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**TITLE 844 MEDICAL LICENSING BOARD OF
INDIANA**

LSA Document #05-92

January 24, 2006

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 #05-92 - Proposed Rule regarding standards for office based surgery

Dear Representative Murphy:

On behalf of the Medical Licensing Board of Indiana (Board), Indiana Professional Licensing Agency, I am submitting this notice to the Administrative Rules Oversight Committee in compliance with IC 4-22-2-25, because the Board has determined there is a possibility that the promulgation of the captioned rule may not be completed within one (1) year after publication of the notice of intent to adopt a rule.

The Board published its notice of intent to adopt a rule for the captioned document on June 1, 2005 (28 IR 2759). The proposed rule establishes the standards for office based procedures that require moderate sedation, deep sedation, or general anesthesia. The drafting of the proposed rule has taken longer than anticipated and as of this date, the proposed rule is not completed in a form suitable for publishing in the Indiana Register. The Board continues to work with the interested parties that will be affected by the proposed rule. Therefore, this notice is being forwarded to the Administrative Rules Oversight Committee. The Board expects that the rule can be approved by the governor by October 1, 2006. The two hundred fiftieth (250) day after publication of the notice of intent to adopt this rule is February 5, 2006.

Your understanding of these circumstances is greatly appreciated. We look forward to receiving your response. If you need additional information, please do not hesitate to contact me at 234-2912. Thank you.

Sincerely,

Medana C. Davis
Staff Counsel

Cc:
Frances L. Kelly, Executive Director
Barbara McNutt, Chief Legal Counsel
Michael Rinebold, Board Director