

Mississippi Secretary of State

125 South Congress St., P. O. Box 136, Jackson, MS 39205-0136

ADMINISTRATIVE PROCEDURES NOTICE FILING

AGENCY NAME Mississippi Institutions of Higher Learning		CONTACT PERSON Bridget Breithaupt	TELEPHONE NUMBER 601.573.6323	
ADDRESS 3825 Ridgewood Road, Ste. 915		CITY Jackson	STATE MS	ZIP 39211
EMAIL bridget@mississippi.edu	SUBMIT DATE 10/29/20	Name or number of rule(s): Title 8: Education – Institutions of Higher Learning		

Short explanation of rule/amendment/repeal and reason(s) for proposing rule/amendment/repeal: creates the CARES Act Program

Specific legal authority authorizing the promulgation of rule: House Bill 1782, 2020 Regular Legislative Session: Miss. Code Ann. §§ 25-43-3.108 and 25-43-1.104 (Rev. 2006) AND Miss. Const. Art. 8, Section 213-A; Sections 31-101-1 & 37-101-15(c) of the Miss. Code Ann. of 1972, as amended

List all rules repealed, amended, or suspended by the proposed rule: N/A

ORAL PROCEEDING:

☐ An oral proceeding is scheduled for this rule on Date: _____ Time: _____ Place: _____

☒ 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.

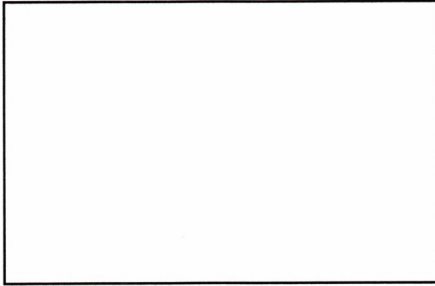
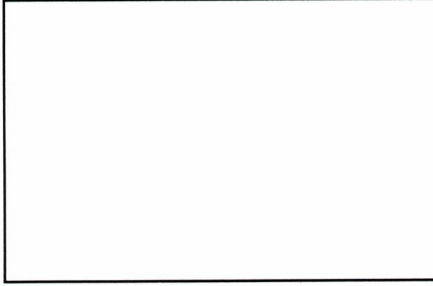
ECONOMIC IMPACT STATEMENT:

☐ 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
☒ Original filing ☐ Renewal of effectiveness To be in effect in _____ days Effective date: ☒ Immediately upon filing ☐ Other (specify): _____	Action proposed: ☐ New rule(s) ☐ Amendment to existing rule(s) ☐ Repeal of existing rule(s) ☐ Adoption by reference Proposed final effective date: ☐ 30 days after filing ☐ Other (specify): _____	Date Proposed Rule Filed: _____ Action taken: ☐ Adopted with no changes in text ☐ Adopted with changes ☐ Adopted by reference ☐ Withdrawn ☐ Repeal adopted as proposed Effective date: ☐ 30 days after filing ☐ Other (specify): _____

Printed name and Title of person authorized to file rules: Dr. Alfred Rankins, Jr., Commissioner of Higher Education

Signature of person authorized to file rules: Dr. Alfred Rankins, Jr.

OFFICIAL FILING STAMP	DO NOT WRITE BELOW THIS LINE OFFICIAL FILING STAMP	OFFICIAL FILING STAMP
 Accepted for filing by <u>#25220</u> <i>[Signature]</i>	 Accepted for filing by	 Accepted for filing by

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



Michael Watson

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.

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ADDRESS 3825 Ridgewood Road, Ste. 915	CITY Jackson	STATE MS	ZIP 39211
EMAIL bridget@mississippi.edu	DESCRIPTIVE TITLE OF PROPOSED RULE Title 8: Education – Institutions of Higher Learning		
Specific Legal Authority Authorizing the promulgation of Rule: Miss. Const. Art. 8, Section 213-A; Sections 31-101-1 & 37-101-15(c) of the Miss. Code Ann. of 1972, as amended		Reference to Rules repealed, amended or suspended by the Proposed Rule: N/A	

A. Estimated Costs and Benefits

1. Briefly summarize the benefits that may result from this regulation and who will benefit: This regulation is based on the allocation of funds from the Legislature in HB 1782 which contains the stated purpose of addressing the shortage of physicians in the state of Mississippi by starting or expanding medical residency programs.
2. Briefly describe the need for the proposed rule: The Legislature requires the Board of Trustees of State Institutions of Higher Learning to make an independent determination that the funds are used in compliance with the CARES Act and related US Treasury guidance. These rules establish the criteria by which such compliance will be evaluated.
3. Briefly describe the effect the proposed action will have on the public health, safety, and welfare: The purpose of the funds appropriated in HB 1782 is to start or expand medical residency programs in the state 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: 0
- b. Projected costs for small businesses to comply: 0
- c. Statement of probable effect on impacted small businesses: HB 1782 is designed to provide funds to 5 hospitals. There are no small businesses specifically targeted in this legislation

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. These rules govern a grant of funds provided by the Legislature in HB 1782. Existing staff will be able to absorb the additional workload.

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? Not applicable due to a Coronavirus related executive order of the Governor.

DocuSigned by:	
SIGNATURE	TITLE
<u>Dr. Alfred Rankins, Jr.</u>	Commissioner of Higher Education
DATE	PROPOSED EFFECTIVE DATE OF RULE
10/29/2020	10/29/20