



# OFFICE OF MANAGEMENT & BUDGET

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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 2020 Q3

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## FY 2020 Quarter 3 Report: January 1, 2020 – March 31, 2020

### Quarterly Summary Data

#### Total Submissions by Type of Rulemaking

- Regular Rulemaking, Pre-Comment Review: 17
- Regular Rulemaking, Post-Comment Review: 10
- Direct Final Rulemaking: 11
- Emergency Rulemaking: 27

#### Unique Regulations by Type of Action

- Adoption: 4
- Amendment: 51
- Repeal: 0

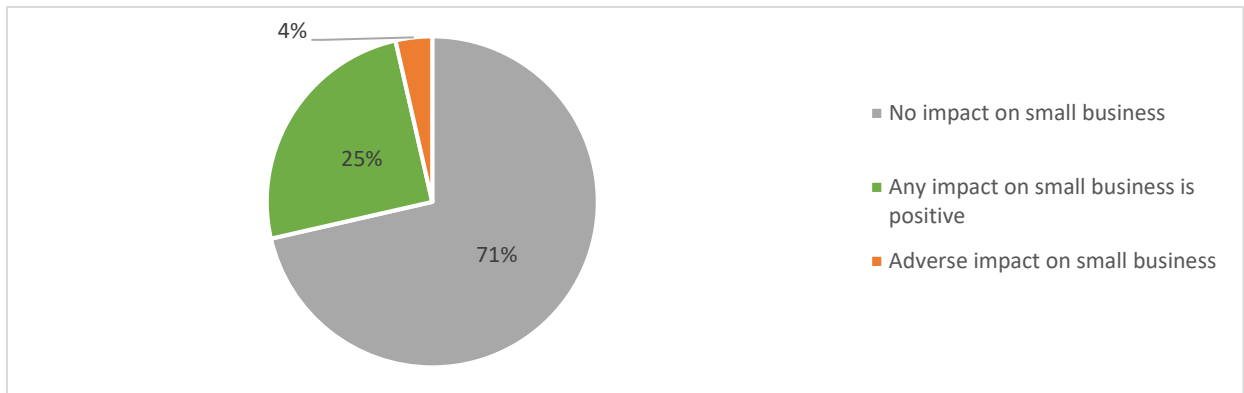
#### ORR Review Time by Type of Rulemaking

- Regular Rulemaking, Pre-Comment Review: 14.5 days
- Regular Rulemaking, Post-Comment Review: 7.0 days
- Direct Final Rulemaking: 12.4 days
- Emergency Rulemaking: 1.7 days

#### ORR Interventions

- Submissions where analysis was changed: 6.2%
- Submissions where regulatory language was changed: 43.1%

## Small Business Impact Analysis



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

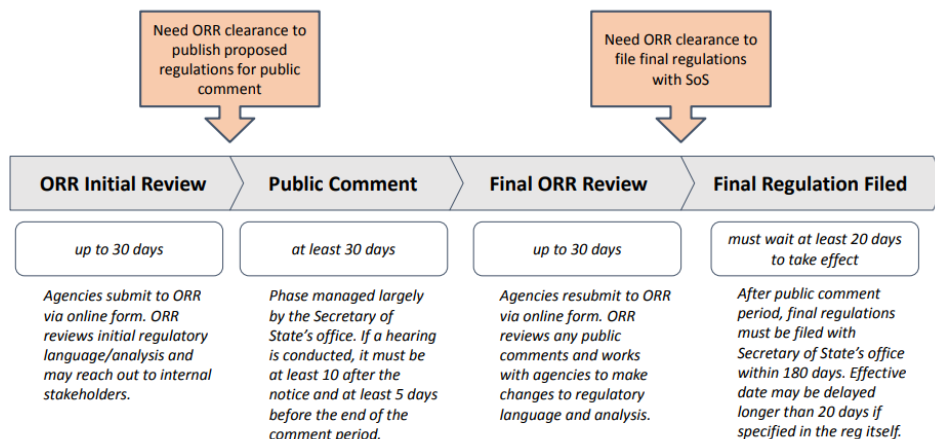
## Regulatory Oversight

As part of the Office of Management and Budget, the Office of Regulatory Reform’s (ORR) mission is to review new and amended regulations with a focus on minimizing adverse impacts on Rhode Island businesses, large and small. Since February 2015, ORR has been operating under [Executive Order 15-07](#), which requires all Executive Branch regulations to be reviewed by ORR using a model similar to the federal regulatory model. EO 15-07 outlines a process to ensure regulations are not imposing unnecessary burdens on businesses and citizens.

Prior to EO 15-07 the Director of Regulatory Reform had the authority to intervene on any individual regulatory or permitting issue. With the new process dictated by Executive Order agencies must submit all of their proposed regulatory actions to ORR providing a systematic way to address regulatory issues. ORR reviews an agency’s regulatory package, and if approved, those proposed rules and impact statements go through a public comment process. Any input from that process goes directly back to ORR for final consideration. Below is an outline of the ORR’s role in the regulatory review process. The second round of review is primarily to ensure the agencies take into consideration public comments and amend the regulation as necessary.

## Regular Rulemaking and ORR Review

While this is the official process outlined in Executive Order 15-07, ORR frequently works with agencies early by reviewing draft regulations and assisting with the development of regulatory analysis.



### Regulatory Submissions Reviewed By ORR

The following regulatory submissions were cleared by ORR during the fiscal year quarter covered by this report. Regulations cleared by ORR are not immediately effective, regulations must go through the formal rulemaking process administered by the Secretary of State’s Office (SOS). In some cases regulations cleared by ORR are not filed with SOS.

The information in this table (except “Days Under Review” and “Clearance Date”) is self-reported by regulatory agencies with their submissions, although ORR can suggest changes to agency’s submissions. Please note that for any post-comment entries with empty cells, the agency was not required to resubmit this information because the regulation received no public comment and no changes were made to the proposed regulation. Emergency regulations might also have missing data because these submissions are exempt from some reporting requirements.

Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Small Business Impact Determination	Clearance Date
Preliminary Draft	Environmental Management	PART 5 – Lobsters, Crabs and Other Crustaceans	Amendment	14	1. Section 5.10(H): Change instances of “harvester” to “dealer” to place requirements of section onto the dealer rather than the harvester. This change was approved for amendment resulting from a public hearing that took place on November 14, 2016, but approved changes were inadvertently omitted when the final rule was filed (see Director Decision memo on file dated December 21, 2016, revised February 7, 2017) .	NO, any small business impact is POSITIVE	2020-01-09
Direct Final	Environmental Management	Fishing Regulations for the Season	Amendment	21	The Division is attempting to eliminate invasive species in the State and by doing so the Division needs to make regulatory changes / additional to language about the transportation of such plant or weed into Rhode Island Waterbody on boats, vessels, other water conveyances, vehicles, trailers, fishing supplies or any other equipment.	NO, this regulation DOES NOT IMPACT small business	2020-01-13

Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Small Business Impact Determination	Clearance Date
Direct Final	Business Regulation	Unfair Property/Casualty Claims Settlement Practices	Amendment	24	In the 2018 legislative session, the legislature amended the statute upon which the regulation is based by virtue of 2018 P.L. chs. 298 and 321. Those changes were incorporated into the regulation by amendment after hearing effective June 11, 2019. Another amendment was made to the statute in the 2019 legislative session in 2019 P.L. chs. 84 and 85. When the regulation was proposed on 09/08/19 for amendment to incorporate the changes necessary by virtue of the 2019 legislative change, the 2018 amendments were inadvertently reversed. This proposal reincorporates the necessary amendments resulting from the 2018 legislative changes, which have already been the subject of a complete rulemaking process (public comment period from 1/17/19 to 2/19/19 with a public hearing on 2/13/19).	NO, this regulation DOES NOT IMPACT small business	2020-01-13
Preliminary Draft	Student Loan Authority	RISLA's Knowledge for College Scholarship	Amendment	24	RISLA is amending this scholarship because it has been offering the Access scholarship since 2004 and we've changed it to focus the scholarship on improving financial literacy skills, which is an important component of RISLA's mission to help student's plan and pay for college.	NO, this regulation DOES NOT IMPACT small business	2020-01-13
Post-Comment Draft	Human Services	Rhode Island Works Program Rules and Regulations	Amendment	0			2020-01-21

Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Small Business Impact Determination	Clearance Date
Post-Comment Draft	Taxation	Hard-to-Dispose Materials and Beverage Container Tax	Amendment	15	To reflect change in the rate of tax for hard-to-dispose materials and beverage container tax.	NO, this regulation DOES NOT IMPACT small business	2020-01-21
Post-Comment Draft	Administration	IRS Publication 1075 – Background Check Process and Criteria	Adoption	21	The reason for promulgation is to comply with IRS Publication 1075, which requires a national background check with individuals with access to "Federal Tax Information," as defined by the IRS. The State (Taxation and Child Support Enforcement) is facing IRS audit findings for failing to implement the background check requirements. As a worse case scenario, continued audit findings and failure to implement IRS requirements could result in the IRS shutting off access to crucial information that the State uses to collect significant revenue. Article 3, Sections 5-7, of the Governor's Budget, enact R.I. Gen Laws § 36-3-16 and § 37-2-81, which expressly authorizes these background checks and the promulgation of regulations. These regulations set out the process and criteria required to facilitate the background checks as required by the IRS. IRS Publication 1075, Tax Information Security Guidelines for Federal, State and Local Agencies ("Publication 1075"). IRS Publication 1075 is available on the IRS' website at <a href="https://www.irs.gov/pub/irs-pdf/p1075.pdf">https://www.irs.gov/pub/irs-pdf/p1075.pdf</a> . [irs.gov] Publication 1075, in pertinent part, requires that a criminal background investigation be conducted for all	NO, this regulation DOES NOT IMPACT small business	2020-01-21

Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Small Business Impact Determination	Clearance Date
					<p>applicants and employees who are given access to Federal Tax Information (“FTI”). FTI, as defined in Publication 1075, includes federal tax return or return information received directly from the IRS or obtained through an authorized secondary source, such as the Social Security Administration (SSA), Federal Office of Child Support Enforcement (OCSE), Bureau of the Fiscal Service (BFS), Centers for Medicare and Medicaid Services (CMS), or another entity acting on behalf of the IRS pursuant to an Internal Revenue Code (“IRC”) 6103(p)(2)(B) Agreement. FTI expressly excludes information received directly from taxpayers or other third-parties. See IRS Publication 1075 Section 1.4.4. Publication 1075 expressly requires that the background check include:</p> <p>a) FBI fingerprinting (FD-258) - review of Federal Bureau of Investigation (FBI) fingerprint results conducted to identify possible suitability issues. (Contact the appropriate state identification bureau for the correct procedures to follow.) A listing of state identification bureaus can be found at: <a href="https://www.fbi.gov/about-us/cjis/identity-history-summarychecks/state-identification-bureau-listing">https://www.fbi.gov/about-us/cjis/identity-history-summarychecks/state-identification-bureau-listing</a> [fbi.gov] This national agency check is the key to evaluating the history of a prospective candidate for</p>		

Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Small Business Impact Determination	Clearance Date
					<p>access to FTI. It allows the Agency to check the applicant’s criminal history in all 50 states, not only current or known past residences.</p> <p>b) Check of local law enforcement agencies where the subject has lived, worked, and/or attended school within the last 5 years, and if applicable, of the appropriate agency for any identified arrests. The local law enforcement check will assist agencies in identifying trends of misbehavior that may not rise to the criteria for reporting to the FBI database but is a good source of information regarding an applicant.</p> <p>c) Citizenship/residency – Validate the subject’s eligibility to legally work in the United States (e.g., a United States citizen or foreign citizen with the necessary authorization) See Publication 1075, Section 5.1.1 (Page 27). In order to comply with Public Law (Pub. L.) 92-544 and use the FBI’s background check system, the State was required to pass legislation expressly authorizing these background checks. Upon passage, the Department is now promulgating regulations to provide the review criteria and provide the process to implement the background check requirements.</p>		
Emergency	Commerce Corporation	Rules and Regulations for the Rhode Island Small Business Development Fund	Adoption	0	This program was created by legislative action in the FY2020 Budget		2020-01-23

Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Small Business Impact Determination	Clearance Date
Post-Comment Draft	Coastal Resources Management Council	RI Coastal Resources Management Program - Management Procedures	Amendment	9	To clarify, improve and in some cases simplify CRMC management procedures, including adding Council member program training, adding specific requirements for staff recommendations and written findings of fact and conclusions of law, and consolidation and simplification of determination requests, among other proposed changes.	NO, this regulation DOES NOT IMPACT small business	2020-01-24
Direct Final	Business Regulation	INSURANCE PRODUCERS AND OTHER NON-INSURER LICENSEES	Amendment	18	The proposed amendment is designed to clarify the legal status of a reinstated license.	NO, any small business impact is POSITIVE	2020-01-28
Direct Final	Business Regulation	Continuing Education for Insurance Producers	Amendment	18	The proposed amendments are designed to clarify language and allow for renewal of continuing education courses rather than the current process of resubmission.	NO, any small business impact is POSITIVE	2020-01-28
Preliminary Draft	Commerce Corporation	Rules and Regulations for the Rhode Island Small Business Development Fund	Amendment	0	This program was created by legislative action in the FY 2020 Budget.	NO, this regulation DOES NOT IMPACT small business	2020-01-28
Direct Final	Environmental Management	Rules and Regulations Governing Animal Care Facilities	Amendment	5	To update two definitions in order to be consistent with the revised statute, R.I. Gen. Laws § 4-19-2.	NO, this regulation DOES NOT IMPACT small business	2020-02-05
Direct Final	Health and Educational Building Corporation	Selection of Architects, Engineers and Consultants	Amendment	19	To amend the period for architects, engineers and consultants seeking to do business with the agency from annually to at least once every three years and to require underwriters that sell bonds on behalf of the Corporation to engage legal counsel that is included in the most current edition of the Bond Buyer's Municipal Marketplace (the "Red Book"). This amendment also revises extraneous and outdated	NO, this regulation DOES NOT IMPACT small business	2020-02-05



Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Small Business Impact Determination	Clearance Date
					language to comply with the State Purchasing Statute.		
Preliminary Draft	Coastal Resources Management Council	RI Coastal Resources Management Program – Red Book	Amendment	22	The CRMC proposes to amend the Red Book shoreline protection section, § 1.3.1(G), in its entirety to provide coastal property owners with alternative non-structural and hybrid shoreline protection options, and to supplement existing structural shoreline protection provisions within the section. The amendments include new and modified definitions in § 1.1.2(A) associated with shoreline protection. There are additional amendments throughout other sections of the Red Book to simplify existing language and provide better clarity and specificity regarding policies and standards, and other proposed changes to correct text and citations as summarized below.	NO, this regulation DOES NOT IMPACT small business	2020-02-06
Post-Comment Draft	Environmental Management	Part 5 – Lobsters, Crabs, and Other Crustaceans (250-RICR-90-00-5)	Amendment	4			2020-02-18
Preliminary Draft	Business Regulation	Rules and Regulations for Professional Engineering	Amendment	9	The Board of Registration for Professional Engineers (“Board”) has been issuing registrations to professional engineers (“PEs”) by specific discipline since 1994. In accordance with R.I. Gen. Laws § 5-8-3(c), the Board currently recognizes seven (7) engineering disciplines: civil, chemical, electrical, mechanical, structural, environmental, and fire protection. However, the Board regularly receives applications for persons	NO, any small business impact is POSITIVE	2020-02-19

Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Small Business Impact Determination	Clearance Date
					<p>who have passed exams and are seeking licensure in the other nine (9) disciplines for which national licensing exams are offered. As of data reported in 2016, RI offered the least number of national exams in the state (5 of the 7 recognized disciplines), closely followed only by Hawaii which tested for 1 more discipline. Currently, the National Council of Examiners for Engineers and Surveyors (NCEES), which prepares and administers all national engineering and surveying licensing exams. NCEES has committed to converting all exams to computer-based exams by 2024, which will continue to make it easier for RI based applicants to have access to all of the tests. In accordance with the authority granted to the Board and the Department in R.I. Gen. Laws § 5-8-3, the Board has decided to registered PEs in all disciplines for which NCEES offers PE exams. In addition to these amendments, the Board also updated out-of-date information, and added a definition and fee table for increased clarity and transparency within the licensing process.</p>		
Preliminary Draft	Executive Office of Health and Human Services	CHAPTER 30 - MEDICAID FOR CHILDREN, FAMILIES AND AFFORDABLE CARE ACT (ACA) ADULTS	Amendment	15	To make the state in compliance with the State Health Official letter (SHO #19-003) summarizing changes to the modified adjusted gross income (MAGI)-based methodologies used for	NO, this regulation DOES NOT IMPACT small business	2020-02-19

Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Small Business Impact Determination	Clearance Date
					determining Medicaid and CHIP eligibility.		
Preliminary Draft	Business Regulation	Motor Vehicle Body and Salvage Vehicle Repair	Amendment	16	Several sections in 230-RICR-30-5-2, Motor Vehicle Body and Salvage Vehicle Repair, needed modernization and updating. It was necessary to add language addressing businesses operating paintless dent repair facilities and businesses that desired to only repair motorcycles. The section addressing insurance requested re-inspection of vehicles after repair also needed amending to align procedures with modern business and industry practices. Changes were also instituted to the timeline for prohibition on use of aftermarket parts in accordance with changes in the law, and a notice to consumers provision added for subcontracting work. Additionally, several minor edits were made to grammar for the licensee's ease of use and to citations in accordance with RICR styles.	NO, any small business impact is POSITIVE	2020-02-19
Preliminary Draft	Environmental Management	Rhode Island State Pilotage Commission Rules and Regulations	Amendment	17	To revise the rates of pilotage fees, to include training requirements, and to make minor updates and technical revisions to the regulation.	NO, this regulation DOES NOT IMPACT small business	2020-02-24
Preliminary Draft	Executive Office of Health and Human Services	Medicaid Integrated Health Care Coverage, SSI Financial Eligibility	Amendment	8	updating SSI numbers and clarifying that non Medicaid applicant spouses' retirement is non deemable	NO, this regulation DOES NOT IMPACT small business	2020-02-26
Preliminary Draft	Environmental Management	Produce Safety	Amendment	19	To add new sections to the regulation including provisions requiring produce farms to register	YES, there is ADVERSE IMPACT on small business	2020-02-26

Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Small Business Impact Determination	Clearance Date
					annually with the Department, record keeping requirements, prohibitions on misbranded products, enforcement and compliance provisions, and other related sections.	(continue on to complete the requirements of RIGL § 42-35.1-3 and 1-4).	
Preliminary Draft	Executive Office of Health and Human Services	MEDICAID FOR ELDERES AND ADULTS WITH DISABILITIES SUBCHAPTER 05 – Community Medicaid	Amendment	22	To streamline the state process for emergency and preventive Medicaid.	NO, this regulation DOES NOT IMPACT small business	2020-02-26
Post-Comment Draft	Commerce Corporation	Rules and Regulations for the Rhode Island Small Business Development Fund	Adoption	2	This program was created by legislative action in the FY 2020 Budget.	NO, this regulation DOES NOT IMPACT small business	2020-03-04
Preliminary Draft	Student Loan Authority	RISLA's Knowledge for College Scholarship	Amendment	8	RISLA is amending this scholarship because it has been offering the Access scholarship since 2004 and we've changed it to focus the scholarship on improving financial literacy skills, which is an important component of RISLA's mission to help student's plan and pay for college.	NO, this regulation DOES NOT IMPACT small business	2020-03-04
Post-Comment Draft	Business Regulation	Rules and Regulations Related to the Medical Marijuana Program Administered by the Office of Cannabis Regulation at the Department of Business Regulation	Amendment	6	These amendments are proposed to implement the 2019 legislative changes to R.I. Gen. Laws Chapter 21-28.6 set forth in 2019 P.L Ch. 88, Art. 15.	YES, there is ADVERSE IMPACT on small business (continue on to complete the requirements of RIGL § 42-35.1-3 and 1-4).	2020-03-05
Post-Comment Draft	Health	Licensing of Electronic Nicotine Delivery System Distributors and Dealers	Amendment	0	Prohibit the sale or offer for sale of flavored electronic nicotine-delivery system products in order to protect public health, safety, and welfare.	YES, there is ADVERSE IMPACT on small business (continue on to complete the requirements of	2020-03-06

Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Small Business Impact Determination	Clearance Date
						RIGL § 42-35.1-3 and 1-4).	
Emergency	Labor and Training	EMERGENCY REGULATIONS FOR THE WAIVER OF EMPLOYEES' AND EMPLOYERS' DUTIES AND OBLIGATIONS DURING AN EPIDEMIC OF THE INFECTIOUS COVID-19 DISEASE PURSUANT TO TITLE 28 OF RHODE ISLAND GENERAL LAWS	Amendment	0	The Department is adopting these emergency rules and regulations pursuant to R.I. Gen. Laws § 42-35-2.10 due to a potential threat to public health and safety. Specifically, the Department finds that there is a potential threat to the health, safety, or resources of the people of the state related to the infectious "SARS-CoV-2 virus" which causes "Coronavirus Disease-2019" (COVID-19). As such, the provisions herein must be promulgated immediately.		2020-03-09
Direct Final	Human Services	Child Care Assistance Program Rules and Regulations	Amendment	13	Implementation of the 2020 Cost of Living (COLA) increase to the gross income guidelines for the Child Care Assistance Program eligibility and cost sharing levels.	NO, this regulation DOES NOT IMPACT small business	2020-03-10
Direct Final	Administration	Certification and Decertification of Veteran Business Enterprises by the State of Rhode Island and Participation by Veteran Business Enterprises in State Purchases of Goods and Services and Public Works Projects	Amendment	5	The purpose of this regulatory amendment is to update the citation for federal regulations that have been incorporated.	NO, any small business impact is POSITIVE	2020-03-11
Direct Final	Administration	Certification and Decertification of MBE Enterprises by the State of Rhode Island	Amendment	5	The purpose for this regulatory amendment is to update the citation for federal regulations that have been incorporated.	NO, any small business impact is POSITIVE	2020-03-11
Emergency	Labor and Training	UNEMPLOYMENT AND TEMPORARY DISABILITY INSURANCE	Amendment	0	This emergency regulation is being filed in order to reactivate previously effective unemployment insurance and temporary insurance		2020-03-11

Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Small Business Impact Determination	Clearance Date
					regulations. The previously effective regulations were inadvertently rendered ineffective as a result of a technical error.		
Preliminary Draft	Environmental Management	Fishing Regulations for the Season	Amendment	6	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	2020-03-12
Preliminary Draft	Environmental Management	RI Hunting and Trapping Regulations for the 2020-2021 and 2021-2022 Season	Amendment	6	To set season and bag limits for the 2020 - 2021 and 2021 - 2022 season.	NO, this regulation DOES NOT IMPACT small business	2020-03-12
Emergency	Human Services	Family Child Care Home Regulations for Licensure	Amendment	0	Extension of Emergency Rule slated to end on April 4, 2020.		2020-03-18
Emergency	Human Services	Group Family Child Care Home Regulations for Licensure	Amendment	0	Extension of Emergency Rule slated to end on April 4, 2020.		2020-03-18
Emergency	Business Regulation	Contractors' Registration and Licensing Board	Amendment	3	In response to the Covid 19 State of Emergency, the CRLB seeks to amend its regulations to limit person to person contact while ensuring that contractors still have access to the regulatory oversight of the Board.		2020-03-19
Emergency	Executive Office of Health and Human Services	Payments and Providers	Amendment	2	COVID-19		2020-03-20
Emergency	Executive Office of Health and Human Services	Community Medicaid	Amendment	2	COVID-19		2020-03-20
Emergency	Executive Office of Health and Human Services	Medicaid Payments and Providers: Transportation Services	Amendment	2	COVID-19		2020-03-20
Emergency	Executive Office of Health and Human Services	Medicaid LTSS overview and Eligibility Pathways	Amendment	3	COVID-19		2020-03-20

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	Long-Term Services and Supports Application and Renewal Process	Amendment	3	COVID-19		2020-03-20
Emergency	Executive Office of Health and Human Services	Working Adults with Disabilities	Amendment	3	COVID-19		2020-03-20
Emergency	Executive Office of Health and Human Services	Managed Care Service Delivery Arrangements	Amendment	3	COVID-19		2020-03-20
Emergency	Executive Office of Health and Human Services	Application and Renewal Process for IHCC Groups	Amendment	3	COVID-19		2020-03-20
Emergency	Executive Office of Health and Human Services	Rite Share Premium Assistance Program	Amendment	3	COVID-19		2020-03-20
Emergency	Executive Office of Health and Human Services	Medicaid Managed Care Delivery Options	Amendment	3	COVID-19		2020-03-20
Emergency	Executive Office of Health and Human Services	Medicaid Application and Renewal Process	Amendment	3	COVID-19		2020-03-20
Emergency	Executive Office of Health and Human Services	Medicaid Payments for Out-of-State Care	Amendment	3	COVID-19		2020-03-20
Emergency	Executive Office of Health and Human Services	Appeals Process and Procedures for EOHHS Agencies and Programs	Amendment	3	COVID-19		2020-03-20
Emergency	Health	Off-Label Prescribing of Medications for COVID-19	Adoption	0	Establish conditions for permissible off-label prescribing to treat and/or prevent COVID-19		2020-03-21
Preliminary Draft	Environmental Management	RI Falconry Regulations for the Season	Amendment	17	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	2020-03-23

Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Small Business Impact Determination	Clearance Date
Preliminary Draft	Human Services	Group Family Child Care Home Regulations for Licensure	Amendment	22	Changes are being made to incorporate the DHS Corrective Action Plan for the Child Care Development Fund Plan (FY2019 – 2021) as approved by the Federal Administration for Children and Families. The State of Rhode Island has been out of compliance with the requirements of the Child Care and Development Block Grant (CCDBG) since the expiration of our waiver (September 30, 2019). Full implementation of the CCDBG Final Rule was required by October 1, 2019. The implementation delay occurred during the transfer of authorization from DCYF to DHS.	NO, this regulation DOES NOT IMPACT small business	2020-03-24
Preliminary Draft	Human Services	Family Child Care Home Regulations for Licensure	Amendment	22	Changes are being made to incorporate the DHS Corrective Action Plan for the Child Care Development Fund Plan (FY2019 – 2021) as approved by the Federal Administration for Children and Families. The State of Rhode Island has been out of compliance with the requirements of the Child Care and Development Block Grant (CCDBG) since the expiration of our waiver (September 30, 2019). Full implementation of the CCDBG Final Rule was required by October 1, 2019. The implementation delay occurred during the transfer of authorization from DCYF to DHS.	NO, this regulation DOES NOT IMPACT small business	2020-03-24
Emergency	Human Services	General Provisions	Amendment	0	COVID-19 and National / State Emergency		2020-03-27
Emergency	Human Services	General Public Assistance Program	Amendment	1	COVID-19		2020-03-27



Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Small Business Impact Determination	Clearance Date
Emergency	Environmental Management	Fishing Regulations for the Season	Amendment	0	The purpose of the justification is the protection of public health from imminent peril. Traditionally, the opening day of freshwater fishing season generates high public participation and crowded conditions in many public fishing areas. Given the unanticipated occurrence of the COVID-19 pandemic, and the Centers for Disease Control and Prevention guidelines for “social distancing” to minimize transmission of the virus, DEM seeks to eliminate/reduce to the greatest extent possible the crowded conditions of opening day for the 2020 freshwater fishing season by timing the opening of fishing season to April 1, 2020, an earlier, mid-week opportunity. This change is designed to support a more gradual opening to the freshwater fishing season, lessening the crowding that poses a risk to public health from COVID-19.		2020-03-27
Emergency	Human Services	Child Care Center, Family Child Care Home and Group Family Child Care Home Licensing Changes Due to COVID-19	Adoption	1	COVID-19 and National / State Emergency		2020-03-27
Emergency	Turnpike and Bridge Authority	Emergency Change Concerning Cash and Credit Card Toll Transactions	Adoption	0	The Regulation is necessitated by the novel coronavirus (COVID-19) pandemic. Specifically, the regulation is intended to provide the public with information regarding an emergency change to the cash and credit card toll transactions needed because of		2020-03-27

Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Small Business Impact Determination	Clearance Date
					staffing and health and safety issues caused by the COVID-19 pandemic.		
Direct Final	Turnpike and Bridge Authority	RULES AND REGULATIONS GOVERNING DISPUTES INVOLVING THE NONPAYMENT OF TOLLS, ADMINISTRATIVE FEES, AND FINES	Amendment	3	Conform definitions in regulations to existing definitions in Rhode Island General Laws for consistency.	NO, this regulation DOES NOT IMPACT small business	2020-03-30
Direct Final	Human Services	Rhode Island Veterans Memorial Cemetery	Amendment	5	The amendment expands eligibility for interment at the Rhode Island Veterans Memorial Cemetery to commissioned officers of the National Oceanic and Atmospheric Administration or the Public Health Service. This expansion aligns the RIVMC with eligibility criteria of the national veterans cemeteries operated by the U.S. Department of Veterans Affairs.	NO, this regulation DOES NOT IMPACT small business	2020-03-30
Emergency	Human Services	Supplemental Nutrition Assistance Program	Amendment	3	COVID-19		2020-03-30
Post-Comment Draft	Health	Acquiring and Stocking Epinephrine Auto-Injectors for Emergency Administration	Amendment	7	Merge Authority and Purpose sections, clarify applicability of operation plan requirements for authorized entities which choose to acquire and stock a supply of epinephrine auto-injectors, and eliminate forty-eight (48) hour reporting requirement.	NO, any small business impact is POSITIVE	2020-03-30
Emergency	Health	Certification of Public Drinking Water Supply Treatment and Public Water Supply Transmission and Distribution Operators	Amendment	1	Due to the COVID-19 Pandemic, water suppliers must continue to provide water services. As an industry, water supply does not have an abundance of certified pool operators and this pandemic could cripple the water system. Thus RIDOH is relaxing certification requirements in the event taht a		2020-03-31

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					supplier is not otherwise able to maintain water service.		
Post-Comment Draft	Health	Licensing of Aquatic Venues	Amendment	6	To implement requirements for reporting of drowning, near drowning, or any entrapment within 24 hours or the next business day; clarify violation for non-return of self-assessment inspection checklist; clarify enclosure/barrier requirements; add free chlorine residual, combined chlorine, and pH to results of bacteriological analysis that must be reported; decrease density threshold for certain bacteria to align with WHO and federal guidance; clarify sample submission and revise compliance procedures.	NO, this regulation DOES NOT IMPACT small business	2020-03-31