

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

LSA Document #14-339

April 22, 2015

RE: LSA Document #14-339 – Proposed rule adds [405 IAC 10](#) to set forth provisions affecting applicants, members, and providers concerning eligibility, enrollment, benefits, and policy for the Indiana Check-Up Plan, commonly referred to as the Healthy Indiana Plan, and repeals [405 IAC 9](#).

On behalf of the Indiana Family and Social Services Administration (FSSA), 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-405140339NIA](#)). On April 15, 2015, the FSSA held a public hearing. On April 21, 2015, the Secretary of the FSSA adopted the Final Rule. On April 22, 2015, the FSSA submitted the Final Rule to the Attorney General for approval. Pursuant to [IC 4-22-2-32](#), the Attorney General must be provided 45 days for review of the rule. Furthermore, the Office of the Governor must be afforded 15 days for approval or disapproval of the rule, which time may be extended to 30 days, under [IC 4-22-2-34](#).

At this time, the FSSA has not received notice from the Attorney General on the approval or disapproval of the rule, and with the two hundred fiftieth day approaching, it is necessary to extend the time for completing the rule promulgation process to allow time to make corrections if necessary. The FSSA expects that the Governor will approve or deem the rule approved not later than August 20, 2016.

This notice setting forth the expected date of approval or deemed approval of LSA Document #14-339 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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Office of the General Counsel

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