



OFFICE OF MANAGEMENT & BUDGET

One Capitol Hill
Providence, RI 02908-5890

Office: (401) 574-8430
Fax: (401) 222-6436

To: Governor Daniel J. McKee
House Speaker K. Joseph Shekarchi
Senate President Dominick J. Ruggerio

From: Erik Godwin, Deputy Director, Office of Management and Budget

Subject: Office of Regulatory Reform Quarterly Report: FY 2022 Q1

FY 2022 Quarter 1 Report: July 1, 2021 – September 30, 2021

Quarterly Summary Data

Total Submissions by Type of Rulemaking

- Regular Rulemaking, Pre-Comment Review: 28
- Regular Rulemaking, Post-Comment Review: 21
- Direct Final Rulemaking: 10
- Emergency Rulemaking: 33

Unique Regulations by Type of Action

- Adoption: 12
- Amendment: 59
- Repeal: 0

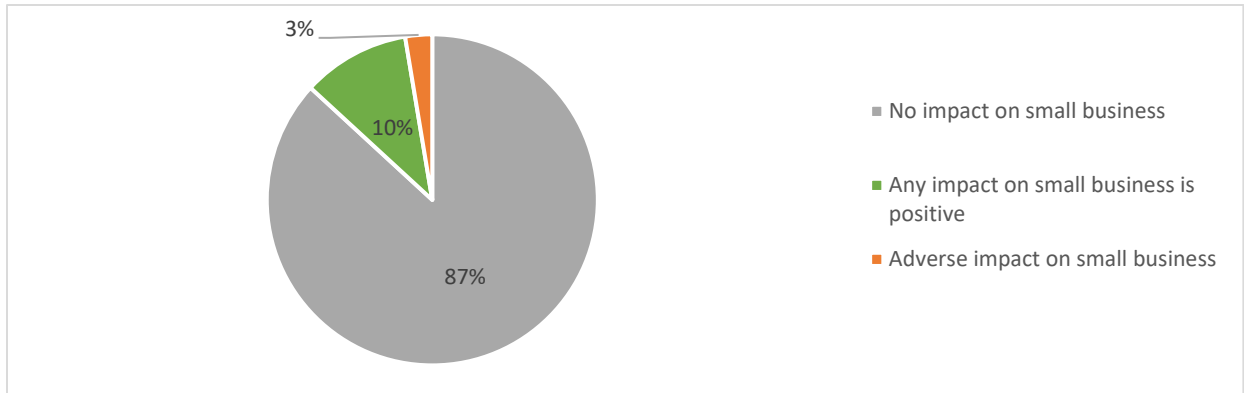
ORR Review Time by Type of Rulemaking

- Regular Rulemaking, Pre-Comment Review: 15.9 days
- Regular Rulemaking, Post-Comment Review: 8.1 days
- Direct Final Rulemaking: 5.6 days
- Emergency Rulemaking: 1.0 days

ORR Interventions

- Submissions where analysis was changed: 2.2%
- Submissions where regulatory language was changed: 19.6%

Small Business Impact Analysis



Note: Emergency regulations are not included in this summary chart.

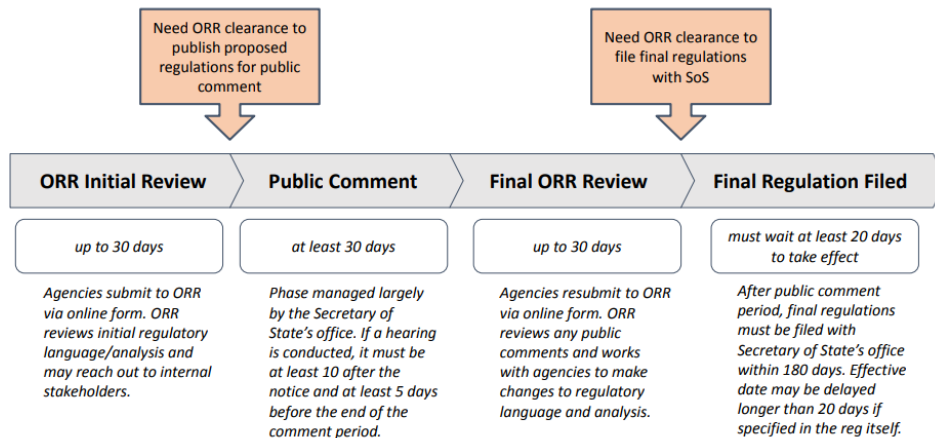
Regulatory Oversight

As part of the Office of Management and Budget, the Office of Regulatory Reform’s (ORR) mission is to review new and amended regulations with a focus on minimizing adverse impacts on Rhode Island businesses, large and small. Since February 2015, ORR has been operating under [Executive Order 15-07](#), which requires all Executive Branch regulations to be reviewed by ORR using a model similar to the federal regulatory model. EO 15-07 outlines a process to ensure regulations are not imposing unnecessary burdens on businesses and citizens.

Prior to EO 15-07 the Director of Regulatory Reform had the authority to intervene on any individual regulatory or permitting issue. With the new process dictated by Executive Order agencies must submit all of their proposed regulatory actions to ORR providing a systematic way to address regulatory issues. ORR reviews an agency’s regulatory package, and if approved, those proposed rules and impact statements go through a public comment process. Any input from that process goes directly back to ORR for final consideration. Below is an outline of the ORR’s role in the regulatory review process. The second round of review is primarily to ensure the agencies take into consideration public comments and amend the regulation as necessary.

Regular Rulemaking and ORR Review

While this is the official process outlined in Executive Order 15-07, ORR frequently works with agencies early by reviewing draft regulations and assisting with the development of regulatory analysis.



Regulatory Submissions Reviewed By ORR

The following regulatory submissions were cleared by ORR during the fiscal year quarter covered by this report. Regulations cleared by ORR are not immediately effective, regulations must go through the formal rulemaking process administered by the Secretary of State’s Office (SOS). In some cases regulations cleared by ORR are not filed with SOS.

The information in this table (except “Days Under Review” and “Clearance Date”) is self-reported by regulatory agencies with their submissions, although ORR can suggest changes to agency’s submissions. Please note that for any post-comment entries with empty cells, the agency was not required to resubmit this information because the regulation received no public comment and no changes were made to the proposed regulation. Emergency regulations might also have missing data because these submissions are exempt from some reporting requirements.

Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Small Business Impact Determination	Clearance Date
Post-Comment Draft	Environmental Management	Prohibition of Hydrofluorocarbons in Specific End-Uses	Adoption	17	The purpose of this rule is to reduce hydrofluorocarbon emissions by adopting specific prohibitions for certain substances in air conditioning and refrigeration equipment, aerosol propellants, and foam end-uses. HFCs are the fastest growing source of greenhouse gas emissions in most of the world. Rhode Island has ambitious climate goals of reducing greenhouse gases. In order to meet these goals, large sources of greenhouse gases must be phased down.	NO, this regulation DOES NOT IMPACT small business	2021-07-02
Preliminary Draft	Executive Office of Health and Human Services	Medicaid for Elders and Adults with Disabilities	Amendment	1	These amendments reflect the revised 2021 community spouse’s minimum monthly maintenance needs allowance (MMMNA) and Community Spouse Monthly Housing Allowance in effect July 1, 2021.	NO, this regulation DOES NOT IMPACT small business	2021-07-02
Direct Final	Disabilities Commission	PART 3 – Rhode Island Livable Home Modifications	Amendment	0	The enactment of 21 H 6122 Sub A as Amended, Article 14 Relating to Housing SECTION 1. Chapter 42-51 of the General Laws entitled "Governor's Commission on Disabilities" is hereby amended by	NO, this regulation DOES NOT IMPACT small business	2021-07-06

Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Small Business Impact Determination	Clearance Date
					adding thereto the following section: 42-51-13. Livable home modification program. has changed the authorization, from public law to general law.		
Emergency	Health	Immunization, Testing and Health Screening for Health Care Workers	Amendment	0	To require health care facilities to publically post aggregate vaccination data of their health care workers; and require unvaccinated health care workers to wear a mask when a certain COVID-19 prevalence is reached.		2021-07-06
Direct Final	Business Regulation	Annual Financial Reporting	Amendment	9	The current regulation language does not track with the NAIC model upon which it is based and appears to be long-standing typographical errors.	NO, any small business impact is POSITIVE	2021-07-07
Emergency	Health	Reporting of Infectious, Environmental, and Occupational Diseases	Amendment	0	To require clinical laboratories to report COVID-19 results and hospitals to report COVID-19 hospitalizations and deaths.		2021-07-07
Post-Comment Draft	Business Regulation	State Fuel Gas Code	Amendment	14	“RIBCSC is proposing changes to the Rhode Island State Building Code Regulations. These changes include updating the base codes to a more recent version of the relevant national/international base codes— updating from the ICC 2015 family of model codes to the ICC 2018 model codes. RIBCSC has also compiled RI-specific amendments that make changes to these base codes to better align with the specific needs of Rhode Island.”	YES, there is ADVERSE IMPACT on small business (continue on to complete the requirements of RIGL § 42-35.1-3 and 1-4).	2021-07-07
Post-Comment Draft	Business Regulation	Rhode Island Swimming Pool and Spa Code	Amendment	14	“RIBCSC is proposing changes to the Rhode Island State Building Code Regulations. These changes include updating the base codes to a more recent version of the relevant	YES, there is ADVERSE IMPACT on small business (continue on to complete the	2021-07-07

Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Small Business Impact Determination	Clearance Date
					national/international base codes— updating from the ICC 2015 family of model codes to the ICC 2018 model codes. RIBCSC has also compiled RI-specific amendments that make changes to these base codes to better align with the specific needs of Rhode Island.”	requirements of RIGL § 42-35.1-3 and 1-4).	
Post-Comment Draft	Business Regulation	Rhode Island Property Maintenance Code	Amendment	14	“RIBCSC is proposing changes to the Rhode Island State Building Code Regulations. These changes include updating the base codes to a more recent version of the relevant national/international base codes— updating from the ICC 2015 family of model codes to the ICC 2018 model codes. RIBCSC has also compiled RI-specific amendments that make changes to these base codes to better align with the specific needs of Rhode Island.”	YES, there is ADVERSE IMPACT on small business (continue on to complete the requirements of RIGL § 42-35.1-3 and 1-4).	2021-07-07
Post-Comment Draft	Business Regulation	Rhode Island State Electrical Code	Amendment	14			2021-07-07
Post-Comment Draft	Business Regulation	Rhode Island State Mechanical Code	Amendment	14	RIBCSC is proposing changes to the Rhode Island State Building Code Regulations. These changes include updating the base codes to a more recent version of the relevant national/international base codes— updating from the ICC 2015 family of model codes to the ICC 2018 model codes. RIBCSC has also compiled RI-specific amendments that make changes to these base codes to better align with the specific needs of Rhode Island.	YES, there is ADVERSE IMPACT on small business (continue on to complete the requirements of RIGL § 42-35.1-3 and 1-4).	2021-07-07

Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Small Business Impact Determination	Clearance Date
Post-Comment Draft	Business Regulation	Rhode Island State Plumbing Code	Amendment	14	RIBCSC is proposing changes to the Rhode Island State Plumbing Code Regulations. These changes include updating the base codes to a more recent version of the relevant national/international base codes— updating from the ICC 2015 family of model codes to the ICC 2018 model codes. RIBCSC has also compiled RI-specific amendments that make changes to these base codes to better align with the specific needs of Rhode Island.	YES, there is ADVERSE IMPACT on small business (continue on to complete the requirements of RIGL § 42-35.1-3 and 1-4).	2021-07-07
Preliminary Draft	Health	Licensure of Physician Assistants	Amendment	27	To incorporate by reference CDC Guide to Infection PREvention for Outpatient Settings; Add a definition of collaoration; Revise qualifications for licensure; Provide procedures for licensure if there is a lapse in licensure, both for disciplinary reasons and non-disciplinary reasons; Revise scope of practice and supervision and align with RIGL 5-54-8; Revise prescriptive privileges; provide procedures for participation in charitable and voluntary care; and revise the list of actions for unprofessional conduct.	NO, this regulation DOES NOT IMPACT small business	2021-07-07
Emergency	Health	Immunization, Testing, and Health Screening for Health Care Workers	Amendment	0	To require health care facilities to publically post aggregate vaccination data of their health care workers		2021-07-08
Emergency	Human Services	Child Care Assistance Program Rules and Regulations Due to COVID-19	Adoption	1	Extending the existing Emergency Rule for the Child Care Assistance Program due to COVID-19 and the RI State of Emergency.		2021-07-09
Emergency	Human Services	General Provisions	Amendment	1	COVID-19 and the National State Emergency		2021-07-09

Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Small Business Impact Determination	Clearance Date
Emergency	Human Services	SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM RULES AND REGULATIONS DUE TO COVID-19	Amendment	1	Regulatory changes under the Families First Coronavirus Response Act; the Continuing Appropriations Act, 2021 and Other Extensions Act; the Consolidated Appropriations Act 2021; and the American Rescue Plan Act (ARPA) 2021in response to COVID-19.		2021-07-09
Emergency	Human Services	General Public Assistance Program	Amendment	1	Due to a potential threat to public health and safety declared in the Emergency Executive Order as a result of COVID-19, the Department is waiving some requirements. As such, the provisions herein must be promulgated.		2021-07-09
Emergency	Health	Licensing of Assisted Living Residences	Amendment	3	To provide procedures for COVID-19 testing and that staff wear a mask when a certain COVID-19 prevalence rate is reached.		2021-07-09
Emergency	Health	Licensing of Nursing Facilities	Amendment	3	To provide procedures for how nursing homes will test for COVID-19.		2021-07-09
Preliminary Draft	Health	Practices and Procedures Before the Rhode Island Department of Health	Amendment	7	To provide procedures for how licensure applicants with criminal records will be handled.	NO, this regulation DOES NOT IMPACT small business	2021-07-09
Preliminary Draft	Environmental Management	Rules and Regulations for Wastewater Treatment Facility Operators	Amendment	19	Proposed changes are a response to wastewater sector input regarding licensure equity among varying positions within the industry, as well as updates that will benefit program administrative workflow and examination integrity.	NO, this regulation DOES NOT IMPACT small business	2021-07-14
Preliminary Draft	Environmental Management	Rules Establishing Minimum Standards Relating to Location, Design, Construction and Maintenance of Onsite Wastewater Treatment Systems	Amendment	26	The purpose of these amendments is to incorporate revisions made to R.I. Gen. Laws § 5-56.1-4 (Designers of Individual Sewage Disposal Systems- Conditions for obtaining a designer's license) by the R.I. General Assembly in the 2019	NO, this regulation DOES NOT IMPACT small business	2021-07-14

Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Small Business Impact Determination	Clearance Date
					session. The change in statute states that professional engineers, registered and authorized to practice engineering in Rhode Island, meet the minimum qualifications, experience, and education requirements for an OWTS designer's license. This has the effect of exempting professional engineers from the testing and continuing education requirements to obtain and maintain a Class III Designer's License.		
Emergency	Taxation	Withholding for Employees Working Remotely During the COVID-19 State of Emergency	Adoption	0	The purpose of these rules and regulations is to provide guidance to employers who have implemented remote working requirements for their employees, some of whom are performing services on behalf of their employer from a location outside the state where their employees were based prior to the COVID-19 State of Emergency.		2021-07-15
Emergency	Health	Licensing of Nursing Homes	Amendment	1	To provide procedures for how nursing homes will test for COVID-19		2021-07-15
Post-Comment Draft	Environmental Management	Rules and Regulations Governing the Administration and Enforcement of the Freshwater Wetlands Act	Adoption	27	See the attached document entitled, "SUMMARY OF DRAFT REVISIONS TO STATE FRESHWATER WETLAND REGULATIONS"	YES, there is ADVERSE IMPACT on small business (continue on to complete the requirements of RIGL § 42-35.1-3 and 1-4).	2021-07-19
Direct Final	Human Services	Group Family Child Care Home Regulations for Licensure	Amendment	0	This rule was recently amended and finalized to incorporate the DHS Corrective Action Plan for the Child Care Development Fund Plan (Fiscal	NO, this regulation DOES NOT IMPACT small business	2021-07-21

Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Small Business Impact Determination	Clearance Date
					Year 2019 – 2021) as approved by the Federal Administration for Children and Families. In addition, the rule was amended to reflect best practice. It was recently discovered that the "Family Engagement" section was inadvertently left off of the current rule. This amendment will add the "Family Engagement section"		
Emergency	Human Services	Child Care Assistance Program Rules and Regulations	Amendment	0	Implementation of the 2021 increase to the Federal Poverty Level gross income guidelines for the Child Care Assistance Program eligibility and cost sharing levels.		2021-07-21
Emergency	Human Services	Supplemental Nutrition Assistance Program	Amendment	0	This rule amends the expungement timeframe from 12 months to 9 months per Federal regulation and must be implemented prior to September 23, 2021.		2021-07-21
Preliminary Draft	Executive Office of Health and Human Services	Working Adults with Disabilities	Amendment	12	To support COVID-19 related service delivery	NO, this regulation DOES NOT IMPACT small business	2021-07-21
Preliminary Draft	Executive Office of Health and Human Services	Medically Needy Eligibility	Amendment	12	To support COVID-19 related eligibility determinations	NO, this regulation DOES NOT IMPACT small business	2021-07-21
Preliminary Draft	Executive Office of Health and Human Services	Medicaid Application and Renewal Process	Amendment	12	Support COVID-19 public health emergency related eligibility provisions.	NO, this regulation DOES NOT IMPACT small business	2021-07-21
Preliminary Draft	Executive Office of Health and Human Services	Medicaid Managed Care Delivery Options	Amendment	12	Phase out certain COVID-19 provisions.	NO, this regulation DOES NOT IMPACT small business	2021-07-21
Preliminary Draft	Executive Office of Health and Human Services	Medicaid Payments for Out-of-State Care	Amendment	12	Phase out certain COVID-19 provisions.	NO, this regulation DOES NOT IMPACT small business	2021-07-21
Preliminary Draft	Executive Office of Health and Human Services	Medicaid LTSS Overview and Eligibility Pathways	Amendment	12	To retain certain COVID-19 provisions.	NO, this regulation DOES NOT IMPACT small business	2021-07-21

Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Small Business Impact Determination	Clearance Date
Preliminary Draft	Executive Office of Health and Human Services	Managed Care Service Delivery Arrangements	Amendment	12	To retain certain COVID-19 related provisions.	NO, this regulation DOES NOT IMPACT small business	2021-07-21
Direct Final	Business Regulation	Credit for Reinsurance	Amendment	10	The Regulation provides specifics related to the Credit for Reinsurance statute contained at R.I. Gen. Laws chapter 27-1.1. Both the statute and regulation are based on National Association of Insurance Commissioners (NAIC) models. The proposed amendments follow the statutory changes to R.I. Gen. Laws chapter 27-1.1 which were enacted in the 2021 legislative session.	NO, this regulation DOES NOT IMPACT small business	2021-07-22
Emergency	Health	Reporting and Testing of Infectious, Environmental, and Occupational Diseases	Amendment	0	To revise authority section		2021-07-23
Direct Final	Human Services	Child Care Assistance Program Rules and Regulations	Amendment	4	Implementation of the 2021 increase to the Federal Poverty Level gross income guidelines for the Child Care Assistance Program eligibility and cost sharing levels.	NO, this regulation DOES NOT IMPACT small business	2021-07-27
Direct Final	Environmental Management	Rules and Regulations Governing Wildlife Rehabilitation	Amendment	6	When the regulations were reworked the definition for "Sponsor" was rewritten. The old definition remains so this to remove the old definition and the number five was increased to seven.	NO, this regulation DOES NOT IMPACT small business	2021-07-27
Direct Final	Executive Office of Health and Human Services	Post-Eligibility Treatment of Income (PETI)	Amendment	12	To enable EOHHS to provide sufficient support for individuals who are able to, and wish to, receive services in their homes, EOHHS will increase the Home and Community Based Services (HCBS) Maintenance of Need Allowance from 100% of the Federal Poverty Limit (FPL) plus twenty dollars to	NO, this regulation DOES NOT IMPACT small business	2021-07-27

Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Small Business Impact Determination	Clearance Date
					300% of the Federal Social Security Income (SSI) standard. This allows individuals who are living in the community receiving HCBS to be able to keep more of their income for living expenses		
Emergency	Human Services	Rhode Island Works Program Rules and Regulations	Amendment	1	COVID-19 and RI State Emergency		2021-07-29
Emergency	Disabilities Commission	ACCESS TO OPEN MEETING	Amendment	0	The CDC advises people (including members of public bodies) who who have a condition or are taking medications that weaken your immune system, you may NOT be protected even if they are fully vaccinated; and should continue to take all precautions recommended for unvaccinated people until advised otherwise by your healthcare provider. Additionally the CDC advises people some people with certain medical conditions NOT to get the COVID-19 vaccinated, because of the potential of having an allergic reaction (i.e. anaphylactic shock). The expiration of Executive Order Executive Order 21-72 - One Hundred and Seventy-Fifth Supplemental Emergency Declaration - Public Meetings and Public Records Requests, reinstates the ban on the use of telecommunication devices by members of public bodies, including those with certain medical conditions. This emergency rule expedited waivers of that ban as provided by R.I. Gen. Laws § 42-46-5(b)(3 & 4) Open Meetings -		2021-08-04

Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Small Business Impact Determination	Clearance Date
					Purposes for which meeting may be closed - Use of electronic communications - Judicial proceedings - Disruptive conduct.		
Post-Comment Draft	Health	Licensing of Aquatic Venues	Amendment	1	This regulation is being promulgated to require more frequent evaluation of disinfectant levels based upon the type of feed the aquatic venue uses. The proposed amendments are in accordance with the Model Aquatic Health Code.	NO, this regulation DOES NOT IMPACT small business	2021-08-04
Direct Final	Human Services	Supplemental Nutrition Assistance Program	Amendment	0	To comply with the Federal amendment to implement a provision of the 2008 Farm Bill regarding the expungement of unused benefits.	NO, this regulation DOES NOT IMPACT small business	2021-08-05
Emergency	Human Services	SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM RULES AND REGULATIONS DUE TO COVID-19	Amendment	0	Due to the Federally declared health emergency, these proposed changes are being made to comply with Federal regulation extensions to provide SNAP benefits to recipients impacted by COVID -19.		2021-08-05
Emergency	Taxation	Withholding for Employees Working Remotely During the COVID-19 State of Emergency	Amendment	0	The purpose of these rules and regulations is to provide guidance to employers who have implemented remote working requirements for their employees, some of whom are performing services on behalf of their employer from a location outside the state where their employees were based prior to the COVID-19 State of Emergency.		2021-08-05
Emergency	Health	Licensing of Assisted Livings	Amendment	1	The purpose of this regulation is to more aggressively control the spread of COVID-19 in Rhode Island's congregate care facilities, including assisted living residences,		2021-08-12

Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Small Business Impact Determination	Clearance Date
					given the morbidity and mortality caused by COVID-19 in such settings since March 2020		
Emergency	Health	Communal Living Arrangements	Amendment	1	To provide operational information to business who provide communal living arrangements for their seasonal workers during the COVID-19 pandemic		2021-08-12
Post-Comment Draft	Arts (RISCA)	Rules and Regulations for Cultural Facilities Grant Program	Amendment	2	The only change made to the proposed regulation was the inclusion of “new construction” to the list of allowable project expenses. This was done following a review by the State-appointed Bond Counsel.	NO, this regulation DOES NOT IMPACT small business	2021-08-12
Emergency	Health	REQUIREMENT FOR IMMUNIZATION AGAINST COVID-19 FOR ALL WORKERS IN LICENSED HEALTH CARE FACILITIES AND OTHER PRACTICING HEALTH CARE PROVIDERS	Adoption	1	To require COVID-19 vaccination for all workers in health care facilities and all licensed health care providers		2021-08-13
Preliminary Draft	Environmental Management	PART 2 – Commercial Marine Fishing Licenses and Landing Permits	Amendment	15	To consider industry proposals to amend the exit/entry ratio for the Restricted Finfish endorsement	NO, this regulation DOES NOT IMPACT small business	2021-08-13
Emergency	Environmental Management	Emergency Regulations Governing the Administration of Federal Fisheries Disaster Relief Funding Provided to the State of Rhode Island Under the Consolidated Appropriations Act of 2021	Adoption	3	The purpose of these rules and regulations is to administer the \$2,959,612 allocation of federal fisheries disaster relief provided to Rhode Island under the Consolidated Appropriations Act of 2021 (P.L. 116-260 (H.R. 133, Division M)) by expeditiously and equitably disbursing it in the form of direct payments to eligible fishery participants in the four sectors used by NOAA Fisheries to establish Rhode Island’s allocation:		2021-08-17

Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Small Business Impact Determination	Clearance Date
					commercial fishing, commercial aquaculture, seafood processing/wholesaling, and for-hire businesses.		
Post-Comment Draft	Historical Preservation and Heritage Commission	Rules and Regulations for the State Preservation Grants	Amendment	6	On March 2, 2021, the voters of Rhode Island voted to approve Question 6, which authorizes the state to issue bonds for the State Preservation Grants program, which has not received new funding since 2014. The regulations have been reviewed and updated to 1) reference the new bond funding and 2) make a few small changes to program rules.	NO, this regulation DOES NOT IMPACT small business	2021-08-17
Preliminary Draft	Narragansett Bay Commission	Customer Service Rules and Regulations (835-RICR-20-00-2)	Amendment	11	This regulation is being amended to align Section 2.18 (Section 2.14 as amended) with the NBC's enabling legislation, provide clarification to existing sections in the rule, and incorporate existing practices not currently delineated in the rule.	NO, this regulation DOES NOT IMPACT small business	2021-08-17
Preliminary Draft	Environmental Management	PART 6 – General Equipment Provisions	Amendment	19	1. To clarify availability of floating fish trap permits and provide prioritization criteria when there is more than one applicant for an available permit 2. Reorganization of section for improved clarity	NO, any small business impact is POSITIVE	2021-08-17
Preliminary Draft	Health	Lead Safe Work Practices	Adoption	22	The lead regulation is lengthy and highly technical. As it covers all areas of lead, it was decided for better understanding and access to separate the lead regulation into four smaller regulations. In addition, numerous updates were made in order align with new EPA requirements.	NO, this regulation DOES NOT IMPACT small business	2021-08-19

Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Small Business Impact Determination	Clearance Date
Preliminary Draft	Health	Lead Training Certification and Licensing	Adoption	22	The lead regulation is lengthy and highly technical. As it covers all areas of lead, it was decided for better understanding and access to separate the lead regulation into four smaller regulations. In addition, numerous updates were made in order align with new EPA requirements.	NO, this regulation DOES NOT IMPACT small business	2021-08-19
Preliminary Draft	Health	Lead Inspections	Adoption	22	The lead regulation is lengthy and highly technical. As it covers all areas of lead, it was decided for better understanding and access to separate the lead regulation into four smaller regulations. In addition, numerous updates were made in order align with new EPA requirements.	NO, this regulation DOES NOT IMPACT small business	2021-08-19
Preliminary Draft	Health	Lead Poisoning Prevention (Now Lead Poisoning Prevention Compliance and Enforcement)	Amendment	22	The lead regulation is lengthy and highly technical. As it covers all areas of lead, it was decided for better understanding and access to separate the lead regulation into four smaller regulations. In addition, numerous updates were made in order align with new EPA requirements.	NO, this regulation DOES NOT IMPACT small business	2021-08-19
Emergency	Health	Licensing of Assisted Living Residences	Amendment	0	To align with new vaccination requirements for health care workers and health care providers.		2021-08-20
Emergency	Health	Licensing of Nursing Homes	Amendment	0	To align with new vaccination requirements for health care workers and health care providers.		2021-08-20
Emergency	Human Services	Child Care Center, Family Child Care Home and Group Family Child Care Home Licensing Changes Due to COVID-19	Amendment	2	Vote Coronavirus (COVID-19		2021-08-20

Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Small Business Impact Determination	Clearance Date
Emergency	Human Services	Child Care Assistance Program Rules and Regulations Due to COVID-19	Amendment	2	Novel Coronavirus (COVID-19)		2021-08-20
Post-Comment Draft	Executive Office of Health and Human Services	Chapter 40 Subchapter 00 Part 3 Medicaid Integrated Health Care Coverage, SSI Financial Eligibility Determinations	Amendment	7			2021-08-20
Preliminary Draft	Quonset Development Corporation	Quonset Business Park Development Package	Amendment	21	Development within the Quonset Business Park is guided by two distinct documents, the Quonset Business Park Master Land Use and Development Plan (“Master Plan”) and the Quonset Business Park Development Package (“Development Package”). While these documents are separate, they work together to form a complete, predictable process for development within the Park. The Master Plan outlines goals and objectives, discusses operations and level of service, and provides information on the various land uses that are encouraged within the Park’s several districts. The Development Package provides specific regulatory requirements and performance standards for physical development, which are largely based on the land use district in which a parcel is situated. In September 2019, the QDC Board of Directors adopted the current version of the Master Plan (the “2019 Master Plan”). Prior to 2019, there had not been a major update to the Master Plan since 2008. The	NO, this regulation DOES NOT IMPACT small business	2021-08-20

Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Small Business Impact Determination	Clearance Date
					<p>2019 Master Plan adoption captured the major changes that occurred within the Park since the Plan's previous update, including the acquisition and development of additional property, improvements to infrastructure, and the formulation of management agreements that improve the delivery of development services. The 2019 Master Plan includes a Land Use Map and descriptions of the Park's several Land Use Districts. These Districts are the basis for the dimensional and performance standards found within the Development Package. The adopted Land Use Map is based on the current development patterns, the developmental goals set forth in the Master Plan, environmental and operational constraints, and the previous actions of the QDC Board relative to proposed development activity. The current version of the Development Package became effective in November 2018 and includes its own, separate Land Use Map. Unlike the Master Plan, which requires only QDC Board adoption to take effect, the Development Package is considered a regulation of the Quonset Development Corporation and therefore must undergo the full rulemaking process required for all Rhode Island governmental entities. Because of these differing adoption processes</p>		

Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Small Business Impact Determination	Clearance Date
					and timelines, the two Land Use Maps (one from the Master Plan and one from the Development Package) may become, and are currently, inconsistent. The Master Plan, rather than the Development Package, is intended to provide the basis for the Board's determination as to whether a specific proposed use should be permitted on a specific property. Where the Master Plan includes the relevant analysis and background information for a land use determination, the Development Package provides the specific regulations for developing a property once the use has been determined. As such, the QDC Board of Directors is seeking to amend the Development Package to remove the "Land Use Districts" map, and to alter the language of the Development Package to refer to the map found within the Master Plan. The Board believes that the Master Plan is the more appropriate location for the land use map, and, having it in a single location rather than in two separate locations, will maintain consistency.		
Emergency	Human Services	Rhode Island Works Program Rules and Regulations	Amendment	1	The Department will continue to waive some requirements for benefit access to applicants and recipients of the Rhode Island Works Program due to the ongoing COVID-19 crisis. This includes the temporary suspension of all in person transactions as well as all		2021-08-25

Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Small Business Impact Determination	Clearance Date
					face-to-face interviews for benefit screenings, applications, and recertifications. The DHS may allow for telephonic interviews, telephonic applications and telephonic signatures, as needed to process both applications and recertifications for the RIW program. Additional changes to this Rule have been made to implement the changes approved by the passage of the 2021-2022 Rhode Island State Budget.		
Emergency	Health	Licensing of Assisted Livings	Amendment	4	Establishes routine testing for COVID-19 of all unvaccinated and vaccinated personnel which includes employees, as well as volunteers, students, trainees or any individual whether paid or unpaid directly employed by or under contract with the assisted living residences on a part time or full-time basis. By testing all unvaccinated personnel routinely, the transmission of COVID-19 in assisted living residences can be reduced.		2021-08-31
Emergency	Health	Licensing of Nursing Homes	Amendment	4	Establishes routine testing for COVID-19 of all unvaccinated nursing home residents and vaccinated and unvaccinated personnel which includes employees, as well as volunteers, students, trainees or any individual whether paid or unpaid directly employed by or under contract with the nursing home on a part time or full-time basis. By testing all unvaccinated personnel routinely,		2021-08-31

Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Small Business Impact Determination	Clearance Date
					the transmission of COVID-19 in nursing facilities can be reduced.		
Preliminary Draft	Quonset Development Corporation	Rhode Island Ready Program rules	Adoption	11	In March 2021, Rhode Island voted to provide \$40.0 million dollars for QDC to implement a site readiness program with the intent of preparing industrial sites and facilities for manufacturing, assembly, distribution, production, processing, offshore wind, and other job-producing activities. The rules are required to allow QDC to implement the program.	NO, any small business impact is POSITIVE	2021-08-31
Post-Comment Draft	Executive Office of Health and Human Services	Medicaid Long-Term Services and Supports Overview and Eligibility Pathways	Amendment	1			2021-09-03
Post-Comment Draft	Executive Office of Health and Human Services	"Medicaid Code of Administrative Rules, Section 1373: Medicaid for Working People with Disabilities Program"	Amendment	1			2021-09-03
Post-Comment Draft	Executive Office of Health and Human Services	Medicaid Managed Care Service Delivery Arrangements	Amendment	1			2021-09-03
Post-Comment Draft	Executive Office of Health and Human Services	Community Medicaid: Medically Needy Eligibility	Amendment	1			2021-09-03
Post-Comment Draft	Executive Office of Health and Human Services	Medicaid Application and Renewal Processes	Amendment	1			2021-09-03
Preliminary Draft	Coastal Resources Management Council	Coastal Resources Management Program Rules and Regulations Governing the Protection and Management of Freshwater Wetlands in the Vicinity of the Coast	Adoption	9	To comply with R.I. Gen. Laws § 2-1-20.1(c) requiring CRMC and DEM to promulgate new rules for freshwater wetlands within each agency's respective regulatory jurisdiction. See the attached document entitled, "Summary of Draft Proposed CRMC Rules and	YES, there is ADVERSE IMPACT on small business (continue on to complete the requirements of RIGL § 42-35.1-3 and 1-4).	2021-09-04

Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Small Business Impact Determination	Clearance Date
					Regulations Governing the Protection and Management of Freshwater Wetlands in the Vicinity of the Coast – 650-RICR-20-00-9”		
Post-Comment Draft	Human Services	General Public Assistance Program	Amendment	7	To align regulation with statutory requirements that eliminate a regulatory requirement to determine disability for GPA eligibility. To clarify eligibility for the different types of assistance within the GPA program. To remove outdated procedural guidance.	NO, this regulation DOES NOT IMPACT small business	2021-09-07
Post-Comment Draft	Executive Office of Health and Human Services	Medicaid Managed Care Delivery Options	Amendment	0	Phase out certain COVID-19 provisions.	NO, this regulation DOES NOT IMPACT small business	2021-09-09
Post-Comment Draft	Executive Office of Health and Human Services	Medicaid Payments for Out-of-State Care	Amendment	0	Phase out certain COVID-19 provisions.	NO, this regulation DOES NOT IMPACT small business	2021-09-09
Direct Final	Environmental Management	Cooperative Multi-State Possession and Landing Pilot Program for Summer Flounder and Black Sea Bass	Amendment	7	Correct title of rule to add "Black Sea Bass" in Sec of State system, which was inadvertently omitted last filing	NO, this regulation DOES NOT IMPACT small business	2021-09-10
Emergency	Human Services	Child Care Assistance Program Rules and Regulations	Amendment	0	Passage of the 2021 – 2022 R. I. State budget.		2021-09-15
Post-Comment Draft	Business Regulation	Rhode Island Industrial Hemp Program	Amendment	14	The genesis of the proposed amendments to the Rhode Island Industrial Hemp Agricultural Pilot Program are a direct result of the 2019 amendments to R.I. Gen. Laws § 2-26-1 et seq. and the 2018 Agricultural Improvement Act and its changes to the previous federal hemp industry landscape.	NO, any small business impact is POSITIVE	2021-09-15
Preliminary Draft	Business Regulation	Certified Constables	Adoption	13	Since their administrative move from the Judiciary, the Certified Constables have not had a set of regulations governing their	NO, any small business impact is POSITIVE	2021-09-15

Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Small Business Impact Determination	Clearance Date
					industry. After approximately a year of discussions regarding content, the Department and the Board are ready to promulgate regulations pursuant to R.I. Gen. Laws § 9-5-10.1 and § 42-14-17.		
Emergency	Human Services	Supplemental Nutrition Assistance Program	Amendment	0	To comply with federally mandated increases to the Cost of Living Adjustments(COLA) for maximum Supplemental Nutrition Assistance Program (SNAP) benefits, deductions and income eligibility standards which occur annually on October 1st.		2021-09-16
Preliminary Draft	Transportation	PROCEDURES INVOLVING STEEL PLATES ON ROADWAY SURFACES	Adoption	27	PER STATUTE	NO, this regulation DOES NOT IMPACT small business	2021-09-21
Emergency	Human Services	Supplemental Security Income and State Supplemental Payment Rules and Regulations	Amendment	2	The Rhode Island State Fiscal Year 2022 budget (21-H-6122) mandates the elimination of the Category F program established in 2016 and reinvestment of the state savings into enhanced Medicaid Assisted Living rates. This will be implemented on November 1, 2021.		2021-09-22
Preliminary Draft	Health	Reporting and Testing of Infectious, Environmental, and Occupational Diseases	Amendment	26	To allow RIDOH to continue tracking the prevalence of COVID-19 in Rhode Island.	NO, this regulation DOES NOT IMPACT small business	2021-09-22
Emergency	Health	Masking in Schools	Adoption	1	To require masks in schools		2021-09-23
Preliminary Draft	Energy Resources	TITLE 300 – OFFICE OF ENERGY RESOURCES	Amendment	8	Extending the renewable tangible taxation regulation that was adopted by OER in December 2016 and went into effect from January 1, 2017 to January 1, 2022 for a 5 year period. Regulation is associated with renewable taxation	NO, this regulation DOES NOT IMPACT small business	2021-09-28

Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Small Business Impact Determination	Clearance Date
					law passed by the General Assembly in June 2016.		
Preliminary Draft	Environmental Management	Rules Establishing Minimum Standards Relating to Location, Design, Construction and Maintenance of Onsite Wastewater Treatment Systems	Amendment	11	The purpose of these amendments is to incorporate revisions made to R.I. Gen. Laws § 5-56.1-4 (Designers of Individual Sewage Disposal Systems- Conditions for obtaining a designer’s license) by the R.I. General Assembly in the 2019 session. The change in statute states that professional engineers, registered and authorized to practice engineering in Rhode Island, meet the minimum qualifications, experience, and education requirements for an OWTS designer’s license. This has the effect of exempting professional engineers from the testing and continuing education requirements to obtain and maintain a Class III Designer’s License.	NO, this regulation DOES NOT IMPACT small business	2021-09-28
Direct Final	Executive Office of Health and Human Services	Post-Eligibility Treatment of Income (PETI)	Amendment	8	Category F is being eliminated due to changes in the law.		2021-09-30
Preliminary Draft	Health	Rhode Island All Payer Claims Database	Amendment	21	To require insurers to report alternative payment models to RIDOH.	NO, this regulation DOES NOT IMPACT small business	2021-09-30