



# OFFICE OF MANAGEMENT & BUDGET

One Capitol Hill  
Providence, RI 02908-5890

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

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## MEMORANDUM

**To:** The Honorable Daniel J. McKee, Governor  
The Honorable K. Joseph Shekarchi, Speaker of the House  
The Honorable Dominick J. Ruggiero, President of the Senate

**From:** Erik Godwin, Deputy Director

**Date:** May 31, 2022

**Subject:** Office of Regulatory Reform Quarterly Report: FY 2022 Q3

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### FY 2022 Quarter 3 Report: January 1, 2022 – March 31, 2022

#### Quarterly Summary Data

##### Total Submissions by Type of Rulemaking

- Regular Rulemaking, Pre-Comment Review: 33
- Regular Rulemaking, Post-Comment Review: 19
- Direct Final Rulemaking: 6
- Emergency Rulemaking: 14

##### Unique Regulations by Type of Action

- Adoption: 9
- Amendment: 43
- Repeal: 1

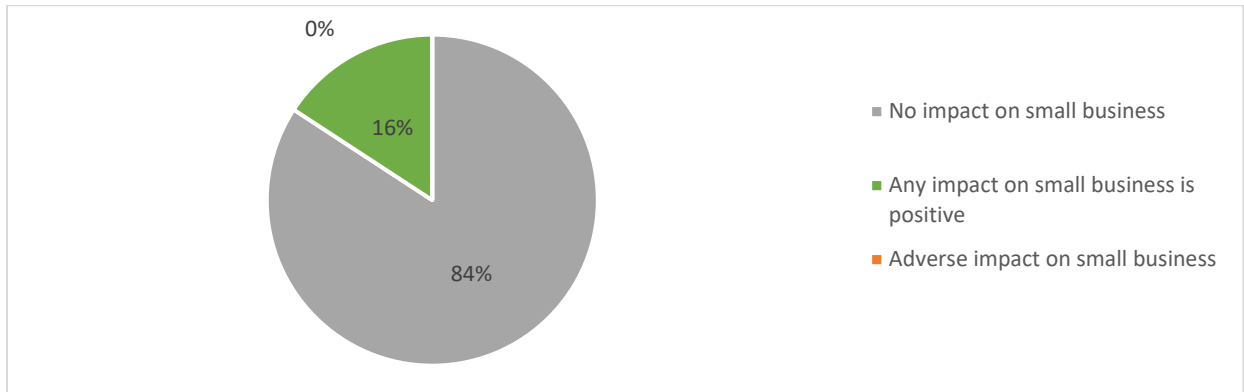
##### ORR Review Time by Type of Rulemaking

- Regular Rulemaking, Pre-Comment Review: 14.5 days
- Regular Rulemaking, Post-Comment Review: 6.5 days
- Direct Final Rulemaking: 4.7 days
- Emergency Rulemaking: 1.0 days

##### ORR Interventions

- Submissions where analysis was changed: 9.7%
- Submissions where regulatory language was changed: 18.1%

## Small Business Impact Analysis



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

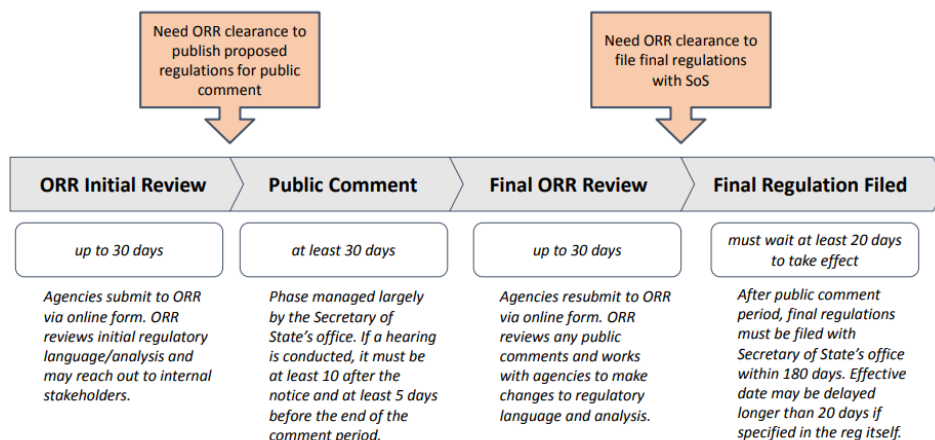
## Regulatory Oversight

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
Emergency	Health	Long-Term Care Facility COVID-19 Procedures	Adoption	1	To provide procedures for COVID-19 for long term care facilities, LTC staff, resident vaccination, and essential caregivers procedures		2022-01-07
Emergency	Human Services	Child Care Assistance Program Rules and Regulations	Amendment	2	Passage of the 2021 – 2022 R. I. State budget.		2022-01-07
Preliminary Draft	Human Services	Supplemental Security Income and State Supplemental Payment Rules and Regulations	Amendment	1	This rule is amended to implement the 2022 Cost-of-Living adjustment as determined by the Social Security Administration and updates 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.  In addition, 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	NO, this regulation DOES NOT IMPACT small business	2022-01-07

Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Small Business Impact Determination	Clearance Date
					providers that had been financed by Rhode Island Housing Mortgage and Finance Corporation. This change became effective November 1, 2021.		
Direct Final	Revenue	Rhode Island Vehicle Value Commission	Amendment	5	The purpose of the methodology is to determine the value of motor vehicles using information concerning the make, model, type and year of manufacture to be used in the determination of the excise taxes of December 31, 2021 assessed by each of the cities and towns in Rhode Island.	NO, this regulation DOES NOT IMPACT small business	2022-01-10
Preliminary Draft	Health	X-Ray and Radioactive Materials Fees	Amendment	20	to clarify that Category 3K also includes all other use of unsealed radioactive material not authorized for commercial distribution.	NO, this regulation DOES NOT IMPACT small business	2022-01-11
Preliminary Draft	Health	Radiation Safety Requirements for Particle Accelerators	Amendment	20	Correct references	NO, this regulation DOES NOT IMPACT small business	2022-01-11
Preliminary Draft	Health	Packaging and Transportation of Radioactive Material	Amendment	20	To revise incorporations by reference	NO, this regulation DOES NOT IMPACT small business	2022-01-11
Preliminary Draft	Health	Licenses for Well Logging and Radiation Safety Requirements for Well Logging Operations	Amendment	20	To revise incorporations by reference	NO, this regulation DOES NOT IMPACT small business	2022-01-11
Preliminary Draft	Health	Licenses for Industrial Radiography and Radiation Safety Requirements for Industrial Radiographic Operations	Amendment	20	To revise incorporations by reference	NO, this regulation DOES NOT IMPACT small business	2022-01-11
Preliminary Draft	Health	Medical Use of Radioactive Material	Amendment	20	To revise and align with new standards and requirements of the nuclear regulatory commission	NO, this regulation DOES NOT IMPACT small business	2022-01-11
Preliminary Draft	Health	Physical Protection of Category 1 and	Amendment	20	To update incorporations by reference	NO, this regulation DOES NOT IMPACT small business	2022-01-11

Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Small Business Impact Determination	Clearance Date
		Category 2 Quantities of Radioactive Material					
Preliminary Draft	Health	Licensing of Radioactive Material	Amendment	20	To revise and align with new standards and requirements of the nuclear regulatory commission	NO, this regulation DOES NOT IMPACT small business	2022-01-11
Preliminary Draft	Health	Radiation Safety Requirements for Industrial Radiation Machines	Amendment	20	To correct internal cross reference	NO, this regulation DOES NOT IMPACT small business	2022-01-11
Preliminary Draft	Health	Therapeutic Radiation Machines	Amendment	20	To remove obsolete cross-references and synchronize wording with equivalent requirements in 10 cfr 35.3047	NO, this regulation DOES NOT IMPACT small business	2022-01-11
Preliminary Draft	Health	Registration of X-Ray Equipment Facilities and Radiation Physics Services	Amendment	20	To require submission of RCA Form 2579 in lieu of an equivalent USFDA form which is being phased out.	NO, this regulation DOES NOT IMPACT small business	2022-01-11
Preliminary Draft	Health	Notices, Instructions, and Reports to Workers; Inspections and Compliance Procedures	Amendment	20	To Revise incorporation by reference date to 2021 to capture updates to 10 C.F.R. Part 19	NO, this regulation DOES NOT IMPACT small business	2022-01-11
Preliminary Draft	Health	General Provisions and Standards for Protection Against Radiation	Amendment	20	To revise incorporation by reference date to 2021 which captures updates to 10 CFR Part 20	NO, this regulation DOES NOT IMPACT small business	2022-01-11
Emergency	Health	Emergency Medical Services	Amendment	2	To allow staffing of private ambulances for basic life support transportation		2022-01-12
Emergency	Health	Nursing Assistants, Medication Aides, and the Approval of Nursing Assistant and Medication Aide Training Programs	Amendment	2	Due to shortages in CNAs, RIDOH is allowing for temporary CNA licenses for individuals who complete a skills assessment, or for other licensed professionals.		2022-01-12
Emergency	Health	Masking in School	Adoption	2	To require masks in schools		2022-01-12
Emergency	Health	Emergency Medical Services	Amendment	1	To permit EMS practitioners to be employed by a health care facility during the covid emergency.		2022-01-14
Preliminary Draft	Health	Medical Diagnostic and Interventional X-Ray and Imaging Systems	Amendment	23	To revise and align with new standards and requirements of the nuclear regulatory commission	NO, this regulation DOES NOT IMPACT small business	2022-01-14

Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Small Business Impact Determination	Clearance Date
Preliminary Draft	Motor Vehicles	Issuance of Year of Manufacture License Plates	Adoption	7	In order to create rules and regulations for the issuance of Year of Manufacture license plates pursuant to RIGL Section 31-1-3(a)(3).	NO, this regulation DOES NOT IMPACT small business	2022-01-18
Preliminary Draft	Environmental Management	Administrative Rules of Practice and Procedure for the Department of Environmental Management	Amendment	7	To amend Section 1.3(A) to be consistent with the 2016 amendments to R.I. Gen. Laws § 42-35-6, and to allow filing of petitions for rulemaking via email.	NO, this regulation DOES NOT IMPACT small business	2022-01-18
Post-Comment Draft	Human Services	Rhode Island Works Program Rules and Regulations	Amendment	13	<p>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.</p> <p>Additional changes to this Rule have been made to implement the changes approved by the passage of the 2021-2022 Rhode Island State Budget.</p>	NO, this regulation DOES NOT IMPACT small business	2022-01-20
Preliminary Draft	Environmental Management	Rules and Regulations Governing the Administration and Enforcement of the Freshwater Wetlands Act	Repeal	5	Repeal of Wetlands Regulation 2, which has since been superseded by Wetlands Regulation 3, which became effective (in part) on January 13, 2022.	NO, this regulation DOES NOT IMPACT small business	2022-01-20

Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Small Business Impact Determination	Clearance Date
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	Amendment	1	This emergency regulation was initially promulgated in November of 2021. However, the Department received fewer applications than expected during the application period. The emergency regulation is being amended at this time to allow one additional application period with loosened eligibility criteria, in hopes of encouraging more applicants to apply for the program.		2022-01-21
Post-Comment Draft	Coastal Resources Management Council	Rules and Regulations Governing the Protection and Management of Freshwater Wetlands in the Vicinity of the Coast	Adoption	8	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.	YES, there is ADVERSE IMPACT on small business (continue on to complete the requirements of RIGL § 42-35.1-3 and 1-4).	2022-01-21
Post-Comment Draft	Health	Harm Reduction Centers	Adoption	6	To implement the requirements of RIGL chapter 23-12.10 to that requires the department of health to create regulations for harm reduction centers	NO, this regulation DOES NOT IMPACT small business	2022-01-25
Emergency	Health	Immunization, Testing, and Health Screening for Health Care Workers	Amendment	0	To permit federal workers to work in hospitals		2022-01-26
Emergency	Health	Nursing Assistants, Medication Aides, and the Approval of Nursing Assistant and Medication Aide Training Programs	Amendment	1	To permit online nursing assistant training programs		2022-01-26
Post-Comment Draft	Business Regulation	Real Estate Brokers and Salespersons	Amendment	2	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	YES, there is ADVERSE IMPACT on small business (continue on to complete the requirements of	2022-01-26

Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Small Business Impact Determination	Clearance Date
					<p>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.</p> <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>	<p>RIGL § 42-35.1-3 and 1-4).</p>	



Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Small Business Impact Determination	Clearance Date
Preliminary Draft	Health	Licensing Assisted Living Residences	Amendment	7	To implement statutory requirements and provide COVID-19 procedures	NO, this regulation DOES NOT IMPACT small business	2022-01-26
Direct Final	Executive Office of Health and Human Services	Payments and Providers	Amendment	16	These amendments are being made to comply with Third Party Liability (TPL) updates that occurred as a result of the Bipartisan Budget Act (BBA) of 2018 and the Medicaid Services Investment and Accountability Act (MSIAA) of 2019	NO, this regulation DOES NOT IMPACT small business	2022-01-28
Post-Comment Draft	Human Services	Child Care Assistance Program Rules and Regulations	Amendment	4	This amendment updates outdated language and references, as well as adds new legislative changes.	NO, any small business impact is POSITIVE	2022-01-28
Post-Comment Draft	Business Regulation	Certified Constables	Adoption	26	Since their administrative move from the Judiciary, the Certified Constables have not had a set of regulations governing their 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.	NO, any small business impact is POSITIVE	2022-02-01
Preliminary Draft	Accountancy	Rules and Regulations for the Rhode Island Board of Accountancy	Amendment		This regulation was advertised for public comment from November 30, 2021, to December 30, 2021. We received a total of nine (9) comments: six (6) regarding whether self-study Continuing Professional Education (CPE) courses were no longer permitted and all encouraging the Board to retain the self-study CPE category; and two (2) personal licensing questions related to CPE which were answered; and 1 question regarding where to find a summary of the proposed amendments which was answered.	NO, any small business impact is POSITIVE	2022-02-04

Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Small Business Impact Determination	Clearance Date
					In response to these comments regarding self-study, the Board reviewed the content of § 1.8 of the regulation and review prior versions of the regulation. The Board found that the self-study course requirements were inadvertently deleted with the amendments that were effective on May 21, 2020. However, licensees continued to take and receive credit for self-study courses under the remotely-delivered CPE category. It has become clear that self-study courses are distinct from the requirements for remotely-delivered courses. Accordingly, the Board proposes the following additional amendments to clarify the CPE requirements.		
Post-Comment Draft	Executive Office of Health and Human Services	Medicaid Integrated Health Care Coverage, SSI Financial Eligibility Determinations	Amendment	3			2022-02-07
Emergency	Health	REQUIREMENT FOR IMMUNIZATION AGAINST COVID-19 FOR ALL WORKERS IN LICENSED HEALTH CARE FACILITIES AND OTHER PRACTICING HEALTH CARE PROVIDERS	Amendment	0	To change the definition of vaccinated		2022-02-10
Post-Comment Draft	Human Services	Supplemental Security Income and State Supplemental Payment Rules and Regulations	Amendment	0	This rule is amended to implement the 2022 Cost-of-Living adjustment as determined by the Social Security Administration and updates the Federal Benefit Rate provided by the SSA and implemented by the Executive	NO, this regulation DOES NOT IMPACT small business	2022-02-10

Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Small Business Impact Determination	Clearance Date
					<p>Office of Health and Human Services ( 210-RICR-40-00-3 § 3.1.7), effective January 1, 2022.</p> <p>In addition, 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.</p>		
Preliminary Draft	Environmental Management	User Fees at State Beaches, Parks and Recreational Areas	Amendment	12	To implement general housekeeping revisions to the regulation and to fix a clerical error made during a previous amendment to this regulation.	NO, this regulation DOES NOT IMPACT small business	2022-02-10
Emergency	Human Services	Supplemental Security Income and State Supplemental Payment Rules and Regulations	Amendment	0	<p>This rule is amended to implement the 2022 Cost-of-Living adjustment as determined by the Social Security Administration and updates 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.</p> <p>In addition, 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</p>		2022-02-11

Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Small Business Impact Determination	Clearance Date
					<p>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.</p> <p>Addition of the Cost of Living Adjustment eff. 1/1/2022.</p>		
Preliminary Draft	Health	Licensure and Discipline of Physicians	Amendment	8	To incorporate materials, add definitions of compounding, compounding sterile preparations, prescriber, and telemedicine; remove prohibition on volunteer licenses for academic physicians; permit prescribing a 30 day supply of non-controlled substances for family members; prohibits accepting of gifts greater than 100; requires conforming to compounding standards; permits the board to issue fines; and requires 90 day notice to patients when a physician closes their practice; and revises the collaborative pharmacy procedures	NO, this regulation DOES NOT IMPACT small business	2022-02-11
Preliminary Draft	Environmental Management	Rules Establishing Minimum Standards Relating to Location, Design, Construction and Maintenance of Onsite Wastewater Treatment Systems	Amendment	5	This rule change is necessary to make the OWTS Rules (250-RICR-150-10-6) consistent with the recently adopted "Rules and Regulations Governing the Administration and Enforcement of the Freshwater Wetlands Act" (Freshwater Wetlands Rules) (250-RICR-150-15-2), which go into effect July 1, 2022. The proposed changes are listed below.	NO, this regulation DOES NOT IMPACT small business	2022-02-17

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Preliminary Draft	Infrastructure Bank	MUNICIPAL INFRASTRUCTURE GRANT PROGRAM POLICIES AND PROCEDURES	Adoption	28	As part of the FY 2022 Budget, \$1M was allocated for the program. As part of that budget, RIGL 42-11.4-4 was amended to require the Bank to promulgate regulations for the program.	NO, any small business impact is POSITIVE	2022-02-22
Direct Final	Business Regulation	Certified Constables	Amendment	0	The Office of Child Support Services made DBR aware that one of the regulation's provisions conflicts with state law as to confidential information on a return or proof of service.	NO, this regulation DOES NOT IMPACT small business	2022-02-23
Preliminary Draft	Housing and Mortgage Finance Corp (RI Housing)	825-RICR-30-00-3 Title 825 - Housing and Mortgage Finance Corporation Chapter 30- Rules Relative to Multifamily Loan Programs Subchapter 00-N/A Part 3 - Proposed Prepayments or Transfers	Amendment	12	Amending regulation to streamline processes	NO, any small business impact is POSITIVE	2022-02-23
Post-Comment Draft	Health	Licensing of Home Nursing Care Providers and Home Care Providers	Amendment	8	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	2022-02-24
Preliminary Draft	Health	Immunization, Testing and Health Screening for Health Care Workers	Amendment	3	To require health care workers to be either up to date with a COVID-19 vaccine or wear an N95 mask when the transmission rate is substantial	NO, this regulation DOES NOT IMPACT small business	2022-02-24
Post-Comment Draft	Human Services	Rules, Regulations and Standards Governing the Home and Community Care Services to the Elderly Program	Amendment	15	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	NO, this regulation DOES NOT IMPACT small business	2022-02-25

Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Small Business Impact Determination	Clearance Date
					have a diagnosis of Alzheimer's disease or related dementia.		
Post-Comment Draft	Health	School Health Program	Amendment	16	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 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.	NO, this regulation DOES NOT IMPACT small business	2022-02-25
Preliminary Draft	Business Regulation	Minimum Requirements for Departmental Approval of Solvent-Based Hydrocarbon Extraction Operations	Adoption	23	This proposed adoption is intended to accommodate innovation in the cannabis industry as it relates to more efficient extraction methods.	NO, any small business impact is POSITIVE	2022-03-03
Post-Comment Draft	Health	School Health Program	Amendment	0	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	NO, this regulation DOES NOT IMPACT small business	2022-03-04

Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Small Business Impact Determination	Clearance Date
					licensed dental hygienists to perform dental screenings; requires development of policies and procedures for maintenance of a supply of opioid antagonists in private and 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.		
Post-Comment Draft	Business Regulation	Alternating Proprietorships and Contract Production	Adoption	4	Codify requirements regarding alternating proprietorship and contract production business models recognized by federal Alcohol and Tobacco Tax and Trade Bureau (TTB) regulatory authority. This provides clarity to RI alcoholic beverage licensees that operate under these models. These regulations would also streamline the application process because the regulations would eliminate the need for the supplement to application that is used presently.	NO, any small business impact is POSITIVE	2022-03-04
Preliminary Draft	Education - Dept of Elem and Sec Ed	Secondary Regulations	Amendment	8	RIDE is proposing to adopt readiness-based high school graduation requirements so that every student graduates with open doors to create their own future.	NO, this regulation DOES NOT IMPACT small business	2022-03-04
Preliminary Draft	Environmental Management	Commercial Marine Fishing Licenses, Landing Permits, and Party and Charter Licenses	Amendment	10	1. Complete re-organization of the rule for improved organization, readability, clarity, and flow. The majority of the rule remains unchanged except for minor re-wordings, except for the following:	NO, this regulation DOES NOT IMPACT small business	2022-03-04

Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Small Business Impact Determination	Clearance Date
					<p>a. Section 2.7.1(B): This exemption is provided in § 20-4-1; added to rule for clarification.</p> <p>b. Section 2.7.3: New license and endorsement types added consistent with amended statute. “Commercial Fishing License” and “Principal Effort License” eliminated from rule consistent with statute. New license types “Standard Resident License”, and “Standard Non-Resident License” added. No changes to Multipurpose, Student Shellfish, and Sixty-five and Over Shellfish licenses.</p> <p>i. “Restricted Finfish Endorsement” eliminated; now is “Unlimited Finfish Endorsement”. This is a direct transfer with no changes to applicability or eligibility criteria. Fee amended consistent with amended statute</p> <p>ii. “Lobster Endorsement” and “Non-lobster Crustacean Endorsement” eliminated; these are now “Unlimited Crustacean Endorsement” and “Limited Crustacean Endorsement”. This is a direct transfer with no changes to applicability or eligibility criteria for either endorsement. Fee amended consistent with amended statute</p> <p>iii. “Quahaug”, “Soft-shell Clam”, and “Whelk” Endorsements eliminated. These species will all now available for harvest under</p>		



Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Small Business Impact Determination	Clearance Date
					<p>the new “Unlimited Shellfish Endorsement”. Eligibility criteria and availability of licenses criteria, all currently different for each species (i.e., exit:entry ratio of 1:1 for the Quahaug Endorsement and 5:1 for the SS Clam endorsements; possession of Quahaug or SS Clam Endorsement required to be eligible for a Whelk Endorsement) must now be amended to reflect this change. The proposal is to provide for an exit:entry ratio of 1:1 for the Unlimited Shellfish Endorsement. Fee amended consistent with amended statute.</p> <p>c. “Floating Fish Trap Endorsement” is eliminated from rule consistent with amendments to the statute, which eliminated this endorsement category. The Floating Fish Trap permit requirements, including eligibility and other regulations as identified in Part 6, remain unchanged.</p> <p>d. “Gill Net”, “Purse Seine”, and “Mid Water/Pair Trawl” endorsements applicability, eligibility, and fees remain unchanged.</p> <p>e. Non-gear endorsements (“Paper Catch and Effort Harvester Logbook”, “Dockside Sales Endorsement”, “Research Set Aside Endorsement”) applicability, eligibility, and fees remain unchanged.</p>		

Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Small Business Impact Determination	Clearance Date
					<p>f. License and fishery endorsement fees: Fees have been amended consistent with the amended statute.</p> <p>g. Application requirements, application deadlines, grace period remain unchanged</p> <p>h. Reporting requirements remain unchanged</p> <p>i. Vessel declaration requirements and fees remain unchanged</p> <p>j. Landing Permit types and fees have been amended consistent with changes to statute</p> <p>k. Section 2.10 "Party and Charter Licenses" added to rule consistent with statute. The reporting requirements formerly located in "Data Reporting" section have been relocated to this section.</p> <p>NOTE: No new licenses or endorsements will be made available until January 1, 2023, as the application period for a new 2022 license/endorsement has passed. This rule will be brought out to notice again in August, with a planned workshop for late July, hearing in September, and RI Marine Fisheries Council meeting in October, with the rule to be in effect for January 1, 2023 consistent with the availability and issuance of licenses for 2023.</p>		

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Emergency	Human Services	Child Care Assistance Program Rules and Regulations	Amendment	0	Implementing the Federal Poverty Level increases for 2022 to the Child Care Assistance Program Income Guidelines as per the federal mandate. These changes will be effective April 1st, 2022.		2022-03-10
Post-Comment Draft	Executive Office of Health and Human Services	Community Medicaid: Medically Needy Eligibility	Amendment	2	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	2022-03-10
Emergency	Health	Requirement for Protection Against COVID-19 for Health Care Workers in Licensed Health Care Facilities	Adoption	1	To require health care workers to wear a mask or be vaccinated against COVID-19		2022-03-11
Direct Final	Environmental Management	Regulations Governing the Administration of the Seafood Processors Pandemic Response and Safety Block Grant Provided to the State of Rhode Island by the U.S. Department of Agriculture, Agricultural Marketing Service under Title VII, subtitle B,	Adoption	5	The purpose of these rules and regulations is to administer the \$371,412 grant provided to the State of Rhode Island by the U.S. Department of Agriculture (USDA), Agricultural Marketing Service (AMS) via the Seafood Processors Pandemic Response and Safety Block Grant Program. The grant will be used to provide reimbursements to eligible beneficiaries to help defray eligible expenses incurred to prepare for, prevent exposure to, and respond to the COVID-19 pandemic during the period between January 27, 2020 and December 31, 2021.		2022-03-14
Post-Comment Draft	Environmental Management	Rules and Regulations Governing the Administration and Enforcement of the Freshwater Wetlands Act	Repeal				2022-03-15
Post-Comment Draft	Environmental Management	User Fees at State Beaches, Parks and Recreational Areas	Amendment	0			2022-03-15

Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Small Business Impact Determination	Clearance Date
Post-Comment Draft	Accountancy	Rules and Regulations for the Rhode Island Board of Accountancy	Amendment	1	<p>This regulation was advertised for public comment from November 30, 2021, to December 30, 2021. We received a total of nine (9) comments: six (6) regarding whether self-study Continuing Professional Education (CPE) courses were no longer permitted and all encouraging the Board to retain the self-study CPE category; and two (2) personal licensing questions related to CPE which were answered; and 1 question regarding where to find a summary of the proposed amendments which was answered.</p> <p>In response to these comments regarding self-study, the Board reviewed the content of § 1.8 of the regulation and review prior versions of the regulation. The Board found that the self-study course requirements were inadvertently deleted with the amendments that were effective on May 21, 2020. However, licensees continued to take and receive credit for self-study courses under the remotely-delivered CPE category. It has become clear that self-study courses are distinct from the requirements for remotely-delivered courses. Accordingly, the Board proposes the following additional amendments to clarify the CPE requirements.</p>	NO, any small business impact is POSITIVE	2022-03-15
Emergency	Environmental Management	Emergency Regulations Governing the Use of Federal Funds Provided	Adoption		The purpose of these Rules and Regulations is to administer the \$227,273 allocation of mitigation		2022-03-17

Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Small Business Impact Determination	Clearance Date
		to the State of Rhode Island for the Large Whale Gear Modification Assistance Plan			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.		
Post-Comment Draft	Environmental Management	Administrative Rules of Practice and Procedure for the Department of Environmental Management	Amendment	2	To amend Section 1.3(A) to be consistent with the 2016 amendments to R.I. Gen. Laws § 42-35-6, and to allow filing of petitions for rulemaking via email.	NO, this regulation DOES NOT IMPACT small business	2022-03-17
Direct Final	Human Services	Child Care Assistance Program Rules and Regulations	Amendment	2	Implementing the Federal Poverty Level increases for 2022 to the Child Care Assistance Program Income Guidelines as per the Federal mandate. These changes will be effective April 1st, 2022 with an Emergency Amendment to this Regulation.	NO, this regulation DOES NOT IMPACT small business	2022-03-18
Direct Final	Environmental Management	Park and Management Area Rules and Regulations	Amendment	0	To allow the sale and service of the alcoholic beverages at certain beaches during the year 2022.	NO, this regulation DOES NOT IMPACT small business	2022-03-22
Post-Comment Draft	Environmental Management	Rules Establishing Minimum Standards Relating to Location, Design, Construction and Maintenance of Onsite Wastewater Treatment Systems	Amendment				2022-03-22
Preliminary Draft	Human Services	Office of Childcare Licensing	Adoption	6	A legislatively referred bond question was approved at a Special Election on March 2, 2021. The approval authorized the	NO, any small business impact is POSITIVE	2022-03-24

Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Small Business Impact Determination	Clearance Date
					state to issue bonds in an amount not to exceed \$15 million for physical improvements to and development of licensed early childhood care and education facilities through an Early Childhood Care and Education Capital Fund.		
Preliminary Draft	Environmental Management	R.I. Hunting and Trapping Regulations for the 2022 - 2023 and 2023 - 2024 Seasons	Amendment	14	To set season and bag limits for the 2022 - 2023 and 2023 - 2024 season.	NO, this regulation DOES NOT IMPACT small business	2022-03-24
Preliminary Draft	Coastal Resources Management Council	Management Procedures	Amendment	12	The CRMC proposes to amend its Management Procedures for consistency with the new CRMC Freshwater Wetland regulations at 650-RICR-20-00-9.14.2(D) and current CRMC Assent stipulations requiring the filing of a permit extension request at least 60 days prior to permit expiration.	NO, this regulation DOES NOT IMPACT small business	2022-03-28
Preliminary Draft	Business Regulation	Motor Vehicle Body and Salvage Vehicle Repair	Amendment	14	Several sections in 230-RICR-30-5-2, Motor Vehicle Body and Salvage Vehicle Repair, needed modernization and updating. It was necessary to add language addressing businesses operating paintless dent repair facilities and businesses that desired to only repair motorcycles. The section addressing insurance requested re-inspection of vehicles after repair also needed amending to align procedures with modern business and industry practices. Changes were also instituted to the timeline for prohibition on use of aftermarket parts in accordance with changes in the law. Additionally, several changes minor edits were made to	NO, any small business impact is POSITIVE	2022-03-28

Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Small Business Impact Determination	Clearance Date
					grammar for the licensee's ease of use and to citations in accordance with RICR styles.		