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**TITLE 410 INDIANA STATE DEPARTMENT OF
HEALTH**

LSA Document #05-191

April 6, 2006

VIA HAND DELIVERY

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 #05-191

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 to establish a licensure program for personal services agencies 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 August 1, 2005 (28 IR 3325). The authority for this rule adoption is IC 16-27-4-20.

The promulgation of this rule has taken longer than anticipated. The Department drafted and adopted proposed rules pursuant to the statutory mandate, IC 16-27-4-20, on November 9, 2005. The proposed rule was submitted to the Office of Management and Budget for approval of fiscal impact on November 22, 2006. No approval or disapproval has been received from the Office of Management and Budget.

The body with the authority to adopt rules, the Indiana State Department of Health Executive Board meets every other month. At this time it is impossible for the rule to continue through the promulgation process, be submitted to the Attorney General for legal review, and then be signed by the Governor before the 365 day time period runs out on July 31, 2006.

This notice setting forth the expected date of approval of LSA #05-191 as April 1, 2007 is being submitted in a timely manner. April 7, 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