



# OFFICE OF MANAGEMENT & BUDGET

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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 Q2

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## FY 2022 Quarter 2 Report: October 1, 2021 – December 31, 2021

### Quarterly Summary Data

#### Total Submissions by Type of Rulemaking

- Regular Rulemaking, Pre-Comment Review: 23
- Regular Rulemaking, Post-Comment Review: 22
- Direct Final Rulemaking: 10
- Emergency Rulemaking: 16

#### Unique Regulations by Type of Action

- Adoption: 7
- Amendment: 42
- Repeal: 0

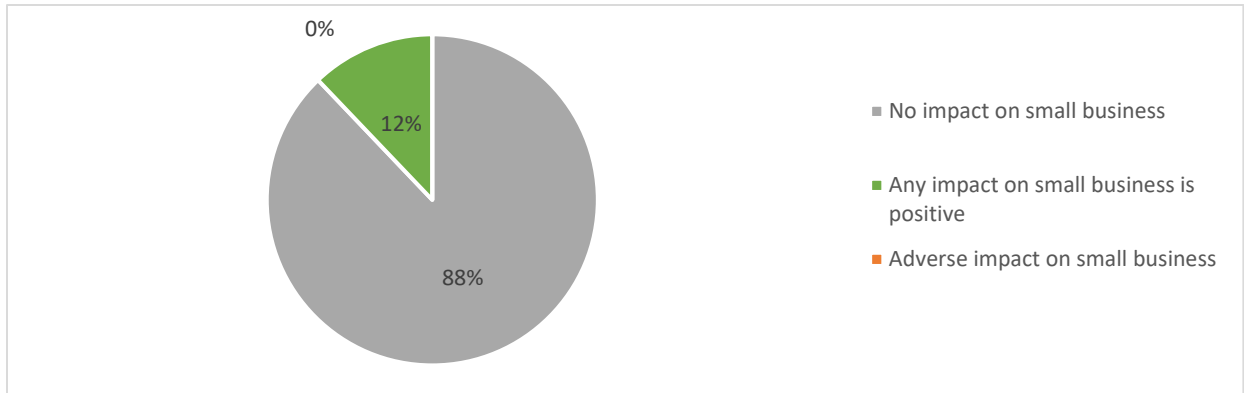
#### ORR Review Time by Type of Rulemaking

- Regular Rulemaking, Pre-Comment Review: 13.7 days
- Regular Rulemaking, Post-Comment Review: 5.7 days
- Direct Final Rulemaking: 4.9 days
- Emergency Rulemaking: 3.3 days

#### ORR Interventions

- Submissions where analysis was changed: 9.9%
- Submissions where regulatory language was changed: 28.2%

## Small Business Impact Analysis



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

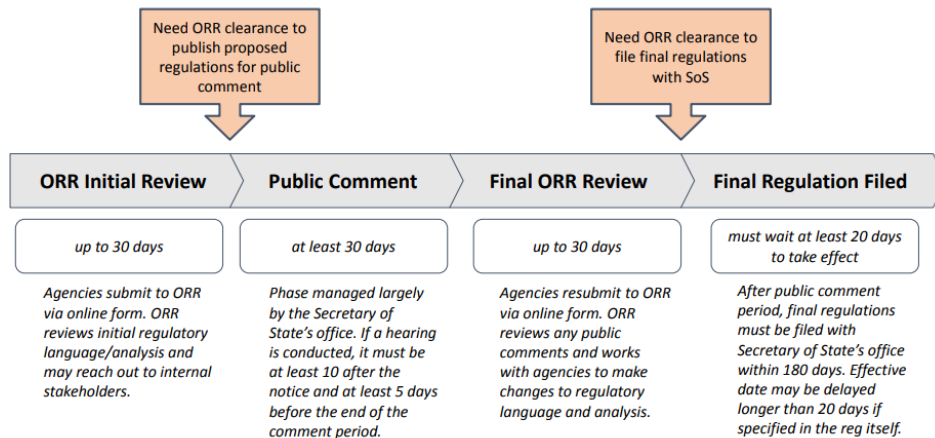
## Regulatory Oversight

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	Narragansett Bay Commission	Customer Service Rules and Regulations	Amendment	3			2021-10-05
Preliminary Draft	Health	Licensing Home Nursing Care Providers and Home Care Providers	Amendment	22	To align with federal law that permits physician assistants, nurse practitioners (aka Advance practice nurse practitioners) and clinical nurse specialists to certify home health services.	NO, this regulation DOES NOT IMPACT small business	2021-10-05
Emergency	Health	Nursing Assistants, Medication Aides, and the Approval of Nursing Assistant and Medication Aide Training Programs	Amendment	9	Due to shortages in CNAs, RIDOH is allowing for temporary CNA licenses for individuals who complete a skills assessment, or for other licensed professionals.		2021-10-07
Post-Comment Draft	Environmental Management	Rules and Regulations for Wastewater Treatment Facility Operators	Amendment	2	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	2021-10-07
Preliminary Draft	Health	School Based Health Centers	Amendment	14	To impliment requirements of RIGL 23-17-4.1 which requires school based health centers to have a	NO, this regulation DOES NOT IMPACT small business	2021-10-07

Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Small Business Impact Determination	Clearance Date
					staffing plan which must include a school nurse teacher.		
Preliminary Draft	Environmental Management	Rhode Island State Pilotage Commission Rules and Regulations	Amendment	6	To remove an outdated exception to the PPU requirement.	NO, this regulation DOES NOT IMPACT small business	2021-10-12
Preliminary Draft	Health	Dentists, Dental Hygienists and Dental Assistants	Amendment	10	To revise licesenure requirements for a public health dental hgienist and provide procedures for how teledentistry can be performed.	NO, this regulation DOES NOT IMPACT small business	2021-10-14
Emergency	Health	Emergency Medical Services	Amendment	8	To allow staffing of private ambulances for basic life support transportation		2021-10-15
Direct Final	Environmental Management	R.I. Hunting and Trapping Regulations for the 2021 - 2022 and 2022 - 2023 Seasons	Amendment	4	There was an error when the Town of New Shoreham submitted their dates for the hunting season on Block Island. This change is to correct the missed dates.	NO, this regulation DOES NOT IMPACT small business	2021-10-18
Preliminary Draft	Student Loan Authority	Knowledge for College Scholarship	Amendment	0	RISLA is amending the scholarship to make it eligible to more individuals	NO, this regulation DOES NOT IMPACT small business	2021-10-18
Post-Comment Draft	Environmental Management	PART 6 – General Equipment Provisions	Amendment	4			2021-10-19
Preliminary Draft	Health	School Health Program	Amendment	11	Align the School Health Program regulations with the Rhode Island Department of Education; incorporate information and requirements on vision and eye screening; implement requirements of RIGL 40-11-3 regarding child abuse and neglect; Adds reference and implements RIGL 16-22-4 regarding mixing opioids and alcohol; to allow licensed dental hygienists to perform dental screenings; requires development of policies and procedures for maintenance of a supply of opioid antagonists in private and	NO, this regulation DOES NOT IMPACT small business	2021-10-19

Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Small Business Impact Determination	Clearance Date
					elementary schools; implement requirements for medical marijuana and CBD oil administration; remove superfluous language; correct citations to RIGL and RI regulations; and revise to plain language.		
Emergency	Human Services	Supplemental Security Income and State Supplemental Payment Rules and Regulations	Amendment	1	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 and the elimination of funding to the assisted living providers that had been financed by Rhode Island Housing Mortgage and Finance Corporation. This will be implemented on November 1, 2021.		2021-10-22
Post-Comment Draft	Environmental Management	PART 2 – Commercial Marine Fishing Licenses and Landing Permits	Amendment	10	To consider industry proposals to amend the exit/entry ratio for the Restricted Finfish endorsement	NO, any small business impact is POSITIVE	2021-10-25
Emergency	Health	Reporting and Testing of Infectious, Environmental, and Occupational Diseases	Amendment	1	To require clinical laboratories to report COVID-19 results and hospitals to report COVID-19 hospitalizations and deaths.		2021-10-26
Emergency	Health	Immunization, Testing and Health Screening for Health Care Workers	Amendment	1	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.		2021-10-26
Post-Comment Draft	Business Regulation	Rhode Island State Building Code	Amendment	0			2021-10-28
Direct Final	Human Services	Supplemental Nutrition Assistance Program	Amendment	6	To comply with federally mandated increases to the Cost of Living Adjustments(COLA) for maximum Supplemental Nutrition Assistance	NO, this regulation DOES NOT IMPACT small business	2021-11-02

Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Small Business Impact Determination	Clearance Date
					Program (SNAP) benefits, deductions and income eligibility standards which occur annually on October 1st.		
Post-Comment Draft	Business Regulation	State Energy Conservation Code	Amendment	4	“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).	2021-11-02
Post-Comment Draft	Business Regulation	Rhode Island One & Two-Family Dwelling Code	Amendment	4	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).	2021-11-02
Preliminary Draft	Environmental Management	Rules and Regulations Governing the Administration and Enforcement of the Freshwater Wetlands Act	Amendment	3	To change the effective date of the new Wetlands Regulations from January 15, 2022 to July 1, 2022 in order to allow for a more orderly transition to new rules governing the administration and enforcement of the Freshwater Wetlands Act. The additional time is necessary for DEM to develop and	NO, this regulation DOES NOT IMPACT small business	2021-11-15

Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Small Business Impact Determination	Clearance Date
					make available new application materials, guidance documents and training for various persons involved in freshwater wetland permitting and to do so with adequate advance notice to lessen any disruption to persons planning projects and preparing applications. The time will also be utilized to modify DEM data systems to align with the new categories of permits established through the rules.		
Post-Comment Draft	Energy Resources	OER Renewable Tangible Taxation Formula	Amendment	0			2021-11-16
Post-Comment Draft	Health	Rhode Island All Payer Claims Database	Amendment	0			2021-11-16
Preliminary Draft	Business Regulation	Real Estate Brokers and Salespersons	Amendment	25	There were two separate reasons for amending this regulation.  First, legislation passed in July 2021 (2021 PL Chapter 322 § 1 and Chapter 211 § 1) that changed the requirements for Real Estate licensees by adding a requirement that the real estate exam contain content on fair housing and that each licensee must complete 3 hours of instruction in Fair Housing as part of their continuing education. The statutory changes also exempted RI licensed attorneys who are also real estate licensees from having to complete real estate continuing education courses as a condition of license renewal.	NO, this regulation DOES NOT IMPACT small business	2021-11-16

Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Small Business Impact Determination	Clearance Date
					<p>Second, the RI Association of Realtors (RIAR) created a Teams Task Force in response to DBR's 2019 bulletin on Teams of licensees within real estate brokerages. In April/May 2021, RIAR presented its Task Force recommendations to DBR for amendments to the Real Estate regulation. After consideration of these recommendations, DBR prepared these amendments and to clarify how teams must operate under the supervision of the principal broker, like all other real estate licensees. Teams can be very confusing to consumers and the regulation of Teams is an important component in consumer protection.</p> <p>In addition, we have modernized and improved the organization of the advertising section which needed to be updated to recognize the variety of digital media now used by licensees.</p>		
Preliminary Draft	Human Services	Group Family Child Care Home Regulations for Licensure	Amendment	26	Addition of Pandemic Language	NO, this regulation DOES NOT IMPACT small business	2021-11-16
Preliminary Draft	Human Services	Family Child Care Home Regulations for Licensure	Amendment	26	Addition of Pandemic Language	NO, this regulation DOES NOT IMPACT small business	2021-11-16



Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Small Business Impact Determination	Clearance Date
Preliminary Draft	Human Services	Child Care Center and School Age Program Licensing Regulations	Amendment	26	Addition of Pandemic Language.	NO, this regulation DOES NOT IMPACT small business	2021-11-16
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		2021-11-17
Post-Comment Draft	Health	Reporting and Testing of Infectious, Environmental, and Occupational Diseases	Amendment	1			2021-11-19
Preliminary Draft	Human Services	Rules, Regulations and Standards Governing the Home and Community Care Services to the Elderly Program	Amendment	17	This Rule change is due to a State of Rhode Island Fiscal Year 2022 budget initiative which increased the eligibility for the program from 200 % to 250 % of the Federal Poverty Level. This Amendment also expands program eligibility to the 19-64 year old population who have a diagnosis of Alzheimer's disease or related dementia.	NO, this regulation DOES NOT IMPACT small business	2021-11-19
Post-Comment Draft	Health	Licensure of Physician Assistants	Amendment	4	This regulation is being promulgated to, among other things, incorporate by reference the CDC Guide to Infection Prevention for Outpatient Settings; add a definition of "collaboration;" revise qualifications for licensure; provide procedures for granting licensure following a lapse in licensure, both for disciplinary and non-disciplinary reasons; revise scope of practice and supervision to align with R.I. Gen. Laws § 5-54-8; revise prescriptive privileges; provide procedures for participation in	NO, this regulation DOES NOT IMPACT small business	2021-11-22

Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Small Business Impact Determination	Clearance Date
					charitable and voluntary care; and revise the list of actions for unprofessional conduct.		
Preliminary Draft	Environmental Management	Rules and Regulations Governing the Administration and Enforcement of the Freshwater Wetlands Act	Adoption	3	To move back the effective date of the new Wetlands rules from January 15, 2022 to July 1, 2022.	NO, this regulation DOES NOT IMPACT small business	2021-11-23
Preliminary Draft	Human Services	Child Care Assistance Program Rules and Regulations	Amendment	22	This amendment updates outdated language and references, as well as adds new legislative changes.	NO, any small business impact is POSITIVE	2021-11-23
Post-Comment Draft	Health	School Based Health Centers	Amendment	0			2021-11-24
Preliminary Draft	Accountancy	Rules and Regulations of the Rhode Island Board of Accountancy	Amendment	5	Modernize the rules to address frequently asked questions and assure public protection.	NO, any small business impact is POSITIVE	2021-11-24
Preliminary Draft	Human Services	Rhode Island Works Program Rules and Regulations	Amendment	19	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 face-to-face interviews for benefit screenings, applications, and recertifications. The DHS will allow for telephonic interviews, telephonic applications and telephonic signatures, as needed to process both applications and recertifications for the RIW program. This process will remain in effect as the department works to reopen the DHS field offices.	NO, this regulation DOES NOT IMPACT small business	2021-11-24
					Additional changes to this Rule have		

Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Small Business Impact Determination	Clearance Date
					been made to implement the changes approved by the passage of the 2021-2022 Rhode Island State Budget.		
Emergency	Environmental Management	Emergency Regulations Governing the Use of Federal Funds Provided to the State of Rhode Island for the Large Whale Gear Modification Assistance Plan	Adoption	4	The purpose of these Rules and Regulations is to administer the \$227,273 allocation of mitigation relief provided to Rhode Island by NOAA and transferred to the State by the ASMFC by expeditiously and equitably disbursing it in the form of fishing gear contrivances to eligible fishery participants in the Rhode Island Lobster/Jonah Crab fishery to comply with the recently amended Atlantic Large Whale Take Reduction Plan and the subsequent NOAA Fisheries Final Rule (50 C.F.R. §§ 229-697) intended to reduce serious injury and mortality to three species of large whales.		2021-11-29
Direct Final	Environmental Management	Rules and Regulations Relating to Fertilizers	Amendment	8	A brief section is being added to the end of this regulation to acknowledge the Division's new online registration system.	NO, this regulation DOES NOT IMPACT small business	2021-12-02
Direct Final	Environmental Management	Rules and Regulations Relating to Commercial Feed	Amendment	8	A brief section is being added to the end of this regulation to acknowledge the Division's new online registration system.	NO, this regulation DOES NOT IMPACT small business	2021-12-02
Direct Final	Environmental Management	Agricultural Liming Material Rules and Regulations	Amendment	8	A brief section is being added to the end of this regulation to acknowledge the Department's new online registration system.	NO, this regulation DOES NOT IMPACT small business	2021-12-02
Post-Comment Draft	Environmental Management	Rhode Island State Pilotage Commission Rules and Regulations	Amendment				2021-12-02
Preliminary Draft	Health	Harm Reduction Centers	Adoption	15	To impliment the requirements of RIGL chapter 23-12.10 to that requires the department of health	NO, this regulation DOES NOT IMPACT small business	2021-12-02

Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Small Business Impact Determination	Clearance Date
					to create regulations for harm reduction centers		
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	Amendment		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: commercial fishing, commercial aquaculture, seafood processing/wholesaling, and for-hire businesses.		2021-12-06
Post-Comment Draft	Environmental Management	Rules Establishing Minimum Standards Relating to Location, Design, Construction and Maintenance of Onsite Wastewater Treatment Systems	Amendment	16	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	2021-12-06

Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Small Business Impact Determination	Clearance Date
Preliminary Draft	Labor and Training	Rules and Regulations Relating to Prevailing Wages	Amendment	12	Statutory changes made to the state prevailing wage law under Chapter 37-13.	NO, this regulation DOES NOT IMPACT small business	2021-12-08
Emergency	Health	Licensing of Assisted Livings	Amendment	2	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.		2021-12-09
Emergency	Health	Licensing of Nursing Facilities	Amendment	2	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, the transmission of COVID-19 in nursing facilities can be reduced.		2021-12-09
Direct Final	Health	Rhode Island Cancer Registry	Amendment	4	To include new name for carcinomas cervix cancer and update the Central Cancer Registry Standards and Standards for Oncology Registry Entry to the most recent editions.	NO, this regulation DOES NOT IMPACT small business	2021-12-10

Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Small Business Impact Determination	Clearance Date
Post-Comment Draft	Health	Lead Safe Work Practices	Adoption	16	This regulation is being created to include all lead safe work rules and regulations originally found in the Lead Poising and Prevention regulation (216-RICR-50-15-3). This regulation also includes alignment with new Environmental Protection Agency and Housing and Urban Development standards and procedures regarding Lead Hazard Mitigation and Certificates of Lead Conformance, which authority to perform and/or enforce has been granted to RIDOH by the Housing Resource Commission.	NO, this regulation DOES NOT IMPACT small business	2021-12-10
Post-Comment Draft	Health	Lead Training Certification and Licensing	Adoption	16	This regulation is being created to include all lead training and licensing rules and regulations originally found in the Lead Poising and Prevention regulation (216-RICR-50-15-3). The regulation also includes alignment with new Environmental Protection Agency and Housing and Urban Development standards and regulations regarding Lead Hazard Mitigation and Certificates of Lead Conformance, which authority to perform and/or enforce has been granted to RIDOH by the Housing Resource Commission.	NO, this regulation DOES NOT IMPACT small business	2021-12-10
Post-Comment Draft	Health	Lead Inspections	Adoption	16	This regulation is being created to include all lead inspection rules and regulations originally found in the Lead Poisoning and Prevention regulation (216-RICR-50-15-3). Further amendments to this regulation include aligning with new Environmental Protection Agency	NO, this regulation DOES NOT IMPACT small business	2021-12-10

Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Small Business Impact Determination	Clearance Date
					and Housing and Urban Development standards. Additionally, it includes regulations regarding Lead Hazard Mitigation and Certificates of Lead Conformance, which authority to perform and/or enforce has been granted to RIDOH by the Housing Resource Commission.		
Post-Comment Draft	Health	Lead Poisoning Prevention Compliance and Enforcement	Amendment	16	This regulation is being amended to reduce exclusively provide details on lead poisoning prevention and enforcement. The rules and regulations regarding lead safe work practices, lead training and licensing, and lead inspections have all been divided into smaller, specific regulations. Further amendments to this regulation include aligning with new Environmental Protection Agency and Housing and Urban Development standards. Additionally, it includes regulations regarding Lead Hazard Mitigation and Certificates of Lead Conformance, which authority to perform and/or enforce has been granted to RIDOH by the Housing Resource Commission.	NO, this regulation DOES NOT IMPACT small business	2021-12-10
Direct Final	Health	Reporting and Testing of Infectious, Environmental, and Occupational Diseases	Amendment	1	To include multisystem inflammatory syndrome in children as a reportable condition.	NO, this regulation DOES NOT IMPACT small business	2021-12-15
Emergency	Human Services	Child Care Center, Family Child Care Home and Group Family Child Care Home Licensing Changes Due to COVID-19	Adoption	0	Novel Coronavirus (COVID-19)		2021-12-15

Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Small Business Impact Determination	Clearance Date
Direct Final	Environmental Management	PART 7 – Dealers	Amendment	1	Amend fees for dealer licenses consistent with recently passed statute, which became in effect upon passage	NO, any small business impact is POSITIVE	2021-12-16
Direct Final	Environmental Management	PART 2 – Commercial Marine Fishing Licenses and Landing Permits	Amendment	1	Amend fees for landing permits consistent with recently passed statute, which became in effect upon passage	NO, any small business impact is POSITIVE	2021-12-16
Emergency	Human Services	Child Care Assistance Program Rules and Regulations Due to COVID-19	Amendment	6	Novel Coronavirus (COVID-19)		2021-12-20
Post-Comment Draft	Health	Practices and Procedures Before the Rhode Island Department of Health	Amendment	4	To provide procedures for how licensure applicants with criminal records will be handled.	NO, this regulation DOES NOT IMPACT small business	2021-12-20
Preliminary Draft	Environmental Management	Control of Emissions from Organic Solvent Cleaning	Amendment	13	The regulation is being updated to make the rule fully consistent with federal regulations to eliminate any inconsistencies between the federal and state rules.	NO, this regulation DOES NOT IMPACT small business	2021-12-20
Direct Final	Executive Office of Health and Human Services	Medicaid Integrated Health Care Coverage, SSI Financial Eligibility Determinations	Amendment	8	Pursuant to 42 U.S.C. §415(i), the federal government is required to make COLA adjustments to SSI benefits. As a result, we must reflect those updates in our regulations.	NO, this regulation DOES NOT IMPACT small business	2021-12-22
Emergency	Health	Enforcement of Executive Order	Adoption	1	To ensure enforcement of certain COVID-19 executive orders		2021-12-22
Emergency	Human Services	Supplemental Security Income and State Supplemental Payment Rules and Regulations	Amendment	5	This Emergency amendment is implementing the 2022 Cost-of-Living adjustment as determined by the Social Security Administration. This rule will update the Federal Benefit Rate provided by the SSA and implemented by the Executive Office of Health and Human Services ( 210-RICR-40-00-3 § 3.1.7), effective January 1, 2022.		2021-12-22



Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Small Business Impact Determination	Clearance Date
					The Rhode Island State Fiscal Year 2022 budget (21-H-6122) mandated the elimination of the Category F program established in 2016 for reinvestment of the state savings into enhanced Medicaid Assisted Living rates and the elimination of funding to the assisted living providers that had been financed by Rhode Island Housing Mortgage and Finance Corporation. This change became effective November 1, 2021.		
Emergency	Executive Office of Health and Human Services	Medicaid Integrated Health Care Coverage, SSI Financial Eligibility Determinations	Amendment	8	Pursuant to 42 U.S.C. §415(i), the federal government is required to make COLA adjustments to SSI benefits. As a result, we must reflect those updates in our regulations.		2021-12-22
Preliminary Draft	Executive Office of Health and Human Services	Community Medicaid: Medically Needy Eligibility	Amendment	1	Regulation is currently not in alignment with federal guidance regarding allowable changes to beneficiary coverage during PHE.	NO, this regulation DOES NOT IMPACT small business	2021-12-23
Emergency	Health	Enforcement of Executive Orders	Amendment	0	To correct inconsistencies between regulation and EO 21-116		2021-12-29
Preliminary Draft	Business Regulation	Personal Lines – Automobile and Homeowners Insurance Part 8 – Rhode Island Automobile Insurance Plan	Amendment	7	The Rhode Island Automobile Insurance Plan was established pursuant to Chapter 3002 Public Laws of 1952 and Chapter 31-33-8 of the R.I. General Laws to provide auto liability and physical damage coverages to those insureds who are unable to obtain such auto insurance in the voluntary market. Regulation is being amended to document 2018 Department of Business Regulation guidance provided to the Rhode Island Automobile Insurance Plan and to	NO, this regulation DOES NOT IMPACT small business	2021-12-29

Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Small Business Impact Determination	Clearance Date
					update content to meet current formatting.		
Post-Comment Draft	Human Services	Family Child Care Home Regulations for Licensure	Amendment	1			2021-12-30
Post-Comment Draft	Human Services	Child Care Center and School Age Program Licensing Regulations	Amendment	1			2021-12-30
Post-Comment Draft	Human Services	Group Family Child Care Home Regulations for Licensure	Amendment	1			2021-12-30
Preliminary Draft	Public Safety	STATEWIDE BODY-WORN CAMERA	Adoption	8	To administer R.I. Gen. Laws Chapter 42-161, the Statewide Body-Worn Camera Program	NO, this regulation DOES NOT IMPACT small business	2021-12-30
Preliminary Draft	Health	Licensing of Nursing Homes	Amendment	23	To incorporate new references, add definitions for declaration of disaster emergency, direct care nursing staff, direct caregiver, essential caregiver, hours of direct nursing care, occupational therapist, physical therapist, physical therapist assistant, speech language pathologist, and vaccinated. Provides procedures for COVID-19 testing for residents and personnel, allows for essential caregivers during a declared emergency, creates minimum staffing levels, and implimentation of an alzheimers disease plan.	NO, this regulation DOES NOT IMPACT small business	2021-12-30