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**TITLE 410 INDIANA STATE DEPARTMENT OF HEALTH**

**Administrative Rules Oversight Committee Notice  
One Year Requirement ([IC 4-22-2-25](#))  
LSA Document #09-1**

August 7, 2009

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

RE: LSA Document #09-1 – Children's Special Health Care Services rule amendments

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 January 7, 2009 (DIN: [20090107-IR-410090001NIA](#)). On March 11, 2009, the agency preliminarily adopted a Proposed Rule. On March 23, 2009, agency sent to 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 may not send the Proposed Rule for publication in the Indiana Register until the agency receives OMB approval. Approval was received on May 11, 2009, and the Proposed Rule and hearing notice was *[sic]* published more than 21 days before the public hearing was held on June 30, 2009.

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 January 7, 2010. The agency expects that the rule can be approved by the Governor by January 7, 2011.

This notice setting forth the expected date of approval of LSA *[Document]* #09-1 as January 7, 2011, is being submitted in a timely manner. September 15, 2009, is the two hundred and fiftieth day after publication of the Notice of Intent to Adopt a Rule.

Sincerely,

Loren Robertson, M.S., R.E.H.S.  
Deputy State Health Commissioner

*Posted: 08/19/2009 by Legislative Services Agency*  
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