



STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
DEPARTMENT OF ADMINISTRATION

OFFICE of REGULATORY REFORM

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TO: Governor Gina M. Raimondo
House Speaker Nicholas A. Mattiello
Senate President Dominick J. Ruggerio
FROM: Erik Godwin, Director of the Office of Regulatory Reform
SUBJECT: Office of Regulatory Reform Quarterly Report: FY 2017 Q4

FY 2017 Quarter 4 Report: April 1, 2017 – June 30, 2017

Quarterly Summary Data

Total Submissions by Type of Rulemaking

- Regular Rulemaking, Pre-Comment Review: 45
- Regular Rulemaking, Post-Comment Review: 27
- Direct Final Rulemaking: 16
- Emergency Rulemaking: 3
- Codifications: 81

Unique Regulations by Type of Action

- Adoption: 7
- Amendment: 30
- Repeal: 11
- Technical Revisions: 81

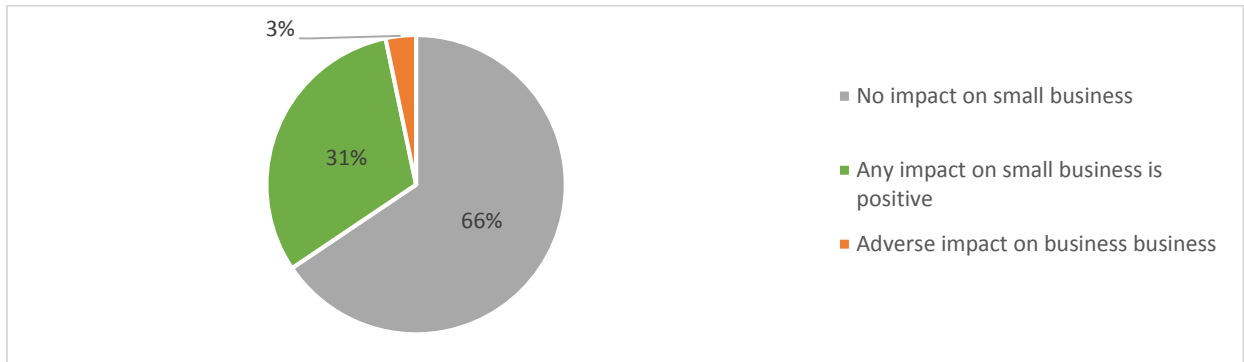
ORR Review Time by Type of Rulemaking

- Regular Rulemaking, Pre-Comment Review: 11.6 days
- Regular Rulemaking, Post-Comment Review: 2.7 days
- Direct Final Rulemaking: 12.1 days
- Emergency Rulemaking: 1.0 days

ORR Interventions

- Submissions where analysis was changed: 6.6%
- Submissions where regulatory language was changed: 25.3%

Small Business Impact Analysis



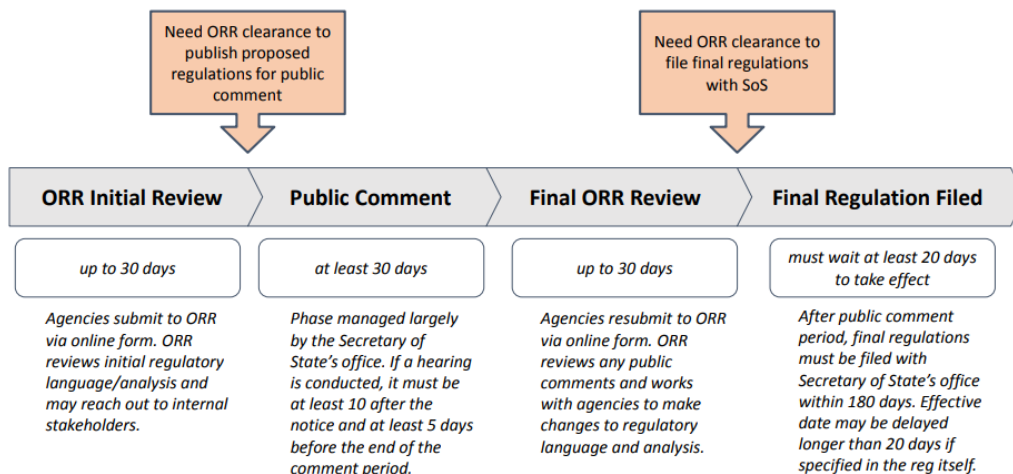
Regulatory Oversight

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.





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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
Direct Final	Housing and Mortgage Finance Corp (RI Housing)	[Repeal] Fifth Amendment to and Restatement of the Land Bank Program	Repeal	12	The purpose of this repeal is to eliminate an unnecessary rule.	NO, this regulation DOES NOT IMPACT small business	2017-04-03
Direct Final	Housing and Mortgage Finance Corp (RI Housing)	[Repeal] Third Amendment to and Restatement of Rules Governing the Construction Loan Program and Land Bank Program	Repeal	12	The purpose of this repeal is to eliminate an unnecessary, outdated, and obsolete rule.	NO, this regulation DOES NOT IMPACT small business	2017-04-03
Direct Final	Housing and Mortgage Finance Corp (RI Housing)	[Repeal] First Amendment to and Restatement of the Rules and Regulations of the Corporation Applicable to the Predevelopment Loan Program	Repeal	12	The purpose of this repeal is to eliminate an unnecessary rule.	NO, this regulation DOES NOT IMPACT small business	2017-04-03

Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Small Business Impact Determination	Clearance Date
Emergency	Executive Office of Health and Human Services	Section 210- Rhode Island Code of Regulations (RICR)-40 Medicaid Integrated Health Care Coverage (formerly Section 1400 of the Medicaid Code of Administrative Rules entitled, "Medicaid Integrated Health Care Coverage)	Amendment	1	In accordance with the requirements of Section 42-35-2.10 of the Rhode Island General Laws, as amended, EOHHS is adopting an "emergency" rule as contained in Section 210-RICR-40-15.1.7(A)(4) entitled, "Income and Resource Standards" of the rule cited above. The purpose of these emergency amendments is to adopt the Federal Poverty Limits (FPLs) that were formally adopted by the federal Centers for Medicare & Medicaid Services (CMS) on January 27, 2017.		2017-04-04
Direct Final	Business Regulation	Racing & Athletics Regulation 5 – Kickboxing	Repeal	17	In reviewing its regulations DBR has determined that this regulation is not necessary. Kickboxing has been incorporated within Mixed Martial Arts, R.I. Gen. Laws § 41-5.2. The R.I. Gen. Laws §41-5-21 "Application of chapter to wrestling and kickboxing matches", was repealed in 2016.	NO, any small business impact is POSITIVE	2017-04-06
Direct Final	Business Regulation	Commercial Licensing Regulation 14 – Brew on Premises	Repeal	17	In reviewing its regulations DBR has determined that this regulation is not necessary. The substance of this regulation has been incorporated into Commercial Licensing Regulation (230-RICR-300-10-1) Liquor Control Administration. This consolidation occurred with the 2016 amendments to 230-RICR-300-10-1.	NO, any small business impact is POSITIVE	2017-04-06
Preliminary Draft	Public Utilities and Carriers Division	Rules and Regulations Governing the Transportation of Passengers via Transportation Network Companies	Adoption	22	Consistent with a 2016 legislative mandate providing for the regulation of intrastate for-hire passenger transportation services provided by "Transportation Network Companies," enacted	YES, there is ADVERSE IMPACT on small business (continue on to complete the requirements of	2017-04-06

Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Small Business Impact Determination	Clearance Date
					through R.I. Gen. Laws § 39-14.2, these rules and regulations are deemed by the Division to be necessary to assure adequate, safe and compliant service under this new Chapter of the Rhode Island General Laws. These rules and regulations further acknowledge that the Division is authorized to conduct investigations into complaints, conduct investigations initiated on its own, and to hold hearings and impose sanctions as it deems necessary to fulfill the proper administration of R.I. Gen. Laws Chapter 14.2.	RIGL § 42-35.1-3 and 1-4).	
Direct Final	Administration	REGULATIONS GOVERNING PARTICIPATION BY MINORITY BUSINESS ENTERPRISES IN STATE FUNDED AND DIRECTED PUBLIC CONSTRUCTION PROJECTS, CONSTRUCTION CONTRACTS AND PROCUREMENT CONTRACTS FOR GOODS AND SERVICES	Repeal	1	This action repeals ERLID 716 which is subsequently being replaced with ERLID 8462 - Regulations Governing Participation by Small Business Enterprises in State Purchase of Goods and Services and Public Works Projects	NO, this regulation DOES NOT IMPACT small business	2017-04-10
Preliminary Draft	Environmental Management	Park and Management Area Rules and Regulations	Amendment	15	This proposal seeks to amend several sections of the Park and Management Area Rules and Regulations as reflected in the redlined version of the proposed regulations and as summarized in B2.	NO, this regulation DOES NOT IMPACT small business	2017-04-11
Preliminary Draft	Environmental Management	R & R for the Priority Determination System for Federal and State	Amendment	26	1. To make Regulations consistent with Federal changes to the Clean Water State Revolving Fund	NO, any small business impact is POSITIVE	2017-04-11

Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Small Business Impact Determination	Clearance Date
		Assistance for Construction of Water Pollution Abatement Projects			program. 2. To make annual Project Priority List a "guidance document" and no an appendix to Regs.		
Preliminary Draft	Human Services	Rules, Regulations, and Standards for Certification of Case Management Agencies (218-RICR-40-00-05)	Amendment	11	To Update language to reflect that Rhode Island Division of Elderly Affairs is now housed within the Department of Human Services; Remove language of old process for appeals and replace with language referencing appeals through Executive Office of Health and Human Services; Separate and clarify Service Delivery Requirements as they relate to Home and Community Care and Adult Protective Service programs; Reformatting and renumbering of the rules as required by RI General Laws, Section 42-35-2.11; Remove Division of Elderly Affairs oversight in regards to construction and renovation of facilities; Updated personnel requirements as they pertain to who can be a case manager and case management supervisor; Updated language regarding deficiencies and plans of corrective action.	NO, this regulation DOES NOT IMPACT small business	2017-04-13
Direct Final	Executive Office of Health and Human Services	Section #1475 of the Medicaid Code of Administrative Rules entitled, "Managed Care Service Delivery Options for Elders and Adults with Disabilities and Long-Term Care Beneficiaries"	Repeal	7	Repeal of existing section MCAR #1475 that has been re-codified and included in 210-RICR-40	NO, this regulation DOES NOT IMPACT small business	2017-04-17

Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Small Business Impact Determination	Clearance Date
Direct Final	Executive Office of Health and Human Services	210-RICR-40 Medicaid Integrated Health Care Coverage	Amendment	7	1) To reflect the 0.3% cost of living adjustment (COLA) for Social Security and Supplemental Security Income (SSI) beneficiaries in 2017(See: 2017 SSI and Spousal Impoverishment Standards); (2) To adopt the Federal Poverty Limits (FPLs) that were formally adopted by the federal Centers for Medicare & Medicaid Services (CMS) on January 27, 2017; and (3) To adopt the 2017 income limits for the Medicare Saving Programs as recently published on Medicare.gov.	NO, this regulation DOES NOT IMPACT small business	2017-04-17
Direct Final	Human Services	218-RICR-40-00-01 Rules and Regulations Governing the Long Term Care Ombudsman Program	Amendment	14	To remove language of old process for appeals and replace with language referencing appeals through Executive Office of Health and Human Services To reformat and renumber the rules as required by RI General Laws, Section 42-35-2.11.	NO, this regulation DOES NOT IMPACT small business	2017-04-17
Preliminary Draft	Executive Office of Health and Human Services	210-RICR-40 Medicaid Integrated Health Care Coverage	Amendment	0	This is a technical revision to ERLID #8553 that was filed as an emergency rule on April 6, 2017.	NO, this regulation DOES NOT IMPACT small business	2017-04-17
Post-Comment Draft	Coastal Resources Management Council	RI Coastal Resources Management Program - Management Procedures	Amendment	16	To reformat CRMC Management Procedures into the RICR specified format and eliminate some existing text and notations or codify existing notations.	NO, this regulation DOES NOT IMPACT small business	2017-04-19
Preliminary Draft	Business Regulation	Auto Body Labor Rate Survey	Amendment	1	We have been informed that insurers are misinterpreting an amendment made in 2015 to the regulation and claiming that they cannot negotiate with auto body shops. This amendment clarifies the legislative intent by providing that if the insurer is not going to	NO, any small business impact is POSITIVE	2017-04-19

Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Small Business Impact Determination	Clearance Date
					negotiate with the auto body shop, it is required to conduct the survey.		
Post-Comment Draft	Taxation	Cigarette Tax - Purchasing and Applying Indicia	Repeal	0			2017-04-20
Post-Comment Draft	Taxation	Cigarette Tax - Reports and Records of Carriers, Bailers and Warehousemen	Repeal	0			2017-04-20
Post-Comment Draft	Taxation	Cigarette Tax - Purchasing and Applying Indicia	Repeal	0			2017-04-20
Post-Comment Draft	Taxation	Cigarette Tax - Licenses	Repeal	0			2017-04-20
Post-Comment Draft	Taxation	Cigarette Tax - Distributions of Sample Packages	Repeal	0			2017-04-20
Post-Comment Draft	Taxation	Cigarette Tax - Tax Exempt Cigarette Salses	Repeal	0			2017-04-20
Post-Comment Draft	Taxation	Cigarette Tax - Reemptions and Refunds	Repeal	0			2017-04-20
Post-Comment Draft	Taxation	Cigarette Tax - Physical Inventories of Cigarettes and Indicia	Repeal	0			2017-04-20
Post-Comment Draft	Taxation	Cigarette Tax - Minimum Pricing of Cigaretts	Repeal	0			2017-04-20
Post-Comment Draft	Taxation	Cigarette Tax - Dealers' & Distributors' Reports and Records	Repeal	0			2017-04-20
Post-Comment Draft	Taxation	Cigarette Tax - Vending Machine Operators	Repeal	0			2017-04-20

Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Small Business Impact Determination	Clearance Date
Post-Comment Draft	Taxation	Cigarette Tax	Adoption	0			2017-04-20
Preliminary Draft	Environmental Management	Part 6 General Equipment Provisions	Amendment	10	Proposed amendments as identified in annotated regulation	NO, this regulation DOES NOT IMPACT small business	2017-04-21
Post-Comment Draft	Environmental Management	User Fees at State Beaches, Parks and Recreational Areas	Amendment	1	No comments were received at public comment hearing. The one written comment that was received was a comment that pointed out that a typo appeared in a section of the regulations unrelated to the proposed amendment.	NO, any small business impact is POSITIVE	2017-04-24
Post-Comment Draft	Health	Processing and Distribution of Shellfish	Amendment	3			2017-04-24
Preliminary Draft	Health	Licensing of Freestanding Emergency Care Facilities	Amendment	10	Required by RIGL23-17.26-3 to incorporate Opioid Discharge Planning requirements.	NO, this regulation DOES NOT IMPACT small business	2017-04-24
Preliminary Draft	Health	Licensing of Hospitals	Amendment	10	Required by RIGL23-17.26-3 to incorporate Opioid Discharge Planning requirements.	NO, this regulation DOES NOT IMPACT small business	2017-04-24
Preliminary Draft	Human Services	218-RICR-40-00-02 Rules, Regulations and Standards Governing the Pharmaceutical assistance to the Elderly Program	Amendment	9	To update the rule to meet the requirements of the Administrative Procedures Act.	NO, any small business impact is POSITIVE	2017-04-26
Preliminary Draft	Environmental Management	RHODE ISLAND MARINE FISHERIES REGULATIONS Part 7 Dealers	Amendment	25	1. Impetus for revision was due to duplication of this reg with Division of Law Enforcement (DLE) regs "RULES AND REGULATIONS GOVERNING TAKING, POSSESSION, HOLDING, BARTERING AND TRADING OF SHELLFISH". There was one section in the DLE regs that is not contained in RIMFR Part 7 Dealers. So prior to repealing DLE reg, proposing to incorporate	NO, this regulation DOES NOT IMPACT small business	2017-04-28

Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Small Business Impact Determination	Clearance Date
					missing section into Dealer regs. 2. Several instances of proposed clarifications		
Emergency	Human Services	Starting Right Child Care Assistance Program	Amendment	1	Updating the 2017 CCAP Eligibility and Cost-Sharing levels per the Federal Poverty Level Guidelines.		2017-05-04
Post-Comment Draft	Health	Rules and Regulations Pertaining to Dentists, Dental Hygienists, and Dental Assistants	Amendment	1	As recommended by the Board of Dental Examiners after extensive public comment, in order to clarify and improve the regulations.	NO, this regulation DOES NOT IMPACT small business	2017-05-04
Post-Comment Draft	Turnpike and Bridge Authority	Rules and Regulations Governing Disputes Involving the Nonpayment of Tolls, Administrative Fees, and Fines	Amendment	0			2017-05-08
Post-Comment Draft	Human Services	General Public Assistance Medical Coverage Policy/Provider Reference Manual	Repeal	1			2017-05-09
Post-Comment Draft	Human Services	218-RICR-40-00-03 Rules, Regulations, and Standards Governing Security for Housing for the Elderly	Amendment	1			2017-05-09
Preliminary Draft	Health	Licensing of Doctors of Acupuncture and Oriental Medicine	Amendment	8	Changes consistent with 2015 amendments to R.I. Gen. Laws Chapter 5-37.2	NO, this regulation DOES NOT IMPACT small business	2017-05-11
Post-Comment Draft	Environmental Management	Rhode Island Marine Fisheries Regulation - Part 6	Amendment	0	This is a technical revision to the amendment that was filed on January 12, 2017 and became effective on February 1, 2017 which amended Section 6.6.16(B)(14) of Rhode Island Marine Fisheries Regulation - Part 6. The technical revision is necessary because the latitude and longitude point for the beginning of the dimensions of Fish Trap Site was inadvertently	NO, any small business impact is POSITIVE	2017-05-16

Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Small Business Impact Determination	Clearance Date
					described as both starting and ending at the same point. This revision would delete the second reference to the latitude and longitude starting point.		
Post-Comment Draft	Human Services	218-RICR-40-00-05 Rules, Regulations and Standards for Certification of Case Management Agencies	Amendment	9			2017-05-20
Preliminary Draft	Health	Rules and Regulations for Licensing Massage Therapists	Amendment	20	Assure consistent credentialing educational requirements for qualifications for massage therapy licensure.	NO, this regulation DOES NOT IMPACT small business	2017-05-20
Preliminary Draft	Health	Licensing Mental Health Counselors and Marriage and Family Therapists	Amendment	27	Assure consistent credentialing educational requirements for qualifications for mental health counselors licensure and to update format to comply with Secretary of State APA guidelines.	NO, this regulation DOES NOT IMPACT small business	2017-05-20
Post-Comment Draft	Environmental Management	Rhode Island Marine Fisheries Regulations - Part 6	Amendment	6			2017-05-22
Direct Final	Historical Preservation and Heritage Commission	Historic Homeownership Tax Credit Regulations	Repeal	18	The Historic Homeownership Tax Credit was repealed by the General Assembly several years ago. The Commission voted to formally repeal the program regulations at its regular meeting on February 8, 2017.	NO, this regulation DOES NOT IMPACT small business	2017-05-23
Post-Comment Draft	Human Services	218-RICR-40-00-01 Rules and Regulations Governing the Long Term Care Ombudsperson Program	Amendment	3			2017-05-25
Preliminary Draft	Motor Vehicles	Rules of Practice and Procedure for the Division of Motor Vehicles	Amendment	1	The Division of Motor Vehicles is amending its Rules of Practice and Procedure to update the documentation requirements for	NO, this regulation DOES NOT IMPACT small business	2017-05-25

Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Small Business Impact Determination	Clearance Date
					obtaining an operator's license, chauffeurs' license or identification card. The revised documentation requirements should provide applicants with greater flexibility when submitting applications while still allowing the DMV to adhere to statutory requirements for the issuance of these credentials. The amended regulations also clarify language regarding DMV hearing procedures.		
Preliminary Draft	Taxation	Filing Deadlines: Weekends, Holidays and Mailings	Adoption	7	Provides for additional time to file and pay Rhode Island tax when a due date falls on a weekend or legal holiday.	NO, any small business impact is POSITIVE	2017-05-25
Preliminary Draft	Taxation	Deadlines - Weekends or Holidays - Filing by Mail	Repeal	7	The purpose of this rule making is to repeal "Personal Income Tax - Filing Deadlines: Weekends, Holidays and Mailings" PIT 98-7 identified by ERLID Number 278, the content of which is being merged into a newly adopted Regulation, "Filing Deadlines: Weekends, Holidays and Mailings" 280-RICR-20-01-7.	NO, any small business impact is POSITIVE	2017-05-25
Preliminary Draft	Taxation	Personal Income Tax - Filing deadlines: Weekends, Holidays and Mailings	Repeal	7	The purpose of this rule making is to repeal "Personal Income Tax - Filing Deadlines: Weekends, Holidays and Mailings" PIT 98-7 identified by ERLID Number 738, the content of which is being merged into a newly adopted Regulation, "Filing Deadlines: Weekends, Holidays and Mailings" 280-RICR-20-01-7.	NO, any small business impact is POSITIVE	2017-05-25
Preliminary Draft	Administration	Rules and Regulations for the Efficient Buildings Fund Project Priority List	Amendment	10	Clarified language, updated definitions and added a new section	NO, this regulation DOES NOT IMPACT small business	2017-05-29

Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Small Business Impact Determination	Clearance Date
Preliminary Draft	Disabilities Commission	Small Disability Business Enterprises	Amendment	13	Codification & amendment of Commission Regulation Chapter J - Disability Business Enterprises	NO, any small business impact is POSITIVE	2017-05-29
Post-Comment Draft	Human Services	218-RICR-40-00-02 Rules, Regulations, and Standards Governing the Pharmaceutical Assistance to the Elderly Program	Amendment	1			2017-05-31
Direct Final	Environmental Management	Rules and Regulations- Recycling and Litter Control Grants	Repeal	14	The subject regulations are proposed to be repealed because they were designed to establish the process for award of grants from the Ocean State Cleanup and Recycling Program (OSCAR). However, the OSCAR program was discontinued in the late 1990s, at which time all such recycling programs were moved to the Rhode Island Resource Recovery Corporation.	NO, this regulation DOES NOT IMPACT small business	2017-06-02
Direct Final	Environmental Management	Rules and Regulations Governing the Taking, Possession, Holding, Bartering and Trading of Shellfish	Repeal	14	This regulation was recently merged into the Rhode Island Marine Fisheries Regulations Part 7– Dealers. Failure to repeal the instant regulation would result in duplicative regulations remaining in effect. Thus, consistent with the Governor’s mandate to repeal unnecessary regulations, the Department proposes the repeal of the subject regulations.	NO, any small business impact is POSITIVE	2017-06-02
Preliminary Draft	Children, Youth and Families	School-Age Child Care Program Regulations for Licensure	Repeal	0	This regulation is being consolidated and will be replaced by a new regulation.	NO, this regulation DOES NOT IMPACT small business	2017-06-02
Preliminary Draft	Children, Youth and Families	Child Care Program Regulations for Licensure	Repeal	0	This regulation is being consolidated and replaced by a new regulation.	NO, this regulation DOES NOT IMPACT small business	2017-06-02

Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Small Business Impact Determination	Clearance Date
Preliminary Draft	Human Services	Rhode Island Veterans Memorial Cemetery General Rules and Regulations	Repeal	1	Repealing current regulation to propose new regulation.	NO, this regulation DOES NOT IMPACT small business	2017-06-02
Preliminary Draft	Human Services	Rhode Island Veterans Memorial Cemetery General Rules and Regulations	Adoption	2	Proposed revisions to update/align rules with current federal regulations, eliminate inconsistencies, remove redundancies and obsolete rules.	NO, this regulation DOES NOT IMPACT small business	2017-06-02
Preliminary Draft	Children, Youth and Families	Child Care Center and School Age Program Regulations for Licensure	Adoption	14	To align the standards with national best practices, and to adopt simplified regulations that strike a balance between ensuring the health and safety of children in licensed child care settings and offering centers more flexibility to meet the individual needs of the children and families they serve.	NO, any small business impact is POSITIVE	2017-06-02
Preliminary Draft	Human Services	Supplemental Nutrition Program Sections 1000 through 1083	Repeal	23	This rule is being repealed due to significant formatting changes required by RI General Laws, Section 42-35-2.11 and reorganization of the rule.	NO, this regulation DOES NOT IMPACT small business	2017-06-02
Preliminary Draft	Human Services	218-RICR-20-00-01 Supplemental Nutrition Assistance Program	Adoption	23	This rule is being adopted due to significant formatting changes (as required by RI General Laws, Section 42-35-2.11) and reorganization of the previous version of the rule, Supplemental Nutrition Assistance Program Sections 1000 through 1083, which will be repealed.	NO, this regulation DOES NOT IMPACT small business	2017-06-02
Preliminary Draft	Resource Recovery Corporation	Rules for the Procurement of Supplies, Services, Construction, Bond Counsel and Legal Counsel	Repeal	11	This has not been used since 1990	NO, this regulation DOES NOT IMPACT small business	2017-06-05

Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Small Business Impact Determination	Clearance Date
Preliminary Draft	Environmental Management	Air Pollution Control Regulation No. 9, "Air Pollution Control Permits"	Amendment	19	The USEPA has identified a number of provisions in APC Regulation No. 9 that are not consistent with current federal requirements and must be amended for the major source permitting requirements to be approvable by USEPA	NO, this regulation DOES NOT IMPACT small business	2017-06-05
Direct Final	Environmental Management	Rules and Regulations Governing the Destruction of Animals by Carbon Monoxide Poisoning	Repeal	9	The subject regulations are proposed to be repealed because they have been superseded by R.I. Gen. Laws § 4-19-2, Disposition of Animals, which prohibits the destruction of animals by carbon monoxide poisoning. Thus, consistent with the Governor's mandate to repeal unnecessary regulations, the Department proposes the repeal of the subject regulations.	NO, this regulation DOES NOT IMPACT small business	2017-06-08
Preliminary Draft	Health	Licensing of Lactation Consultants	Amendment	7	Remove statutory duplication and simplify to plain language.	NO, any small business impact is POSITIVE	2017-06-13
Emergency	Executive Office of Health and Human Services	Section 210-RICR-40-00-1 Medicaid Integrated Health Care Coverage	Amendment	1	The purpose of these emergency amendments is to incorporate the 2017 Spousal Impoverishment Standards that were published by the federal Centers for Medicare & Medicaid Services (CMS) on June 5, 2017 to take effect on July 1, 2017.		2017-06-14
Preliminary Draft	Health	Registration of Music Therapists	Amendment	8	Remove statutory duplication and simplify into plain language.	NO, any small business impact is POSITIVE	2017-06-14
Preliminary Draft	Health	Licensure and Discipline of Physicians	Amendment	14	Remove statutory duplication, create a new temporary post-graduate license, and align the regulations with statutory definitions/requirements.	NO, this regulation DOES NOT IMPACT small business	2017-06-14

Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Small Business Impact Determination	Clearance Date
Preliminary Draft	Public Utilities and Carriers Division	Rules and regulations for Telephone Operator Service Providers in Rhode Island	Repeal	3	The businesses that had been subject to these provisions simply has ceased to exist in Rhode Island. It has been more than 15 years since there had been a company registered as an Alternate Operator Service Provider (AOS). As a sign that this industry has become a thing of the past, telecommunications providers are now deleting references to AOS providers in their amended tariffs.	NO, this regulation DOES NOT IMPACT small business	2017-06-15
Preliminary Draft	Public Utilities and Carriers Division	Rules and Regulations Governing the Transportation of Passengers via Transportation Network Companies	Adoption	12	Consistent with a 2016 legislative mandate providing for the regulation of intrastate for-hire passenger transportation services provided by "Transportation Network Companies," enacted through R.I. Gen. Laws § 39-14.2, these rules and regulations are deemed by the Division to be necessary to assure adequate, safe and compliant service under this new Chapter of the Rhode Island General Laws. These rules and regulations further acknowledge that the Division is authorized to conduct investigations into complaints, conduct investigations initiated on its own, and to hold hearings and impose sanctions as it deems necessary to fulfill the proper administration of R.I. Gen. Laws Chapter 14.2.	YES, there is ADVERSE IMPACT on small business (continue on to complete the requirements of RIGL § 42-35.1-3 and 1-4).	2017-06-19
Direct Final	Environmental Management	Administrative Inspection Guidelines	Repeal	13	These Guidelines are obsolete in that pursuant to the 2016 Amendment to the Administrative Procedures Act and the required	NO, any small business impact is POSITIVE	2017-06-23

Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Small Business Impact Determination	Clearance Date
					codification process they are not regulations and should be repealed.		
Direct Final	Environmental Management	Amendments to Regulations for RIDEM Uniform Appeal Period	Repeal	13	The subject regulation is obsolete.	NO, any small business impact is POSITIVE	2017-06-23
Direct Final	Environmental Management	Rules and Regulations for the DEM Expedited Permit Process	Repeal	13	The regulation proposed for repeal has become obsolete.	NO, any small business impact is POSITIVE	2017-06-23
Post-Comment Draft	Environmental Management	Hunting Regulations for the Season	Adoption	16	To set season and bag limits for the 2017 - 2018 season.	NO, this regulation DOES NOT IMPACT small business	2017-06-23
Post-Comment Draft	Environmental Management	RI Falconry Regulations for the Season	Adoption	16	The reason for this regulatory change is to make a minor change to make an exemption for Licensed Falconers able to possess Native Wildlife, Falcons without violating the regulations.	NO, this regulation DOES NOT IMPACT small business	2017-06-23
Preliminary Draft	Health	Licensing of Freestanding Emergency Care Facilities	Amendment	5	Required by RIGL23-17.26-3 to incorporate Opioid Discharge Planning requirements.	NO, this regulation DOES NOT IMPACT small business	2017-06-23
Preliminary Draft	Health	Licensing of Hospitals	Amendment	5	Required by RIGL23-17.26-3 to incorporate Opioid Discharge Planning requirements.	NO, this regulation DOES NOT IMPACT small business	2017-06-26
Preliminary Draft	Health	Practice of Electrolysis	Amendment	20	Changes are based upon statutory changes, remove statutory duplication, and/or simplify to plain language.	NO, this regulation DOES NOT IMPACT small business	2017-06-26
Preliminary Draft	Health	Rules and Regulations for Lead Poisoning Prevention	Repeal	27	Repeal to replace with 216-RICR-50-15-3	NO, this regulation DOES NOT IMPACT small business	2017-06-26
Preliminary Draft	Health	Lead Poisoning Prevention	Adoption	27	The regulations have been reorganized in their entirety and changed to better align with federal rules and standards.	NO, any small business impact is POSITIVE	2017-06-26
Post-Comment Draft	Environmental Management	Fishing Regulations for the Season	Adoption	0	The purpose for this regulatory action / change is to update the upcoming Freshwater Fishing season with the correct season dates and bag limits.	NO, this regulation DOES NOT IMPACT small business	2017-06-27

Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Small Business Impact Determination	Clearance Date
Preliminary Draft	Environmental Management	RULES AND REGULATIONS OF THE NATURAL HERITAGE PRESERVATION COMMISSION	Amendment	0	These amendments are to clean-up and refine the language of the rule.	NO, this regulation DOES NOT IMPACT small business	2017-06-27
Preliminary Draft	Environmental Management	Rules and Regulations for the Brownfields Remediation and Economic Development Fund	Amendment	22	Reason for regulatory change is to establish a Project Priority list pursuant to RIGL § 23-19.16-6. This list will allow the RI Infrastructure Bank to administer Revolving Loan Funds (RFL) to remediation projects around the State of RI.	NO, any small business impact is POSITIVE	2017-06-28
Preliminary Draft	Resource Recovery Corporation	Rules for the Selection of Architects, Engineers and Consultants	Repeal	1	Part of the Governors incentive.	NO, this regulation DOES NOT IMPACT small business	2017-06-30
Preliminary Draft	Resource Recovery Corporation	Rules for the Selection of Construction Managers	Repeal	1	Rule obsolete	NO, this regulation DOES NOT IMPACT small business	2017-06-30
Preliminary Draft	Health	Licensing of Podiatrists	Amendment	17	Align with nationally accepted standards for podiatry and allow more flexibility in regard to continuing education requirements.	NO, any small business impact is POSITIVE	2017-06-30
Preliminary Draft	Taxation	Administrative Rules of Practice and Procedure	Amendment	21	To change the name of the regulation to Equal Access to Justice for Small Business and Individuals	NO, this regulation DOES NOT IMPACT small business	2017-06-30