
TITLE 405 OFFICE OF THE SECRETARY OF FAMILY AND SOCIAL SERVICES

One Year Requirement ([IC 4-22-2-25](#))

LSA Document #14-338

April 10, 2015

RE: LSA Document #14-338 – Proposed rule implements changes to [405 IAC 5-37](#) to define tobacco dependence treatment and to expand the scope of tobacco cessation services reimbursable under the Medicaid program.

On behalf of the Indiana Family and Social Services Administration, I am submitting this notice to the Publisher of the Indiana Register in compliance with [IC 4-22-2-25](#), which requires that a notice be sent to the Publisher if a rule will not be approved or deemed approved by the Governor within one year of publication of the Notice of Intent to Adopt a Rule. This notice is to be submitted to the Publisher before the two hundred fiftieth day following the publication of the Notice of Intent to Adopt a Rule.

The Notice of Intent to Adopt a Rule was published in the Indiana Register on August 20, 2014 (DIN: [20140820-IR-405140338NIA](#)).

The Proposed Rule has been prepared and the agency is in the process of preparing the fiscal and economic analyses of the Proposed Rule, as required under [IC 4-22-2-28](#). Once the Proposed Rule is published, the agency can file a Notice of Public Hearing. Following the public hearing, the agency must consider and respond to public comments and present the rule to the Secretary for final adoption. Thereafter, the Office of the Attorney General has 45 days to complete a review of the rule and supporting documentation, after which the Governor has 30 days to complete his review. As such, the Indiana Family and Social Services Administration will be unable to complete the rulemaking process by August 20, 2015. Approval or deemed approval by the Governor is expected not later than August 20, 2016.

This notice setting forth the expected date of approval or deemed approval of LSA Document #14-338 is being submitted in a timely manner. April 27, 2015, is the two hundred fiftieth day after publication of the Notice of Intent to Adopt a Rule.

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