



OFFICE OF MANAGEMENT & BUDGET

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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, Office of Management and Budget

Subject: Office of Regulatory Reform Quarterly Report: FY 2025 Q2

FY 2025 Quarter 2 Report: October 1, 2024 – December 31, 2024

Quarterly Summary Data

Total Submissions by Type of Rulemaking

- Regular Rulemaking, Pre-Comment Review: 28
- Regular Rulemaking, Post-Comment Review: 24
- Direct Final Rulemaking: 4
- Emergency Rulemaking: 5

Unique Regulations by Type of Action

- Adoption: 12
- Amendment: 49
- Repeal: 0

ORR Review Time by Type of Rulemaking

- Regular Rulemaking, Pre-Comment Review: 8.3 days
- Regular Rulemaking, Post-Comment Review: 0.9 days
- Direct Final Rulemaking: 6.5 days
- Emergency Rulemaking: 1.8 days

ORR Interventions

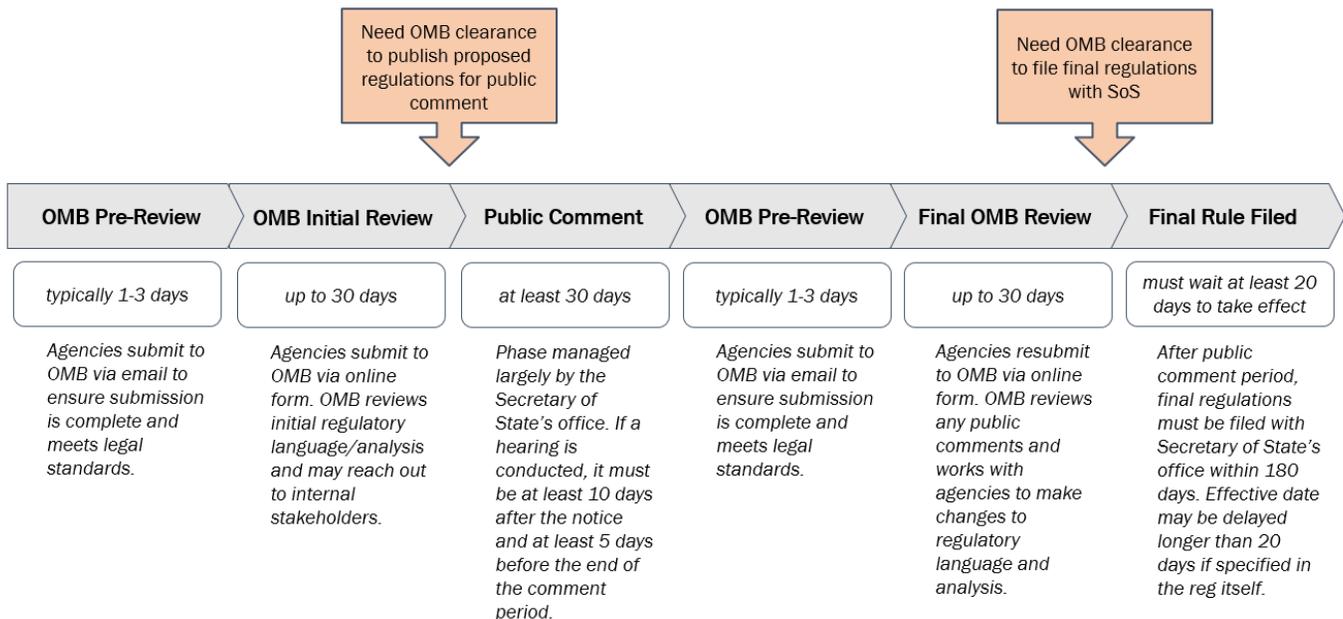
- Submissions where analysis was changed: 23.7%
- Submissions where regulatory language was changed: 37.3%

Regulatory Oversight

As part of the Office of Management and Budget, the mission of the Office of Regulatory Reform (ORR) 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 \(EO\) 15-07](#), which requires all executive branch regulations to 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.

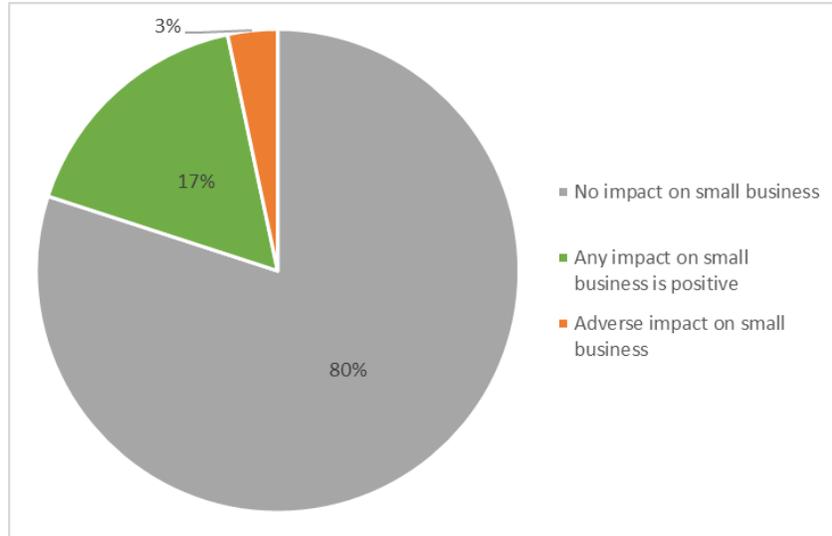
Prior to EO 15-07, the Director of Regulatory Reform had the authority to intervene on any individual regulatory or permitting issue. With the process established by Executive Order, agencies must submit all proposed regulatory actions to ORR, providing a systematic way to address regulatory issues. ORR reviews an agency’s regulatory package and, if approved, those proposed rules and impact statements may proceed 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.

Regular Rulemaking and ORR Review:



Small Business Impact Analysis

ORR collects data from agencies regarding the projected effect of regulatory amendments and rescissions on small businesses in Rhode Island. The chart below illustrates the estimated aggregate impact of such amendments.



Note: Emergency and post-comment 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 may assist small businesses through actions such as targeted deregulation, adversely impact small businesses relative to their larger counterparts, or result in the absence of discernable effects. Several considerations inform these determinations, 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 small business' economic sector. These factors include economic climate, firms' expectations of future economic conditions (which may or may not align with signals from the broader market), national or global events or supply shocks, or technological advancements that transform businesses' cost functions.

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 agencies' submissions. In this report, minor, non-substantive revisions of agencies' regulatory summaries have been made for some of the information presented below for the sake of grammatical correctness, clarity, and brevity.

Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Clearance Date
Preliminary Draft	Environmental Management	Lobsters, Crabs and other Crustaceans	Amendment	7	<p>Blue Crab: In 2024, R.I. Gen. Laws § 20-7-15, Methods of taking blue crabs – Nonresidents, was amended to remove “No person shall take blue crabs from the waters of the state between the hours of sunset and sunrise”. This language that was removed from statute, and the statutory reference, also lives in Title 250 – Department of Environmental Management, Chapter 90 – Marine Fisheries, Subchapter 00, Part 5.6.e. The Rhode Island Department of Environmental Management Division of Marine Fisheries (DMF) received a letter from the Rhode Island Saltwater Anglers Association (RISAA) dated August 24, 2024, requesting the DMF take action to remove this language and the statutory reference from rule.</p> <p>Horseshoe Crab: The DMF received a petition for rulemaking from Save The Bay (STB) on September 9, 2024, requesting several regulatory amendments to Title 250 – Department of Environmental Management, Chapter 90 – Marine Fisheries, Subchapter 00, Part 5.7.</p>	2024-10-03
Preliminary Draft	Health Insurance Commissioner	Powers and Duties of the Office of the Health Insurance Commissioner	Amendment	9	<p>OHIC is amending 230-RICR-20-30-4 following a strategic refresh of the agency's policies/regulations pertaining to primary care in 2023. For over a decade OHIC has required commercial health insurers to spend a fixed, minimum percentage of total medical expenditures (TME) on primary care through a primary care expenditure target. OHIC also mandates insurer actions to address administrative simplification in health care. OHIC published a report in December 2023 titled, "Primary Care in Rhode Island: Current Status and Policy Recommendations," which included a state and national review of the present status of primary care supply and access, a literature review on the effectiveness of primary care on cost savings, quality, and mortality improvements, and local interviews with primary care providers, health insurers, and others to garner insights into local challenges. Following this report OHIC has committed to revise the primary care expenditure requirement and introduce new administrative simplification rules.</p>	2024-10-03
Preliminary Draft	Commerce Corporation	Rules and Regulations for the Wavemaker Fellowship Program	Amendment	15	<p>Pursuant to statutory changes in the Fiscal Year 2023 Budget, the proposed changes include teachers as a profession eligible to participate in the Fellowship Program and reverse Fiscal Year 2022 revisions which placed STEM/Design and Healthcare applicants into separate pools of applicants and funding.</p>	2024-10-03

Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Clearance Date
Preliminary Draft	Business Regulation	Short-Term Rental Property Registration	Amendment	4	Amends the Short-Term Rentals Registration regulation for consistency with amendments to R.I. Gen. Laws § 42-63.1-14 in P.L. 2024, Chs. 413 and 437, which were signed in June 2024 by the Governor and take effect on January 30, 2025.	2024-10-04
Preliminary Draft	Business Regulation	Short-Term Rental Property Registration	Amendment	1	Amends the Short-Term Rentals Registration regulation for consistency with amendments to R.I. Gen. Laws § 42-63.1-14 in P.L. 2024, Chs. 413 and 437, which were signed in June 2024 by the Governor and take effect on January 30, 2025.	2024-10-08
Preliminary Draft	Environmental Management	R.I. Hunting and Trapping Regulations	Amendment	11	Sets season dates and bag limits for hunting and trapping in the 2024-25 and 2025-26 seasons.	2024-10-09
Post-Comment Draft	Health	Licensing of Recreational Facilities and Beaches	Amendment	0	Makes mostly non-substantive changes, including clarification of an existing requirement at § 3.5.1(A)(1).	2024-10-15
Preliminary Draft	Environmental Management	Lobsters, Crabs, and Other Crustaceans	Amendment	1	Removes a statutory citation to ensure consistency with an amendment to R.I. Gen. Laws § 20-7-15, which no longer includes a harvest prohibition of blue crabs between the hours of sunset and sunrise. DEM also proposes to remove the nighttime harvest prohibition and modify the possession limit.	2024-10-16
Post-Comment Draft	Environmental Management	General Equipment Provisions	Amendment	0	Amends areas of commercial netting prohibition in Upper Pt. Judith Pond and the Narrow River and clarifies the area of the Foster Cove Channel and the Narrows of Charlestown Pond by using landmarks to define the area.	2024-10-18
Post-Comment Draft	Environmental Management	Definitions and General Provisions	Amendment	0	Amends existing coordinates and introduces coordinates for landmarks proposed to be added to Part 6 (General Equipment Provisions) in order to better describe areas of gear restrictions and remove a redundant landmark.	2024-10-18
Preliminary Draft	Business Regulation	Licensing and Renewal Fees	Amendment	5	Effectuates 2024 P.L. 318 and 319. The primary changes repeal the Annual Contracted Producer Report and enact a new Electronic Appointment fee. There is also the removal of a junk fee not required by statute, and some language cleanup.	2024-10-23
Post-Comment Draft	Coastal Resources Management Council	Red Book (650-RICR-20-00-1)	Amendment	5	The Coastal Resources Management Council has interpreted the policies, standards, and text of the Red Book (650-RICR-20-00-1) to include the administrative penalty matrix guidance for violations of the Rhode Island Coastal Resources Management Program within the State of Rhode Island.	2024-10-24

Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Clearance Date
Post-Comment Draft	Coastal Resources Management Council	Management Procedures (650-RICR-10-00-1)	Amendment	5	The Coastal Resources Management Council has interpreted the policies, standards, and text of the Red Book (650-RICR-20-00-1) to include the administrative penalty matrix guidance for violations of the Rhode Island Coastal Resources Management Program within the State of Rhode Island.	2024-10-24
Post-Comment Draft	Environmental Management	Dealers	Amendment	0	Amends direct sale provisions for consistency with the National Shellfish Sanitation Program (NSSP), clarifies authorizations for transport of shrimp and scallops, and provides storage and handling requirements for scallops.	2024-10-28
Post-Comment Draft	Environmental Management	Commercial Marine Fishing Licenses, Landing Permits, and Party and Charter Licenses	Amendment	0	Removes the issuance of, fees for, and reporting requirements for the Dockside Sales Endorsement as an open license available to Multipurpose License holders, Resident Standard License holders with Limited or Unlimited Crustacean Endorsement.	2024-10-28
Preliminary Draft	Cannabis Control Commission	Caregiver Registration, Medical Home Grows and Personal Cultivation	Adoption	8	In accordance with the 2022 adoption of the Rhode Island Cannabis Act ("RICA") (R.I. Gen. Laws Chapter 21-28.11) and the 2022 amendments to the Edward O. Hawkins and Thomas C. Slater Medical Marijuana Act ("Medical Cannabis Act") (R.I. Gen. Laws Chapter 21-28.6), the Commission has proposed the adoption of 560-RICR-10-15-1 as part of the transition of the cannabis regulatory program from the Department of Business Regulation ("DBR") to the Commission. This regulation establishes requirements for registered primary caregivers and their registry identification cards. It provides caregiver possession limits and manufacturing prohibitions. It also provides for medical cannabis home grows, home grow certificates and adult use personal cultivation limits.	2024-11-01

Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Clearance Date
Preliminary Draft	Environmental Management	Rhode Island State Pilotage Commission Rules and Regulations	Amendment	8	<p>The Pilotage Commission requests a five-year annual increase for the Rhode Island State Pilotage rates which will become effective on January 1, 2025, and will reflect an increase each year until the end of 2029. The rates reflect the costs required to operate and maintain a safe and efficient pilotage system. This five-year term was agreed upon to compete in the international marine industry and offset the operating costs that have risen due to inflation.</p> <p>The Pilotage Commission requests additional fee increases for a variety of other fees relating to the cruise ship rates, pilotage units, preventive cancellation fees, and shifting fees.</p>	2024-11-01
Preliminary Draft	Commerce Corporation	Rules and Regulations for the Wavemaker Fellowship Program	Amendment	9	Pursuant to statutory changes in the Fiscal Year 2023 Budget, the proposed changes include teachers as a profession eligible to participate in the Fellowship Program and reverse Fiscal Year 2022 revisions which placed STEM/Design and Healthcare applicants into separate pools of applicants and funding.	2024-11-01
Preliminary Draft	Environmental Management	Rules and Regulations of Furbearing Animals	Adoption	5	Updates the species and terms used to manage furbearing wildlife within the state. This is a transition from statute to regulations.	2024-11-04
Preliminary Draft	Executive Office of Health and Human Services	Home and Community Based Services	Amendment	14	Requires updates to align with federal requirements under 42 CFR Part 441 and two Corrective Action Plans with CMS. This regulation is being amended to reflect the HCBS person-centered planning and Conflict-Free Case Management program that has been in development with extensive stakeholder/CMS engagement and cross-agency collaboration over the last several years. This update also includes a more detailed description of EOHHS' ongoing monitoring process for compliance with the federal HCBS Settings requirements consistent with the CMS approved Statewide Transition Plan. The regulation also incorporates the CMS accepted definitions of HCBS as authorized under the approved 1115 waiver and makes other technical changes (remove duplication of language across multiple regulations, utilize the preferred term "participant," proper SOS formatting, etc.).	2024-11-04

Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Clearance Date
Preliminary Draft	Environmental Management	Rules and Regulations Governing the Salvaging of Wildlife that Collided with Vehicles	Adoption	7	A statutory change mandates the regulation of how the public may collect wildlife along the roadside after collisions with vehicles.	2024-11-06
Post-Comment Draft	Health	Fee Structure for Licensing, Laboratory and Administrative Services Provided by the Department of Health	Amendment	0	RIDOH is proposing to amend these regulations to comply with amendments made to R.I. Gen. Laws Chapters 5-37.2 and 5-19.1.	2024-11-08
Post-Comment Draft	Labor and Training	Unemployment Insurance and Temporary Disability Insurance Programs (260-RICR-40-05-1)	Amendment	2	The proposed amendment aims to expand the scope of individuals considered "Qualified healthcare providers" under Rhode Island regulation 260-RICR-40-05-1. This change allows for the inclusion of healthcare professionals licensed outside the United States to provide necessary certifications for a claimant seeking benefits, provided the claimant submits evidence demonstrating the healthcare provider's proper licensure upon request by the Director or his/her designee.	2024-11-08
Preliminary Draft	Health	Rhode Island Food Code	Amendment	5	The proposed changes (1) adopt the 2022 FDA Food Code, (2) add a requirement for three-compartment sinks at the bar, and (3) extend the exclusion restriction from 24 hours to 48 hours for food workers who have general symptoms of vomiting and diarrhea.	2024-11-13
Preliminary Draft	Housing Resources Commission	Rhode Island Works Program Rules and Regulations	Amendment		The Department is amending this regulation to enact changes made to the RI Works Program with the approval of the FY 2025 Budget, as well as clarify and simplify policy language to reduce barriers and provide supports to our families.	2024-11-14

Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Clearance Date
Preliminary Draft	Executive Office of Health and Human Services	Home Care and Home Health Providers	Adoption	15	<p>The FY2022 budget directed EOHHS to establish an enhanced Medicaid rate or shift differential modifier to encourage the delivery of home care services outside of regular business hours (evenings, nights, weekends, and holidays). The FY2022 budget also directed EOHHS to establish an enhanced rate to providers who have at least 30% of their CNAs and Homemakers certified in behavioral healthcare training through an approved behavioral health training program.</p> <p>EOHHS implemented these rate enhancements effective July 1, 2021 (shift differential) and January 1, 2022 (BH enhancement). Subsequently it was determined that the guidelines around the associated pass-through of these enhancements ought to be codified in regulation. Additionally, a need was identified to codify general requirements for home care and home health providers.</p> <p>The purpose of this Rule is to outline the requirements and limitations pertaining to home care and home health provider participation in and payment by the Rhode Island Medicaid program. This Rule also includes parameters and limitations for incentive payments available to certified nursing assistants and homemakers providing services on behalf of home care and home health providers participating in the Rhode Island Medicaid program.</p>	2024-11-19
Preliminary Draft	Cannabis Control Commission	Caregiver Registration, Medical Home Grows and Personal Cultivation	Adoption	5	<p>In accordance with the 2022 adoption of the Rhode Island Cannabis Act ("RICA") (R.I. Gen. Laws Chapter 21-28.11) and the 2022 amendments to the Edward O. Hawkins and Thomas C. Slater Medical Marijuana Act ("Medical Cannabis Act") (R.I. Gen. Laws Chapter 21-28.6), the Commission has proposed the adoption of 560-RICR-10-15-1 as part of the transition of the cannabis regulatory program from the Department of Business Regulation ("DBR") to the Commission. This regulation establishes requirements for registered primary caregivers and their registry identification cards. It provides caregiver possession limits and manufacturing prohibitions. It also provides for medical cannabis home grows, home grow certificates and adult use personal cultivation limits.</p>	2024-11-20

Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Clearance Date
Preliminary Draft	Airport Corporation	Aeronautics Regulations	Amendment	5	<p>Based on the legislative history and transfer of authority from RIDOT, many of the titles used throughout State legislation related to aeronautics reflect RIDOT titles such as Director and Deputy Director. Thus, at RIAC's request, these references were changed legislatively. Legislation passed in 2024 to reflect the current titles which are the President & CEO or his/her designee. The statutory and regulatory changes ensure that the titles are consistent to avoid any confusion.</p> <p>Further, RIAC is proposing to update the regulation related to Unmanned Aircraft Systems ("UAS") as the Federal government (via the FAA) has the exclusive jurisdiction over airspace pursuant to 49 U.S.C. § 40103 - Sovereignty and use of airspace. Prior to a legislative change in 2023 to Chapter 8 of Title 1, Rhode Island law improperly conferred jurisdiction to RIAC to regulate UAS. However, as stated above, the FAA has exclusive jurisdiction in this area. Thus, at RIAC's request, legislation passed in 2023 to appropriately refer to federal law. The proposed Aeronautics Regulations changes are consistent therewith.</p>	2024-11-20
Preliminary Draft	Labor and Training	Issuance of Limited Permits for Work by Children	Adoption	5	The proposed regulation creates a mandatory training program for youth ages fourteen (14) and fifteen (15) seeking limited work permits as required under R.I. Gen. Laws § 28-3-3.	2024-11-20
Preliminary Draft	Human Services	Rhode Island Works Program Rules and Regulations	Amendment	6	The Department is amending this regulation to enact changes made to the RI Works Program with the approval of the FY 2025 Budget, as well as clarify and simplify policy language to reduce barriers and provide supports to our families.	2024-11-20

Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Clearance Date
Preliminary Draft	Cannabis Control Commission	Administration, Procedures and Enforcement	Adoption	16	<p>In accordance with the 2022 adoption of the Rhode Island Cannabis Act (“RICA”) (R.I. Gen. Laws Chapter 21-28.11) and the 2022 amendments to the Edward O. Hawkins and Thomas C. Slater Medical Marijuana Act (“Medical Cannabis Act”) (R.I. Gen. Laws Chapter 21-28.6), the Commission has proposed the adoption of 560-RICR-10-05-1 as part of the transition of the cannabis regulatory program from the Department of Business Regulation (“DBR”) to the Commission.</p> <p>This regulation establishes standard provisions for the operations of the Commission relative to hearings and enforcement actions and required rules for public records, petitions for rulemaking and petitions for declaratory rulings.</p> <p>Most of the regulation was built off existing provisions in DBR’s Rules of Procedure for Administrative Hearings, 230-RICR-10-00-2, which are the rules for hearings currently followed by the Office of Cannabis Regulation for all enforcement matters. DBR’s provisions were modified to meet the needs of the Commission, a public body that is also subject to the Open Meetings Act. The Enforcement provisions were sourced from DBR’s current medical marijuana regulation provisions and updated by the Commission consistent with the Cannabis Act and new licenses that Commission is authorized to issue.</p>	2024-11-22
Preliminary Draft	Education-Council of Elem and Sec Ed	Regulations Governing the Education of Multilingual Learners	Amendment	23	Revises regulations promulgated pursuant to R.I. Gen. Laws § 16-54-3 to reflect updated federal law (ESSA) and best practices in the field of multilingual learner (MLL) education. Key proposed changes update district categorization requirements, restructure MLL programs and standards, and set personnel and professional learning requirements.	2024-11-22
Direct Final	Human Services	Child Care Assistance Program Rules and Regulations	Amendment	6	Passage of the FY25 RI State Budget increased the CCAP income threshold for eligibility from 200% of the Federal Poverty Level (FPL) to 261% FPL.	2024-11-27
Post-Comment Draft	Business Regulation	Short-Term Rental Property Registration	Amendment	5	Amends the Short-Term Rentals Registration regulation for consistency with amendments to R.I. Gen. Laws § 42-63.1-14 in P.L. 2024, Chs. 413 and 437, which were signed in June 2024 by the Governor and take effect on January 30, 2025.	2024-11-27

Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Clearance Date
Direct Final	Human Services	Supplemental Security Income and State Supplemental Payment Rules and Regulations	Amendment	5	This rule is being amended to reflect the Federal Social Security Administration's Cost of Living Adjustment (COLA) scheduled for January 1, 2025.	2024-12-04
Post-Comment Draft	Executive Office of Health and Human Services	Presumptive Eligibility for Medicaid as Determined by Rhode Island Hospitals	Amendment	0	The State is federally required to accept applications from qualified hospitals that wish to make presumptive eligibility determinations pursuant to 42 C.F.R. 435.1110. However, there are currently no hospitals that have requested to make these eligibility determinations. EOHHS is amending regulation to clarify the Hospital Presumptive Eligibility status quo and process.	2024-12-04
Post-Comment Draft	Executive Office of Health and Human Services	Medicaid Affordable Care Coverage Groups Overview and Eligibility Pathways	Amendment	0	The State is federally required to accept applications from qualified hospitals that wish to make presumptive eligibility determinations pursuant to 42 C.F.R. 435.1110. However, there are currently no hospitals that have requested to make these eligibility determinations. EOHHS is amending regulation to clarify the Hospital Presumptive Eligibility status quo and process.	2024-12-04
Direct Final	Environmental Management	Rules and Regulations Governing Reportable Animal Diseases and Conditions in the State of Rhode Island	Amendment	8	Removes an outdated link from the Incorporated Materials section.	2024-12-05
Post-Comment Draft	Environmental Management	Rhode Island State Pilotage Commission Rules and Regulations	Amendment	2	<p>The Pilotage Commission requests a five-year annual increase for the Rhode Island State Pilotage rates which will become effective on January 1, 2025, and will reflect an increase each year until the end of 2029. The rates reflect the costs required to operate and maintain a safe and efficient pilotage system. This five-year term was agreed upon to compete in the international marine industry and offset the operating costs that have risen due to inflation.</p> <p>The Pilotage Commission requests additional fee increases for a variety of other fees relating to the cruise ship rates, pilotage units, preventive cancellation fees, and shifting fees.</p>	2024-12-06

Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Clearance Date
Post-Comment Draft	Commerce Corporation	Rules and Regulations for the Wavemaker Fellowship Program	Amendment	0	Pursuant to statutory changes in the Fiscal Year 2023 Budget, the proposed changes include teachers as a profession eligible to participate in the Fellowship Program and reverse Fiscal Year 2022 revisions which placed STEM/Design and Healthcare applicants into separate pools of applicants and funding.	2024-12-09
Post-Comment Draft	Executive Office of Health and Human Services	Medicaid for Elders and Adults with Disabilities: Community Medicaid	Amendment	0	As a part of the Fiscal Year 2024 Budget, the RI legislature required EOHHS to establish the Ticket to Work Program for working people with disabilities, in accordance with R.I. Gen. Laws § 40-8.7-1.	2024-12-09
Post-Comment Draft	Executive Office of Health and Human Services	Medicaid Integrated Health Care Coverage, SSI Financial Eligibility Determinations	Amendment	0	As a part of the Fiscal Year 2024 Budget, the RI legislature required EOHHS to establish the Ticket to Work Program for working people with disabilities, in accordance with R.I. Gen. Laws § 40-8.7-1.	2024-12-09
Post-Comment Draft	Executive Office of Health and Human Services	Application and Renewal Process for IHCC Groups	Amendment	0	As a part of the Fiscal Year 2024 Budget, the RI legislature required EOHHS to establish the Ticket to Work Program for working people with disabilities, in accordance with R.I. Gen. Laws § 40-8.7-1.	2024-12-09
Post-Comment Draft	Executive Office of Health and Human Services	Overview of Medicaid Integrated Health Care Coverage	Amendment	0	As a part of the Fiscal Year 2024 Budget, the RI legislature required EOHHS to establish the Ticket to Work Program for working people with disabilities, in accordance with R.I. Gen. Laws § 40-8.7-1.	2024-12-09
Post-Comment Draft	Executive Office of Health and Human Services	Working Adults with Disabilities	Amendment	1	As part of the Fiscal Year 2024 Budget, the RI legislature mandated that EOHHS Medicaid establish a Medicaid buy-in program for working people with disabilities using the Ticket to Work federal authority. For those currently enrolled in the Sherlock Program for working people with disabilities, this will amount to a name change to the program with which they are familiar, and nothing will be changing regarding their eligibility or access to services.	2024-12-10

Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Clearance Date
Post-Comment Draft	Environmental Management	Lobsters, Crabs, and Other Crustaceans	Amendment	2	DEM proposes to remove a statutory citation as a result of an a recent amendment to R.I. Gen. Laws Proposal § 20-7-15, removing a harvest prohibition of blue crabs between the hours of sunset and sunrise, thus rendering the rule inconsistent with the statute. DEM also proposes the removal of nighttime harvest prohibition and modify the possession limit.	2024-12-11
Direct Final	Commerce Corporation	Rules and Regulations for the Innovation Network Matching Grant Program	Amendment	7	As a result of the Fiscal Year 2025 Budget, the Innovation Network Matching Grant Program was revised to include businesses that are evaluating a transition to become employee-owned businesses, regardless of industry as allowable uses for program grants	2024-12-16
Post-Comment Draft	Health	Rhode Island Food Code	Amendment	0	The proposed changes (1) adopt the 2022 FDA Food Code, (2) add a requirement for three-compartment sinks at the bar, and (3) extend the exclusion restriction from 24 hours to 48 hours for food workers who have general symptoms of vomiting and diarrhea.	2024-12-17
Preliminary Draft	Cannabis Control Commission	Operational Requirements for Cannabis Establishments	Adoption	9	<p>In accordance with the 2022 adoption of the Rhode Island Cannabis Act (“RICA”) (R.I. Gen. Laws Chapter 21-28.11) and the 2022 amendments to the Edward O. Hawkins and Thomas C. Slater Medical Marijuana Act (“Medical Cannabis Act”) (R.I. Gen. Laws Chapter 21-28.6), the Commission has proposed the adoption of 560-RICR-10-10-2 as part of the transition of the cannabis regulatory program from the Department of Business Regulation (“DBR”) to the Commission.</p> <p>This regulation establishes standard provisions for the operations of Cannabis Establishments, applying to existing and future licensees.</p> <p>Most of the regulation was built off existing provisions in DBR’s Medical Marijuana Program Regulation, 230-RICR-80-05-1. DBR’s provisions were modified to incorporate the requirements of the Cannabis Act, update provisions for new license types, and implement policy decisions made by the Commission.</p>	2024-12-19
Preliminary Draft	Education-Council of Elem and Sec Ed	Regulations Governing the Certification of Educators in Rhode Island	Amendment	17	Revises regulations promulgated pursuant to Rhode Island Gen. Law § 16-60-4 to reflect standards for multilingual learner (MLL) education, as well as respond to provide flexibilities and expand certification pathways to attract, recruit, hire, and retain educators in Rhode Island.	2024-12-19

Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Clearance Date
Preliminary Draft	Health	Prescription Drug Monitoring Program	Amendment	2	Removes the list of information a pharmacy is required to transmit to RIDOH and signposts to the statutory requirements. Adds the Medical Director of a practice as an individual authorized to access the information in the PDMP as required by the statute. Corrects minor drafting errors.	2024-12-20
					The Rhode Island Department of Corrections (RIDOC) is filing this emergency amendment to the Inmate Mail regulation (240-RICR-10-00-1) as well as to the Access to Institutional Facilities by Attorneys and Their Agents regulation (240-RICR-20-00-3) to improve safety and security within the facilities and to safeguard the health and wellbeing of employees and incarcerated individuals. The RIDOC is committed to maintaining a safe, secure, and orderly environment within its facilities. Recent developments in security assessments have identified an urgent need to implement enhanced security measures to detect and address potential threats related to contraband, including but not limited to liquids, powders and chemically treated paper, which is a matter of highest concern for facility and public safety and health. As a result, RIDOC finds that an imminent peril exists that necessitates the immediate enactment of emergency rulemaking procedures.	
Emergency	Corrections	Inmate Mail	Amendment	0	Specifically, these rules will facilitate updated procedures for scanning all incoming mail as well as any written communications introduced into the facility by attorneys or their agents while maintaining the confidentiality and integrity of any protected and privileged documents. Contraband may be hidden in paper which can only be identified through scanning. These enhancements are critical for identifying and mitigating contraband risks, as well as for ensuring the security and integrity of all individuals entering RIDOC facilities. To safeguard the well-being of staff, inmates, visitors, and the general public, RIDOC must enact these emergency rules. Consequently, these measures will proceed through the regular rulemaking process within the 120-day interim period to allow for public input and thorough review. However, immediate enactment is essential to address the current security risks. RIDOC respectfully finds that the imminent peril posed by these issues justifies the adoption of these emergency rules in order to protect the health, safety, and security of everyone within the Department's facilities.	2024-12-23

Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Clearance Date
Emergency	Corrections	Access to Institutional Facilities by Attorneys and Their Agents	Amendment	0	<p>The Rhode Island Department of Corrections (RIDOC) is filing this emergency amendment to the Inmate Mail regulation (240-RICR-10-00-1) as well as to the Access to Institutional Facilities by Attorneys and Their Agents regulation (240-RICR-20-00-3) to improve safety and security within the facilities and to safeguard the health and wellbeing of employees and incarcerated individuals. The RIDOC is committed to maintaining a safe, secure, and orderly environment within its facilities. Recent developments in security assessments have identified an urgent need to implement enhanced security measures to detect and address potential threats related to contraband, including but not limited to liquids, powders, and chemically treated paper, which is a matter of highest concern for facility and public safety and health. As a result, RIDOC finds that an imminent peril exists that necessitates the immediate enactment of emergency rulemaking procedures.</p> <p>Specifically, these rules will facilitate updated procedures for scanning all incoming mail as well as any written communications introduced into the facility by attorneys or their agents while maintaining the confidentiality and integrity of any protected and privileged documents. Contraband may be hidden in paper which can only be identified through scanning. These enhancements are critical for identifying and mitigating contraband risks, as well as for ensuring the security and integrity of all individuals entering RIDOC facilities. To safeguard the well-being of staff, inmates, visitors, and the general public, RIDOC must enact these emergency rules.</p> <p>Consequently, these measures will proceed through the regular rulemaking process within the 120-day interim period to allow for public input and thorough review. However, immediate enactment is essential to address the current security risks.</p> <p>RIDOC respectfully finds that the imminent peril posed by these issues justifies the adoption of these emergency rules in order to protect the health, safety, and security of everyone within the Department's facilities.</p>	2024-12-23
Preliminary Draft	Business Regulation	Unfair Claims Settlement Practices	Amendment	5	Amended to include 2023 & 2024 legislative changes.	2024-12-24

Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Clearance Date
Preliminary Draft	Health	Newborn Genetic, Metabolic, Endocrine, and Hemoglobinopathy Screening Program and Newborn Hearing Loss Screening Program	Amendment	6	The proposed changes (1) add new testing types which must be added to the regulations within two years of being added to the federal RUSP, (2) rename the regulation and the testing types within the regulation to be consistent with federal regulations, (3) change “hearing loss” to “hearing impairment” to be consistent with Rhode Island statute, (4) remove “and/or midwife” and addition of “If a physician is not present at the birth of a newborn, a midwife may cause said child to be subject to screening tests for the conditions listed below,” and (5) delete “These fees shall be adjusted annually to cover the cost of inflation using the Medicare Economic Index (MEI).” This was done to address the fact that this practice is no longer used by the program and the process for calculating fees was previously added to 216-RICR-10-05-2. Therefore, the text is no longer applicable, but the removal does not represent a change in policy or procedure.	2024-12-26
Emergency	Human Services	Implementation of New Procedures to the Rhode Island Works Program Due to a System Cyber Security Event	Adoption	3	Implements emergency flexibilities and procedures during a cyber security event.	2024-12-27
Emergency	Human Services	General Provisions	Amendment	3	Implements emergency flexibilities and procedures during a cyber security event.	2024-12-27
Emergency	Human Services	Supplemental Nutrition Assistance Program	Amendment	3	Implements emergency waivers and procedures approved by FNS to mitigate a cyber security event to ensure no disruption of benefits to DHS customers.	2024-12-27
Post-Comment Draft	Environmental Management	Rules and regulations Governing the Salvaging of Wildlife that Collided with Vehicles	Adoption	0	A statutory change mandates the regulation of how the public may collect wildlife along the roadside after collisions with vehicles.	2024-12-27

Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Clearance Date
Post-Comment Draft	Environmental Management	Rules and Regulations of Furbearing Animals	Adoption	0	These regulations define which species in the State are considered furbearing animals.	2024-12-27
Post-Comment Draft	Environmental Management	Hunting and Trapping Regulations	Adoption	0	Sets season dates and bag limits for hunting and trapping in the 2024-25 and 2025-26 seasons.	2024-12-27