

Document: AROC Notice, **Register Page Number:** 29 IR 2055

Source: March 1, 2006, Indiana Register, Volume 29, Number 6

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**TITLE 410 INDIANA STATE DEPARTMENT OF
HEALTH**

LSA Document #05-94

Representative Michael Murphy, Chair
Administrative Rules Oversight Committee
c/o Legislative Services Agency
200 West Washington Street, Suite 301
Indianapolis, Indiana 46204-2789
Attn: Sarah Burkman

RE: LSA #05-94

Dear Representative Murphy:

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 will 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 June 1, 2005 (28 IR 2757). The rule was published as a proposed rule in the October 1, 2005 (29 IR 84). The authority for rule adoption is IC 16-21-1-7 and IC 16-21-2-2.5.

The Department drafted and adopted rules pursuant to the statutory mandate, IC 16-21-2-2.5, enacted by the 2005 Indiana General Assembly. Proposed legislation in the 2006 Indiana General Assembly would have a significant impact on these rules. Pending the outcome of this legislation the Department will be in a position to include any changes required by any new legislation.

The body with the authority to adopt rules, the Indiana State Department of Health Executive Board meets every other month. Depending on when any legislative changes affecting the rule become effective, the Indiana State Department of Health Executive Board is required to adopt the rule, submit it to the Attorney General for legal review, and then submit the rule to the Governor for approval.

This notice setting forth the expected date of approval of LSA #05-94 as January 1, 2007 is being submitted in a timely manner. February 5, 2006 is the two hundred and fiftieth day after publication of the notice of intent to adopt a rule.

Sincerely,

Sue Uhl
Deputy State Health Commissioner

cc: Stephen Barnes, Managing Editor, Legislative Services Agency