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**TITLE 410 INDIANA STATE DEPARTMENT OF HEALTH**

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

LSA Document #18-416

June 4, 2019

RE: LSA Document #18-416, Perinatal Levels of Care Rules

On behalf of the Indiana State Department of Health (Department), I am submitting this notice 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 3, 2018 (DIN: [20181003-IR-410180416NIA](#)). The Department finally adopted LSA Document #18-416, perinatal levels of care rules, at its May 22, 2019, Executive Board meeting.

Pursuant to [IC 4-22-2-32](#), the Attorney General has 45 days to complete his review of the rule. The Attorney General may not complete his review before the 250th day after the publication of the Notice of Intent to Adopt a Rule. If the Attorney General were to discover a problem with the rulemaking, the Department may not have enough time to correct the error within the one year time frame. The rule may need to be presented to the Executive Board again, which only meets every other month and any resubmission to the Attorney General would restart the 45 day review period. Thus, promulgation of this rule may not be completed by October 3, 2019. The Department expects that the rule can be approved by the Governor by October 3, 2020.

This notice setting forth the expected date of approval of LSA Document #18-416 as October 3, 2020, is being submitted in a timely manner. June 10, 2019, is the two hundred and fiftieth day after publication of the Notice of Intent to Adopt a Rule.

Trent Fox  
Chief of Staff  
Indiana State Department of Health

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