Rules Oversight Committee Notice
One Year Requirement ([IC 4-22-2-25](#))
LSA Document #08-318**

December 15, 2008

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 #08-318 - Rule for Lead in Consumer Products [410 IAC 29](#)

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 April 30, 2008. On September 26, 2008, 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 did not receive notice of OMB approval until November 17, 2008. The proposed rule has been sent to the Indiana Register for publication with the public hearing to be scheduled after publication.

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 forty-five 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 may not be completed by April 30, 2009. The agency expects that the rule can be approved by the Governor by April 30, 2010.

This notice setting forth the expected date of approval of LSA *[Document]* #08-318 as April 30, 2010, is being submitted in a timely manner. January 5, 2009, is the two hundred and fiftieth day after publication of the notice of intent to adopt a rule.

Sincerely,

Loren Robertson
Assistant Commissioner
Public Health and Preparedness Commission
Indiana State Department of Health

cc: Stephen Barnes, Managing Editor, Legislative Services Agency
Dave McCormick, Director, Indiana Lead & Healthy Homes

Posted: 12/24/2008 by Legislative Services Agency
An [html](#) version of this document.