



# OFFICE OF MANAGEMENT & BUDGET

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

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

**Subject:** Office of Regulatory Reform Quarterly Report: FY 2023 Q4

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## FY 2023 Quarter 4 Report: April 1, 2023 – June 30, 2023

### Quarterly Summary Data

#### Total Submissions by Type of Rulemaking

- Regular Rulemaking, Pre-Comment Review: 18
- Regular Rulemaking, Post-Comment Review: 27
- Direct Final Rulemaking: 3
- Emergency Rulemaking: 4

#### Unique Regulations by Type of Action

- Adoption: 3
- Amendment: 21
- Repeal: 1

#### ORR Review Time by Type of Rulemaking

- Regular Rulemaking, Pre-Comment Review: 8.4 days
- Regular Rulemaking, Post-Comment Review: 5.0 days
- Direct Final Rulemaking: 3.0 days
- Emergency Rulemaking: 1.0 days

#### ORR Interventions

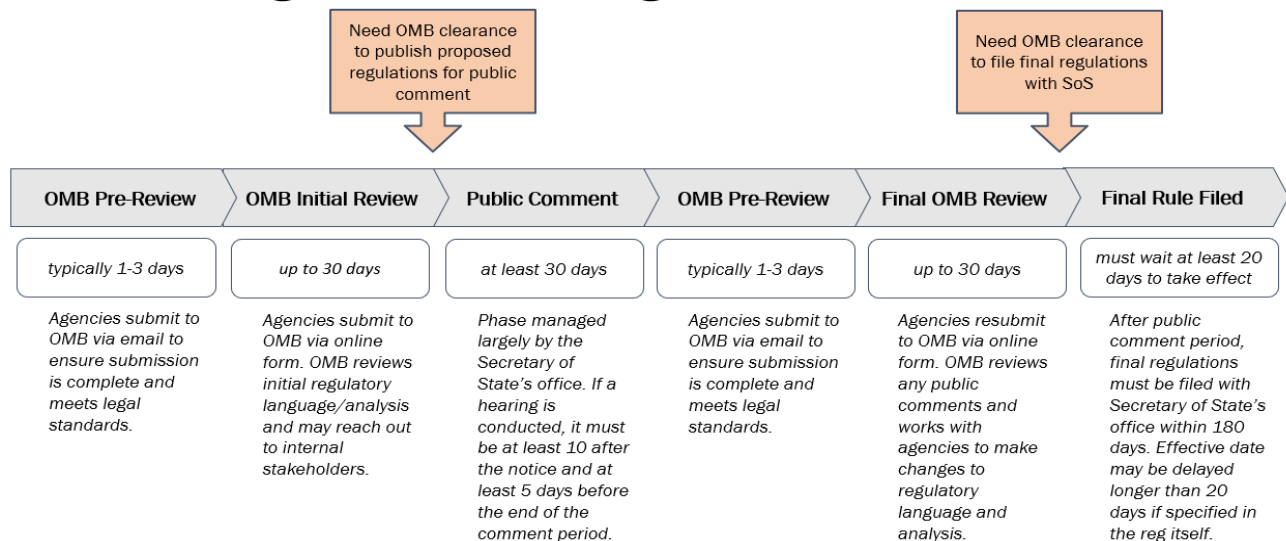
- Submissions where analysis was changed: 15.4%
- Submissions where regulatory language was changed: 32.7%

## Regulatory Oversight

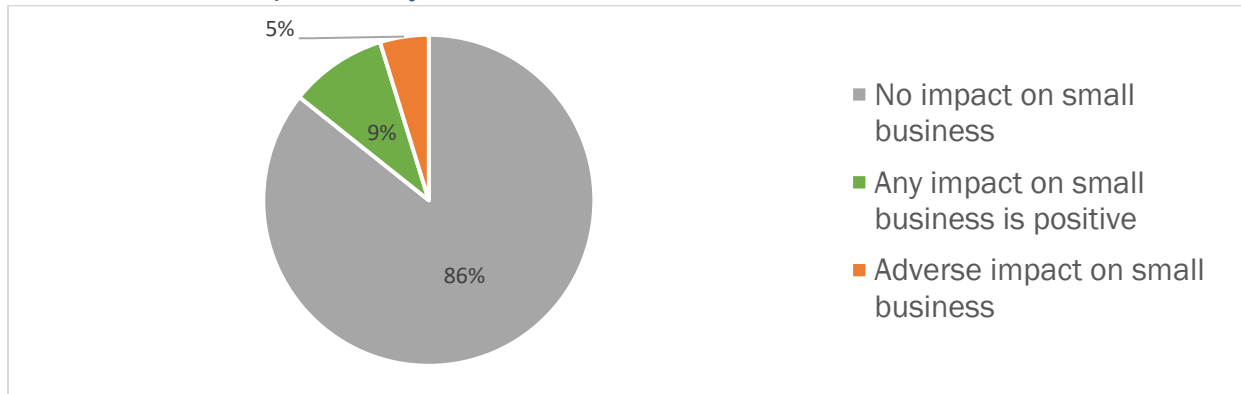
As part of the Office of Management and Budget, the Office of Regulatory Reform’s (ORR) mission is to review new and amended regulations with a focus on minimizing adverse impacts on Rhode Island businesses, large and small. Since February 2015, ORR has been operating under [Executive Order 15-07](#), which requires all Executive Branch regulations undergo ORR review 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 process dictated by Executive Order, agencies must submit all 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 regulatory review process. While this is the official process outlined in EO 15-07, ORR frequently works with agencies early by reviewing draft regulations and assisting with the regulatory analysis. 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:



## Small Business Impact Analysis



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

Agencies consider a number of factors when evaluating a regulation's impact on small business entities. These include whether the regulation will assist small businesses through actions such as targeted deregulation, whether the regulation may adversely impact small businesses relative to their larger counterparts, and whether the regulatory action will result in the absence of discernable effects. These determinations are based on a number of factors, including the amount of discretion an agency has to reduce adverse impacts, the universe and diversity of the small businesses affected by the regulation, and exogenous factors impacting the economic sector, such as the state of the economy, national/global events, or technological advancements/transfers.

### 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 the agency’s submissions.

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	Medicaid Payments and Providers	Amendment	5	To comply with state risk screening requirements and federal regulations governing the enrollment, screening and termination of Medicaid providers pursuant to 42 CFR § 455.	NO, this regulation DOES NOT IMPACT small business	2023-04-03
Preliminary Draft	Health	Psychologists	Amendment	10	These regulations are being amended to add a section related to Rhode Island's execution of the Psychology Interjurisdictional Compact ("PSYPACT").	NO, this regulation DOES NOT IMPACT small business	2023-04-03
Post-Comment Draft	Design Professionals	Rules and Regulations for Landscape Architects	Amendment	5	DBR is proposing this amendment to make the licensing process conform with a new streamline national uniform application. The Council of Landscape Architectural Registration Boards (CLARB) started a Uniform Application project two (2) years ago to try to provide more consistency in the information. As of 2021,	NO, any small business impact is POSITIVE	2023-04-04

Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Small Business Impact Determination	Clearance Date
					CLARB no longer collects general references. However, CLARB does collect the required employment verifications from registered landscape architects and other allied professionals. The Board of Examiners for Landscape Architects ("Board") considered these national changes and agreed to remove the regulatory requirement for these general references, finding that their value was minimal compared to the information provided by registered design professionals who were verifying the applicants statutorily required experience. In addition, upon the reviewing the regulation the Board proposed a few additional clean up amendments.		
Direct Final	Health	Psychologists	Amendment	0	These regulations are being amended to add a section related to Rhode Island's execution of the Psychology Interjurisdictional Compact ("PSYPACT").	NO, this regulation DOES NOT IMPACT small business	2023-04-05

Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Small Business Impact Determination	Clearance Date
Direct Final	Human Services	Supplemental Nutrition Assistance Program	Amendment	3	To simplify the collection of medical expense information from Supplemental Nutrition Assistance Program (SNAP) participants who are elderly (60+) or disabled, the U.S. Department of Agriculture, Food and Nutrition Service (USDA-FNS) has approved the Department of Human Services to implement a standard medical deduction (SMD) demonstration waiver project that must be cost neutral, meaning policy changes should not increase federal expenditures on SNAP benefits for the state. After review of the most recent data submission of the project, FNS determined that in order to comply with the cost neutrality requirement, and continue to have the \$183.00 SMD, DHS will need to increase the Standard Utility Allowance (SUA) by \$ 3.00 from \$797.00 to \$800.00.	NO, this regulation DOES NOT IMPACT small business	2023-04-07

Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Small Business Impact Determination	Clearance Date
Preliminary Draft	Environmental Management	R.I. Hunting and Trapping Regulations for the 2023 - 2024 and 2024 - 2025 Seasons	Adoption	15	To set season and bag limits for the 2023 - 2024 and 2024 - 2025 season.	NO, this regulation DOES NOT IMPACT small business	2023-04-07
Preliminary Draft	Health	Fee Structure for Licensing, Laboratory and Administrative Services Provided by the Department of Health	Amendment	19	The Fee Schedule regulations are being amended to include the following fees to comply with statutory changes: * Addition of fees for licensing genetic counselors * Addition of fees for licensing associate marriage and family therapists and clinical mental health counselors * Removing fees associated with the medical marijuana program * Adding a Cottage Food Manufacture registration fee * Revision fees for Radioactive Material, X-Ray, and Tanning Fees * Adding fees for two new COVID-19 testing methods	NO, this regulation DOES NOT IMPACT small business	2023-04-12

Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Small Business Impact Determination	Clearance Date
Preliminary Draft	Environmental Management	Regulations Governing Education Certification for Commercial Shellfish Harvesters	Amendment	7	The proposed changes are required to reflect changes in the technology used to license and track completion of shellfish harvester education for commercial shellfish harvesters. The software formerly used to document completion of the training is obsolete and has been removed from service. The proposed changes will allow documentation of completion of harvester education in the new commercial shellfish licensing platform, Rhode Island Outdoors.	NO, this regulation DOES NOT IMPACT small business	2023-04-13
Preliminary Draft	Health	Disposal of Drugs	Amendment	7	This regulation is being amended to codify a clear path to be taken when drugs are abandoned in health care facilities.	NO, this regulation DOES NOT IMPACT small business	2023-04-17
Preliminary Draft	Administration	Vendor Prequalification	Amendment	3	To align RI vendor prequalification program with MA and CT. To solve logistical issues with the prequalification program as raised by both vendors and the Division of Purchases.	NO, any small business impact is POSITIVE	2023-04-21



Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Small Business Impact Determination	Clearance Date
Post-Comment Draft	Health	Licensing Clinical Mental Health Counselors and Marriage and Family Therapists	Amendment	3	These regulations are being amended to add sections covering the requirements for licensure as an Associate CMHC and/or an Associate LMFT. These changes are in response to the enactment of R.I. Gen. Laws Chapter 5-63.2 which created associate level licenses and required RIDOH to regulate the provisions required for licensure.	NO, this regulation DOES NOT IMPACT small business	2023-04-24
Emergency	Executive Office of Health and Human Services	Medicaid Payments and Providers	Amendment	1	To comply with state risk screening requirements and federal regulations governing the enrollment, screening and termination of Medicaid providers pursuant to 42 CFR § 455.	N/A	2023-04-26
Post-Comment Draft	Human Services	Services for the Blind and Visually Impaired - Social Service/Independent Living Units	Amendment	0	The regulatory amendments are largely housekeeping items that do not include changes to eligibility, types of services. It is largely harmonizing the regulations with other state and federal requirements.	NO, this regulation DOES NOT IMPACT small business	2023-05-01

Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Small Business Impact Determination	Clearance Date
Post-Comment Draft	Human Services	Vocational Rehabilitation Program Regulations	Amendment	0	The regulatory amendments reflect changes in guidance provided by the Federal Rehabilitation Services Administration regarding when post-employment services may be conducted.	NO, this regulation DOES NOT IMPACT small business	2023-05-01
Direct Final	Public Utilities and Carriers Division	815-RICR-30-00-1 Standards for Electric Utilities	Amendment	6	In a staff review of Electric Rule Language, the error in 1.6 paragraph C was pointed out, we understand this reference to the Commission as opposed to the Division Administrator might have been inadvertent in the 1995 drafting. These notifications have historically gone to the Division. We are just seeking to clarify existing practice of notification to the Division in the Division Rule. We should note that the Division Administrator is defined, but there is no definition reference to the Commission per se.	NO, this regulation DOES NOT IMPACT small business	2023-05-07

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	Rules and Regulations for Dam Operation Permits	Adoption	5	To implement the requirements set forth in R.I. Gen. Laws Chapter 46-19.1, which apply to dams that have the capacity to store greater than one thousand four hundred (1,400) normal storage acre feet of water and have a control structure and do not impound water for a public water supply system as defined in R.I. Gen. Laws § 46-13-2.	NO, this regulation DOES NOT IMPACT small business	2023-05-08
Emergency	Environmental Management	Emergency Regulations Governing the Use of Federal Funds Provided to the State of Rhode Island for the Atlantic Large Whale Take Reduction Plan Regulations Including Electronic Tracking Requirements	Adoption	1	To administer the \$554,454 (five hundred fifty-four thousand four hundred fifty-four dollars) allocation of mitigation relief provided to Rhode Island by congressional allocation (Consolidated Appropriations Act, 2022, Pub. L. 117-103) and transferred to the State by the ASMFC. Expediently and equitably disburse this allocation in the form of electronic tracking device packages and administrative assistance to eligible fishery participants in the Federal Lobster/Jonah Crab fishery	N/A	2023-05-11

Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Small Business Impact Determination	Clearance Date
					with principal ports in Rhode Island to comply with the recently amended Atlantic Large Whale Take Reduction Plan and the subsequent NOAA Fisheries Final Rule (FR-210827-0171) intended to help to defray the cost of compliance with these new regulations.		
Preliminary Draft	Health	Termination of Pregnancy	Repeal	5	RIDOH is proposing to repeal this regulation as the contents of these regulations are provided in other regulations and state statutes.	NO, this regulation DOES NOT IMPACT small business	2023-05-15
Post-Comment Draft	Health	Disposal of Drugs	Amendment	0	This regulation is being amended to codify a clear path to be taken when drugs are abandoned in health care facilities.	NO, this regulation DOES NOT IMPACT small business	2023-05-18

Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Small Business Impact Determination	Clearance Date
Post-Comment Draft	Health	Fee Structure for Licensing, Laboratory and Administrative Services Provided by the Department of Health	Amendment	0	<p>These regulations are being amended to include the following fees to comply with statutory changes:</p> <ul style="list-style-type: none"> <li>* Addition of fees for licensing genetic counselors</li> <li>* Addition of fees for licensing associate marriage and family therapists and clinical mental health counselors</li> <li>* Removing fees associated with the medical marijuana program</li> <li>* Adding a Cottage Food Manufacture registration fee</li> <li>* Revision fees for Radioactive Material, X-Ray, and Tanning Fees</li> <li>* Adding fees for two new COVID-19 testing methods</li> </ul>	NO, this regulation DOES NOT IMPACT small business	2023-05-18

Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Small Business Impact Determination	Clearance Date
Post-Comment Draft	Administration	Vendor Prequalification	Amendment	0	To clarify, improve, streamline vendor prequalification process.	NO, any small business impact is POSITIVE.	2023-05-22

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 Administration of Additional Federal Fisheries Disaster Relief Funding Provided to the State of Rhode Island Under the Consolidated Appropriations Act of 2021	Adoption	2	The purpose of these rules and regulations is to administer Rhode Island's additional \$985,375 allocation of fisheries assistance provided by the Consolidated Appropriations Act, 2021 (Pub. L. 116-260) by bolstering local demand for local seafood products through a statewide collaborative seafood marketing initiative and expeditiously and equitably disbursing funds in the form of direct payments to eligible fishery participants in the two sectors with uncompensated losses: commercial fishing and seafood processing/wholesaling.	N/A	2023-05-25

Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Small Business Impact Determination	Clearance Date
Preliminary Draft	Building Code Standards	Process for Establishing Statewide Building Permit Fees	Amendment	22	In accordance with § 21.8 of 510-RICR-00-00-21, East Providence and Westerly submitted requests to the Building Code Commissioner to change their statewide permitting fees. After review, the State Building Code Commissioner presented the proposed fee changes for East Providence and Westerly to the Building Code Standards Committee. The Building Code Standards Committee approved the fee changes for East Providence and Westerly at meetings held on 1/13/2022 and 8/25/2021, respectively.	YES, there is ADVERSE IMPACT on small business	2023-05-31
Preliminary Draft	Health	Physical Therapists and Physical Therapist Assistants	Amendment	6	This regulation is being promulgated in response to a petition for rulemaking action and is proposing to add "Courses that have been presented, accepted, or approved by other state licensing boards of physical therapy" to the list of continuing education programs accepted by the Board.	NO, this regulation DOES NOT IMPACT small business	2023-06-01



Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Small Business Impact Determination	Clearance Date
Preliminary Draft	Environmental Management	Petroleum Liquids Marketing and Storage	Amendment	7	To remove outdated sections and add clarification to the rule.	NO, this regulation DOES NOT IMPACT small business	2023-06-01
Emergency	Behavioral Healthcare, Developmental Disabilities and Hospitals	Rules and Regulations for Behavioral Healthcare Organizations	Amendment	0	These emergency regulations are being issued so that BHDDH may immediately license Enhanced Mental Health Psychiatric Rehabilitative Residences (E-MHPRR) group home beds which will allow discharge of psychiatric inpatients who no longer require “hospital level of care.” On December 19, 2022 (and updated on January 17, 2023), the federal Centers for Medicare and Medicaid Services (CMS) approved BHDDH to begin licensing a new type of group home, Enhanced Mental Health Psychiatric Rehabilitative Residences (E-MHPRRs). E-MHPRRs will allow for the discharge of psychiatric inpatients who no longer require hospital-level care but need more intensive services than those	N/A	2023-06-05

Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Small Business Impact Determination	Clearance Date
					provided in traditional group homes.		

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	State Parks	Amendment	7	<p>The Department of Environmental Management (RIDEM) proposes to adopt a more streamlined regulation structure for its Parks and Management Area Regulations, RICR 250-100. These regulations are currently existing as six different parts and are inconsistent with current RIDEM practices. There are also areas where the regulations are redundant or do not comply with more recently amended regulations provided in parts pertaining to boating and Fish and Wildlife. The new regulatory structure takes the six parts and consolidates them into three distinct regulatory parts including:</p> <ol style="list-style-type: none"> <li>1. General Provisions as it pertains to State Parks and Management Areas,</li> <li>2. Regulations pertaining only to State Parks, and</li> <li>3. Regulations pertaining only to Management Areas.</li> </ol>	NO, this regulation DOES NOT IMPACT small business	2023-06-06

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	Target Range Regulations	Amendment	7	The Department of Environmental Management (RIDEM) proposes to adopt a more streamlined regulation structure for its Parks and Management Area Regulations, RICR 250-100. These regulations are currently existing as six different parts and are inconsistent with current RIDEM practices. There are also areas where the regulations are redundant or do not comply with more recently amended regulations provided in parts pertaining to boating and Fish and Wildlife. The new regulatory structure takes the six parts and consolidates them into three distinct regulatory parts including: 1. General Provisions as it pertains to State Parks and Management Areas, 2. Regulations pertaining only to State Parks, and 3. Regulations pertaining only to Management Areas.	NO, this regulation DOES NOT IMPACT small business	2023-06-06

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	R.I. Hunting and Trapping Regulations for the 2022 - 2023 and 2023 - 2024 Seasons	Amendment	7	The Department of Environmental Management (RIDEM) proposes to adopt a more streamlined regulation structure for its Parks and Management Area Regulations, RICR 250-100. These regulations are currently existing as six different parts and are inconsistent with current RIDEM practices. There are also areas where the regulations are redundant or do not comply with more recently amended regulations provided in parts pertaining to boating and Fish and Wildlife. The new regulatory structure takes the six parts and consolidates them into three distinct regulatory parts including: 1. General Provisions as it pertains to State Parks and Management Areas, 2. Regulations pertaining only to State Parks, and 3. Regulations pertaining only to Management Areas	NO, this regulation DOES NOT IMPACT small business	2023-06-06

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	Conservation Management Areas	Adoption	7	The Department of Environmental Management (RIDEM) proposes to adopt a more streamlined regulation structure for its Parks and Management Area Regulations, RICR 250-100. These regulations are currently existing as six different parts and are inconsistent with current RIDEM practices. There are also areas where the regulations are redundant or do not comply with more recently amended regulations provided in parts pertaining to boating and Fish and Wildlife. The new regulatory structure takes the six parts and consolidates them into three distinct regulatory parts including: 1. General Provisions as it pertains to State Parks and Management Areas, 2. Regulations pertaining only to State Parks, and 3. Regulations pertaining only to Management Areas.	NO, this regulation DOES NOT IMPACT small business	2023-06-06

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	General Provisions for State Parks and Conservation Management Areas	Adoption	7	The Department of Environmental Management (RIDEM) proposes to adopt a more streamlined regulation structure for its Parks and Management Area Regulations, RICR 250-100. These regulations are currently existing as six different parts and are inconsistent with current RIDEM practices. There are also areas where the regulations are redundant or do not comply with more recently amended regulations provided in parts pertaining to boating and Fish and Wildlife. The new regulatory structure takes the six parts and consolidates them into three distinct regulatory parts including: 1. General Provisions as it pertains to State Parks and Management Areas, 2. Regulations pertaining only to State Parks, and 3. Regulations pertaining only to Management Areas.	NO, this regulation DOES NOT IMPACT small business	2023-06-06

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	Rules for the Use of the Eisenhower House, Fort Adams State Park	Repeal	7	The Department of Environmental Management (RIDEM) proposes to adopt a more streamlined regulation structure for its Parks and Management Area Regulations, RICR 250-100. These regulations are currently existing as six different parts and are inconsistent with current RIDEM practices. There are also areas where the regulations are redundant or do not comply with more recently amended regulations provided in parts pertaining to boating and Fish and Wildlife. The new regulatory structure takes the six parts and consolidates them into three distinct regulatory parts including: 1. General Provisions as it pertains to State Parks and Management Areas, 2. Regulations pertaining only to State Parks, and 3. Regulations pertaining only to Management Areas.	NO, this regulation DOES NOT IMPACT small business	2023-06-06



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	The vehicle traffic pattern at Colt State Park, as designated on attached general location plan of Colt State Park, is hereby promulgated pursuant to R.I. Gen. Laws § 32-2-4	Repeal	7	The Department of Environmental Management (RIDEM) proposes to adopt a more streamlined regulation structure for its Parks and Management Area Regulations, RICR 250-100. These regulations are currently existing as six different parts and are inconsistent with current RIDEM practices. There are also areas where the regulations are redundant or do not comply with more recently amended regulations provided in parts pertaining to boating and Fish and Wildlife. The new regulatory structure takes the six parts and consolidates them into three distinct regulatory parts including: 1. General Provisions as it pertains to State Parks and Management Areas, 2. Regulations pertaining only to State Parks, and 3. Regulations pertaining only to Management Areas.	NO, this regulation DOES NOT IMPACT small business	2023-06-06

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	Rules and Regulations for the Development and Operation of Beavertail State Park, Jamestown, Rhode Island	Repeal	7	The Department of Environmental Management (RIDEM) proposes to adopt a more streamlined regulation structure for its Parks and Management Area Regulations, RICR 250-100. These regulations are currently existing as six different parts and are inconsistent with current RIDEM practices. There are also areas where the regulations are redundant or do not comply with more recently amended regulations provided in parts pertaining to boating and Fish and Wildlife. The new regulatory structure takes the six parts and consolidates them into three distinct regulatory parts including: 1. General Provisions as it pertains to State Parks and Management Areas, 2. Regulations pertaining only to State Parks, and 3. Regulations pertaining only to Management Areas.	NO, this regulation DOES NOT IMPACT small business	2023-06-06

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	User Fees at State Beaches, Parks and Recreational Areas	Repeal	7	The Department of Environmental Management (RIDEM) proposes to adopt a more streamlined regulation structure for its Parks and Management Area Regulations, RICR 250-100. These regulations are currently existing as six different parts and are inconsistent with current RIDEM practices. There are also areas where the regulations are redundant or do not comply with more recently amended regulations provided in parts pertaining to boating and Fish and Wildlife. The new regulatory structure takes the six parts and consolidates them into three distinct regulatory parts including: 1. General Provisions as it pertains to State Parks and Management Areas, 2. Regulations pertaining only to State Parks, and 3. Regulations pertaining only to Management Areas.	NO, this regulation DOES NOT IMPACT small business	2023-06-06

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	Beach and Swimming Area Rules and Regulations	Repeal	7	The Department of Environmental Management (RIDEM) proposes to adopt a more streamlined regulation structure for its Parks and Management Area Regulations, RICR 250-100. These regulations are currently existing as six different parts and are inconsistent with current RIDEM practices. There are also areas where the regulations are redundant or do not comply with more recently amended regulations provided in parts pertaining to boating and Fish and Wildlife. The new regulatory structure takes the six parts and consolidates them into three distinct regulatory parts including: 1. General Provisions as it pertains to State Parks and Management Areas, 2. Regulations pertaining only to State Parks, and 3. Regulations pertaining only to Management Areas.	NO, this regulation DOES NOT IMPACT small business	2023-06-06

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	Park and Management Area Rules and Regulations	Repeal	7	The Department of Environmental Management (RIDEM) proposes to adopt a more streamlined regulation structure for its Parks and Management Area Regulations, RICR 250-100. These regulations are currently existing as six different parts and are inconsistent with current RIDEM practices. There are also areas where the regulations are redundant or do not comply with more recently amended regulations provided in parts pertaining to boating and Fish and Wildlife. The new regulatory structure takes the six parts and consolidates them into three distinct regulatory parts including: 1. General Provisions as it pertains to State Parks and Management Areas, 2. Regulations pertaining only to State Parks, and 3. Regulations pertaining only to Management Areas.	NO, this regulation DOES NOT IMPACT small business	2023-06-06

Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Small Business Impact Determination	Clearance Date
Preliminary Draft	Environmental Management	Petroleum Liquids Marketing and Storage	Amendment	1	To remove outdated sections and add clarification to the rule.	NO, this regulation DOES NOT IMPACT small business	2023-06-08
Post-Comment Draft	Coastal Resources Management Council	Ocean State Adaptation and Resilience Fund	Adoption	3	To jointly promulgate with the RI Infrastructure Bank and RI Department of Environmental Management the Ocean State Adaptation and Resilience (OSCAR) Fund which will provide funding for adaption and resilience projects on public lands.	NO, any small business impact is POSITIVE	2023-06-12
Post-Comment Draft	Environmental Management	Rules and Regulations Governing Nuisance Wildlife Control Specialist	Adoption	0	The Division cleaned up some language in the document and added some scientific names for species. The Division also changed the permit periods to line up. The Division also lowered the retake time period for the permit test.	NO, this regulation DOES NOT IMPACT small business	2023-06-13

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	Fishing Regulations for the Season	Adoption	1	The purpose for this regulatory change is the update for the upcoming Freshwater Fishing Season with the correct season dates and bag limits.	NO, this regulation DOES NOT IMPACT small business	2023-06-13
Preliminary Draft	Behavioral Healthcare, Developmental Disabilities and Hospitals	Rules and Regulations for Behavioral Healthcare Organizations	Amendment	1	These regulations are being issued so that BHDDH may immediately license Enhanced Mental Health Psychiatric Rehabilitative Residences (E-MHPRR) group home beds which will allow discharge of psychiatric inpatients who no longer require "hospital level of care." On December 19, 2022 (and updated on January 17, 2023), the federal Centers for Medicare and Medicaid Services (CMS) approved BHDDH to begin licensing a new type of group home, Enhanced Mental Health Psychiatric Rehabilitative Residences (E-MHPRRs). E-MHPRRs will allow for the discharge of psychiatric inpatients who no longer require hospital-level care but need more intensive services than those	NO, this regulation DOES NOT IMPACT small business	2023-06-13

Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Small Business Impact Determination	Clearance Date
					provided in traditional group homes.		



Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Small Business Impact Determination	Clearance Date
Preliminary Draft	Business Regulation	Liquor Control Administration	Amendment	7	Section 1.4.44(A)(2) is being modified after a Superior Court decision was issued on January 9, 2023, in <i>The Wine and Liquor Co. v. DBR</i> , PC-2022-02539. The Court held that the one-year completion deadline for the “granting order” specified in section 1.4.14 was problematic and the language rendering a license “null and void” without a hearing on the matter was constitutionally defective. Thereafter, DBR amended the Regulation by deleting 1.4.14. The language in 1.4.44(A)(2) regarding a license being “granted but not issued” and rendering an application “null and void” is similarly deficient. The amended language will address the deficiency and clarify the procedure.	NO, any small business impact is POSITIVE	2023-06-13
Post-Comment Draft	Education - Council of Elem and Sec Ed	Right to Read	Adoption	7	Promulgated pursuant to R.I. Gen. Laws Chapter 16-11.4-6	NO, this regulation DOES NOT IMPACT small business	2023-06-15

Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Small Business Impact Determination	Clearance Date
Post-Comment Draft	Health	Termination of Pregnancy	Repeal	0	RIDOH is proposing to repeal this regulation as the contents of these regulations are provided in other regulations and state statutes.	NO, this regulation DOES NOT IMPACT small business	2023-06-21
Post-Comment Draft	Executive Office of Health and Human Services	Medicaid Payments and Providers	Amendment	7	To comply with state risk screening requirements, fingerprinting requirements, and federal regulations governing the enrollment, screening and termination of Medicaid providers pursuant to 42 CFR § 455	NO, this regulation DOES NOT IMPACT small business	2023-06-21
Preliminary Draft	Executive Office of Health and Human Services	Medicaid Managed Care Delivery Options	Amendment	9	Effective 1/1/23, the SUPPORT Act directed states to provide Medicaid eligibility for individuals turning 18 after 1/1/23 who qualify under the former foster care children (FFCC) eligibility group if they were enrolled in Medicaid at the time, they aged out of the foster care system in any state. Previously, this only applied to individuals who aged out of the Rhode Island foster care system. As part of the FY23 Budget, EOHHS now provides 12 months of full benefit medical assistance to postpartum women. As a	NO, this regulation DOES NOT IMPACT small business	2023-06-21

Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Small Business Impact Determination	Clearance Date
					result, postpartum individuals would not need to be eligible for EFP benefits until after the 12-month postpartum period.		
Preliminary Draft	Executive Office of Health and Human Services	Medicaid Affordable Care Coverage Groups Overview and Eligibility Pathways	Amendment	9	Effective 1/1/23, the SUPPORT Act directed states to provide Medicaid eligibility for individuals turning 18 after January 1, 2023, who qualify under the former foster care children (FFCC) eligibility group if they were enrolled in Medicaid at the time they aged out of the foster care system in any state. Previously, this only applied to individuals who aged out of the Rhode Island foster care system. This regulation is being amended to reflect this change in policy.	NO, this regulation DOES NOT IMPACT small business	2023-06-21
Preliminary Draft	Health	Licensing Analytical Laboratories for Sampling and Testing Cannabis	Amendment	9	The Rhode Island Department of Health (RIDOH) is proposing to revise Licensing for Sampling and Testing Cannabis [216-RICR-60-05-6] to add several references, definitions, and sections regarding the testing of cannabis among other amendments.	NO, this regulation DOES NOT IMPACT small business	2023-06-23

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	10	This amendment brings this regulation into compliance with Administration of Children and Families, Child Care Development plan.	NO, this regulation DOES NOT IMPACT small business	2023-06-26
Post-Comment Draft	Environmental Management	R.I. Hunting and Trapping Regulations for the 2023 - 2024 and 2024 - 2025 Seasons	Adoption	6	To set season and bag limits for the 2023 - 2024 and 2024 - 2025 season.	NO, this regulation DOES NOT IMPACT small business	2023-06-27
Post-Comment Draft	Environmental Management	Regulations Governing Education Certification for Commercial Shellfish Harvesters	Amendment	0	The proposed changes are required to reflect changes in the technology used to license and track completion of shellfish harvester education for commercial shellfish harvesters. The software formerly used to document completion of the training is obsolete and has been removed from service. The proposed changes will allow documentation of completion of harvester education in the new commercial shellfish licensing platform, Rhode Island Outdoors, which is now in operation.	NO, any small business impact is POSITIVE	2023-06-29