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**TITLE 410 INDIANA STATE DEPARTMENT OF  
HEALTH**

LSA Document #04-100

December 23, 2004

Senator Luke Kenley  
Representative Jerry Denbo  
Administrative Rules Oversight Committee  
c/o Legislative Services Agency  
200 West Washington Street, Suite 301  
Indianapolis, Indiana 46204-2789  
Attn: Sarah Burkman

RE: LSA #04-100

Dear Senator Kenley and Representative Denbo:

On behalf of the Indiana State Department of Health, I am submitting this notice to the Administrative Rules Oversight Committee in compliance with IC 4-22-2-25, because the agency 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 May 1, 2004 (27 IR 2523). The rule has not been published as a proposed rule at this time.

The department requires additional time to compose an appropriate draft that will accomplish the purposes of effective public health surveillance while considering the varying situations of those entities required to report to the department. Further input from the reporting entities is being gathered.

The Indiana State Department of Health Executive Board meets only every other month. Necessary State Budget Agency approval and Executive Board approval of the rule may not be completed for several months. For these reasons, it is unlikely that the rule will be approved by the governor within one year of the date of publication of the notice of intent. The department expects that the rule can be approved by the governor by December 31, 2005.

This notice setting forth the expected date of approval of LSA #04-100 as December 31, 2005 is being submitted in a timely manner. January 5, 2005 is the two hundred and fiftieth day after publication of the notice of intent to adopt a rule.

Sincerely,

Jill D. Russell, Chief Counsel  
Indiana State Department of Health

cc: M. Elizabeth Carroll, Deputy State Health Commissioner  
Stephen Barnes, Managing Editor, Legislative Services Agency