

Mississippi Secretary of State
700 North Street P. O. Box 136, Jackson, MS 39205-0136

ADMINISTRATIVE PROCEDURES NOTICE FILING

AGENCY NAME Mississippi Department of Health		CONTACT PERSON Mike Lucius	TELEPHONE NUMBER 601-576-7847	
ADDRESS 570 East Woodrow Wilson		CITY Jackson	STATE MS	ZIP 39216
EMAIL Mike.Lucius@msdh.state.ms.us	SUBMIT DATE 09/10/12	Name or number of rule(s): Regulations Governing Licensure of Professional Art Therapists, Regulations Governing the Registration of Medical Radiation Technologists, and Regulations Governing the Licensure of Respiratory Care Practitioners		

Short explanation of rule/amendment/repeal and reason(s) for proposing rule/amendment/repeal: Amendments to Regulations Governing Professional Art Therapists and Regulations Governing Licensure of Respiratory Care Practitioners to come into compliance with statute amendments passed during the 2012 MS Legislative session and technical amendments. Amendments to Regulations Governing Registration of Medical Radiation Technologists to come into compliance with statute amendments passed during the 2010 MS Legislative session and technical amendments.

Specific legal authority authorizing the promulgation of rule: §73-65-1, §41-58-3, and §73-57-13

List all rules repealed, amended, or suspended by the proposed rule: PAT Rule 2.1.3, Rule 2.4.1, Rule 2.4.3, Rule 2.4.4, and Rule 2.4.5, RCP Rule 9.1.3, Rule 9.2.2, Rule 9.4.1, Rule 9.4.2; Rule 94.3, Rule 9.5.2, Rule 9.6.1, Rule 9.6.2, Rule 9.7.5, Rule 9.8.4, Rule 9.9.1, Rule 9.10.1, Rule 9.10.2, MRT Rule 7.1.2, Rule 7.2.1, Rule 7.3.1, Rule 7.3.6, Rule 7.4.2, Rule 7.5.3, Rule 7.6.1, and Rule 7.9.1

ORAL PROCEEDING:

An oral proceeding is scheduled for this rule on Date: October 26, 2012 Time: 12:00 a.m. Place: Osborne Auditorium/MSDH Campus

Presently, an oral proceeding is not scheduled on this rule.

If an oral proceeding is not scheduled, an oral proceeding must be held if a written request for an oral proceeding is submitted by a political subdivision, an agency or ten (10) or more persons. The written request should be submitted to the agency contact person at the above address within twenty (20) days after the filing of this notice of proposed rule adoption and should include the name, address, email address, and telephone number of the person(s) making the request; and, if you are an agent or attorney, the name, address, email address, and telephone number of the party or parties you represent. At any time within the twenty-five (25) day public comment period, written submissions including arguments, data, and views on the proposed rule/amendment/repeal may be submitted to the filing agency.

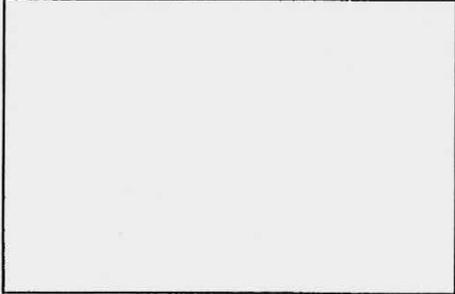
ECONOMIC IMPACT STATEMENT:

Economic impact statement not required for this rule. Concise summary of economic impact statement attached.

TEMPORARY RULES	PROPOSED ACTION ON RULES	FINAL ACTION ON RULES
<input type="checkbox"/> Original filing <input type="checkbox"/> Renewal of effectiveness To be in effect in ____ days Effective date: <input type="checkbox"/> Immediately upon filing <input type="checkbox"/> Other (specify): ____	Action proposed: <input type="checkbox"/> New rule(s) <input checked="" type="checkbox"/> Amendment to existing rule(s) <input type="checkbox"/> Repeal of existing rule(s) <input type="checkbox"/> Adoption by reference Proposed final effective date: <input checked="" type="checkbox"/> 30 days after filing <input type="checkbox"/> Other (specify): ____	Date Proposed Rule Filed: ____ Action taken: <input type="checkbox"/> Adopted with no changes in text <input type="checkbox"/> Adopted with changes <input type="checkbox"/> Adopted by reference <input type="checkbox"/> Withdrawn <input type="checkbox"/> Repeal adopted as proposed Effective date: <input type="checkbox"/> 30 days after filing <input type="checkbox"/> Other (specify): ____

Printed name and Title of person authorized to file rules: Mike Lucius, Deputy State Health Officer/Chief Administrative Officer

Signature of person authorized to file rules: 

OFFICIAL FILING STAMP	DO NOT WRITE BELOW THIS LINE OFFICIAL FILING STAMP	OFFICIAL FILING STAMP
		
Accepted for filing by	Accepted for filing by <u>CB19108CD</u>	Accepted for filing by

The entire text of the Proposed Rule including the text of any rule being amended or changed is attached.



DELBERT HOSEMANN
Secretary of State

CONCISE SUMMARY OF ECONOMIC IMPACT STATEMENT

An Economic Impact Statement is required for this proposed rule by Section 25-43-3.105 of the Administrative Procedures Act. This is a Concise Summary of the Economic Impact Statement which must be filed with the Secretary of State's Office.

AGENCY NAME Mississippi Department of Health	CONTACT PERSON Mike Lucius	TELEPHONE NUMBER 601-576-7847
ADDRESS 570 East Woodrow Wilson	CITY Jackson	STATE MS
EMAIL Mike.Lucius@msdh.state.ms.us	DESCRIPTIVE TITLE OF PROPOSED RULE Regulations Governing Licensure of Professional Art Therapists, Regulations Governing the Registration of Medical Radiation Technologists, and Regulations Governing the Licensure of Respiratory Care Practitioners	
Specific Legal Authority Authorizing the promulgation of Rule: <u>§73-65-1, §41-58-3, and §73-57-13</u>	Reference to Rules repealed, amended or suspended by the Proposed Rule: <u>PAT Rule 2.1.3, Rule 2.4.1, Rule 2.4.3, Rule 2.4.4, and Rule 2.4.5, RCP Rule 9.1.3, Rule 9.2.2, Rule 9.4.1, Rule 9.4.2; Rule 94.3, Rule 9.5.2, Rule 9.6.1, Rule 9.6.2, Rule 9.7.5, Rule 9.8.4, Rule 9.9.1, Rule 9.10.1, Rule 9.10.2, MRT Rule 7.1.2, Rule 7.2.1, Rule 7.3.1, Rule 7.3.6, Rule 7.4.2, Rule 7.5.3, Rule 7.6.1, and Rule 7.9.1</u>	

A. Estimated Costs and Benefits

1. Briefly summarize the benefits that may result from this regulation and who will benefit:

Bringing the regulations into compliance with amendments to the enabling statute passed by the Mississippi State Legislature

2. Briefly describe the need for the proposed rule:

Make rules consistent with state law.

3. Briefly describe the effect the proposed action will have on the public health, safety, and welfare:

If will provide for better health, safety, and welfare for the citizens of Mississippi.

4. Estimated Cost of implementing proposed action:

a. To the agency

Nothing Minimal Moderate Substantial Excessive

b. To other state or local government entities

Nothing Minimal Moderate Substantial Excessive

5. Estimated Cost and/or economic benefit to all persons directly affected by the proposed rule:

c. Cost:

Nothing Minimal Moderate Substantial Excessive

d. Economic Benefit:

Nothing Minimal Moderate Substantial Excessive

6. Estimated impact on small businesses:

Nothing Minimal Moderate Substantial Excessive

- a. Estimate of the number of small businesses subject to the proposed regulation: None
- b. Projected costs for small businesses to comply: None
- c. Statement of probable effect on impacted small businesses: No impact

7. The cost of adopting the rule compared to not adopting the rule or significantly amending the existing rule (check option):

- substantially less than moderately less than minimally less than
- the same as minimally more than moderately more than
- substantially more than excessively more than

8. The benefit of adopting the rule compared to not adopting the rule or significantly amending the existing rule (check option):

- substantially less than moderately less than minimally less than
- the same as minimally more than moderately more than
- substantially more than excessively more than

B. Reasonable Alternative Methods

1. Other than adopting this rule, are there less costly or less intrusive methods for achieving the purpose of the proposed rule?

- yes no

2. If yes, please briefly describe available, reasonable alternative(s) and the reasons for rejecting those alternatives in favor of the proposed rule. (Please see §25-43-4.104 for factors you must consider.)

C. Data and Methodology

1. Please briefly describe the data and methodology you used in making the estimates required by this form. An in depth analysis of enabling statutes was undertaken.

D. Public Notice

1. Where, when, and how may someone present their views on the proposed rule and request an oral proceeding on the proposed rule if one is not already scheduled?

An oral proceeding has been scheduled for October 26, 2012, at 12: a.m., in the Osborne Auditorium at 570 E Woodrow Wilson Blvd., Jackson, MS

SIGNATURE <i>Michelle L...</i>	TITLE Deputy State Health Officer/Chief Administrative Officer
DATE 09/10/12	PROPOSED EFFECTIVE DATE OF RULE 30 days after filing