



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 2021 Q1

FY 2021 Quarter 1 Report: July 1, 2020 – September 30, 2020

Quarterly Summary Data

Total Submissions by Type of Rulemaking

- Regular Rulemaking, Pre-Comment Review: 17
- Regular Rulemaking, Post-Comment Review: 9
- Direct Final Rulemaking: 9
- Emergency Rulemaking: 79

Unique Regulations by Type of Action

- Adoption: 20
- Amendment: 83
- Repeal: 2

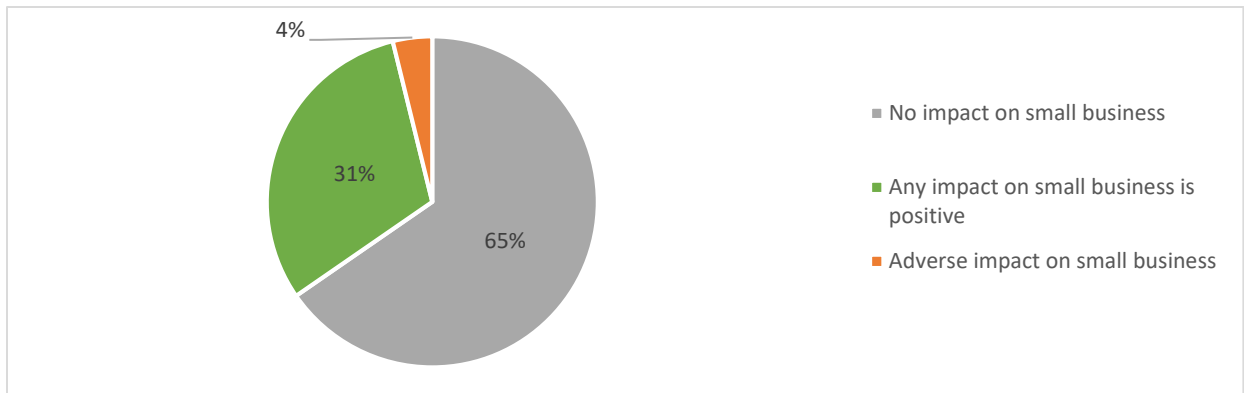
ORR Review Time by Type of Rulemaking

- Regular Rulemaking, Pre-Comment Review: 8.5 days
- Regular Rulemaking, Post-Comment Review: 1.0 days
- Direct Final Rulemaking: 4.0 days
- Emergency Rulemaking: 0.9 days

ORR Interventions

- Submissions where analysis was changed: 1.8%
- Submissions where regulatory language was changed: 14.9%

Small Business Impact Analysis



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

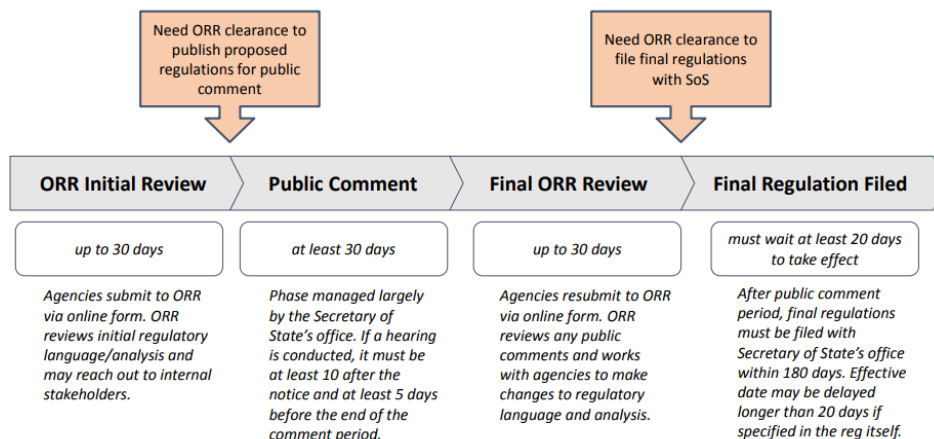
Regulatory Oversight

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

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

Regular Rulemaking and ORR Review

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



Regulatory Submissions Reviewed By ORR

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

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

Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Small Business Impact Determination	Clearance Date
Emergency	Turnpike and Bridge Authority	Part 3: 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 staffing and health and safety issues caused by the COVID-19 pandemic.		2020-07-01
Direct Final	Environmental Management	Park and Management Area Rules and Regulations	Amendment	2	To make the amendments in the current emergency regulation permanent. Said amendments give the RIDEM Director discretion to close or alter the operating hours of the state's parks, beaches, and management areas in the event of any emergency that may pose an imminent threat or peril to the public health, safety or welfare.	NO, this regulation DOES NOT IMPACT small business	2020-07-02
Emergency	Health	Licensing of Aquatic Venues	Amendment	0	To provide instructions to licensed pool operators for		2020-07-02

					how to operate during COVID-19.	
Emergency	Health	Emergency Medical Services	Amendment	0	To allow EMS practitioners to collect specimens to test for the presence of COVID-19.	2020-07-07
Emergency	Health	Certification of Public Drinking Water Supply Treatment and Public Water Supply Transmission and Distribution Operators	Amendment	0	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 supplier is not otherwise able to maintain water service.	2020-07-07
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.	2020-07-07
Emergency	Health	Enforcement of Certain COVID-19 Related Executive Orders	Amendment	0	To restrict the spread of COVID-19 and assure the public health, safety, and welfare by promoting compliance and deterring noncompliance with the Executive Orders.	2020-07-08
Emergency	Health	Communal Living Arrangements	Amendment	0	To provide operational information to business who provide communal living arrangements for their seasonal workers during the COVID-19 pandemic.	2020-07-08
Emergency	Health	Safe Activities by Covered Entities During the COVID-19 Emergency	Amendment	0	Establishing certain criteria for safe activity by and at certain entities in Rhode Island during the COVID-19 state of emergency in the	2020-07-08

					interest of the public's health.	
Emergency	Executive Office of Health and Human Services	Post-Eligibility Treatment of Income (PETI)	Amendment	0	COVID-19	2020-07-09
Emergency	Executive Office of Health and Human Services	Long-Term Services and Supports Application and Renewal Process	Amendment	0	COVID-19	2020-07-09
Emergency	Executive Office of Health and Human Services	Community Medicaid	Amendment	0	COVID-19	2020-07-09
Emergency	Executive Office of Health and Human Services	Application and Renewal Process for IHCC Groups	Amendment	0	COVID-19	2020-07-09
Emergency	Executive Office of Health and Human Services	Rite Share Premium Assistance Program	Amendment	0	COVID-19	2020-07-09
Emergency	Executive Office of Health and Human Services	Medicaid Managed Care Delivery Options	Amendment	0	COVID-19	2020-07-09
Emergency	Executive Office of Health and Human Services	Medicaid Application and Renewal Process	Amendment	0	COVID-19	2020-07-09
Emergency	Executive Office of Health and Human Services	Medicaid Payments for Out-of-State Care	Amendment	0	COVID-19	2020-07-09
Emergency	Executive Office of Health and Human Services	Medicaid Payments and Providers	Amendment	0	COVID-19	2020-07-09
Emergency	Health	Medical Marijuana Program	Amendment	0	As a result of the State of Emergency issued by Governor Gina M. Raimondo on March 9, 2020, (Executive Order 20-02), the registry identification cardholders may not be able to renew registry identification cards that have expired since March 1, 2020. The inability to renew these registry identification cards would prevent qualified patients, primary caregivers and authorized purchasers from obtaining medical marijuana. Accordingly, the Department has prepared these	2020-07-09

						emergency regulations to extend the expiration date of any caregiver or authorized registry identification cards that expired or expires on or after March 1, 2020 until July 31, 2020.	
Emergency	Executive Office of Health and Human Services	Medicaid LTSS overview and Eligibility Pathways	Amendment	0	COVID-19		2020-07-10
Emergency	Executive Office of Health and Human Services	Working Adults with Disabilities	Amendment	0	COVID-19		2020-07-10
Emergency	Executive Office of Health and Human Services	Managed Care Service Delivery Arrangements	Amendment	0	COVID-19		2020-07-10
Emergency	Executive Office of Health and Human Services	Medically Needy Eligibility	Amendment	0	COVID-19		2020-07-10
Emergency	Executive Office of Health and Human Services	Medicaid MAGI Financial Eligibility Determinations and Verification During the COVID-19 Emergency	Adoption	0	COVID-19		2020-07-10
Emergency	Executive Office of Health and Human Services	Medicaid and Children's Health Insurance Program (CHIP) Non-Financial General Eligibility Requirements	Amendment	0	COVID-19		2020-07-10
Emergency	Health	Pharmacists, Pharmacies, and Manufacturers, Wholesalers, and Distributors	Amendment	0	To prevent delays in necessary actions to combat the COVID-19 emergency response related to pharmacy practices and procedures.		2020-07-10
Post-Comment Draft	Accountancy	Rules and Regulations for the Rhode Island Board of Accountancy	Amendment	1	The Rhode Island Board of Accountancy ("Board") has proposed these amendments to the Continuing Professional Education ("CPE") provisions of its regulation in §§ 1.2 and 1.8. These amendments were promulgated as	NO, any small business impact is POSITIVE	2020-07-10

					<p>emergency amendment effective on May 21, 2020. Through this full rulemaking, the Board is proposing to make these amendments permanent. The proposed amendments modify the Continuing Professional Education (CPE) requirements for Certified Professional Accountants (CPAs) by: streamlining the requirements to make compliance easier for CPA licensees; incorporating the updated national CPE standards which allow for virtual learning; and providing a mechanism for CPAs to request extensions of time to complete CPEs during the current or future state of emergencies declared by the Governor.</p>		
Preliminary Draft	Taxation	Implementation of the Rhode Island Individual Health Insurance Mandate	Adoption	1	<p>The purpose of these rules and regulations is to implement various provisions of R.I. Gen. Laws Title 44 as they relate to the individual health insurance mandate. Under R.I. Gen. Laws § 44-30-101, Rhode Island residents are required, beginning after December 31, 2019, to maintain minimum essential coverage or be subject to a tax known as the shared responsibility payment penalty. Rhode Island's individual health insurance mandate is based, in part, on the federal</p>	<p>NO, this regulation DOES NOT IMPACT small business</p>	2020-07-14

					mandate established under the Patient Protection and Affordable Care Act (Public Law 111-152). Under R.I. Gen. Laws § 44-30-102, applicable entities providing minimum essential coverage must comply with reporting requirements and make a report whether an applicable individual maintains minimum essential coverage.	
Emergency	Human Services	General Public Assistance Program	Amendment	0	This extension to the Emergency regulation is being filed due to the extension of the Rhode Island state of emergency in response to the COVID-19 crisis.	2020-07-15
Emergency	Business Regulation	Contractors' Registration and Licensing Board	Amendment	0	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.	2020-07-15
Emergency	Human Services	CHILD CARE ASSISTANCE PROGRAM RULES AND REGULATIONS DUE TO COVID-19	Adoption	0	Extending the existing Emergency Rule for the Child Care Assistance Program due to COVID-19 and the National/State of Emergency.	2020-07-15
Emergency	Health	Communal Living Arrangements	Adoption	0	To provide operational information to business who provide communal living arrangements for their seasonal workers during the COVID-19 pandemic	2020-07-15

Emergency	Health	Enforcement of Certain COVID-19 Related Executive Order	Adoption	0	To restrict the spread of COVID-19 and assure the public health, safety, and welfare by promoting compliance and deterring noncompliance with the Executive Orders.		2020-07-15
Emergency	Health	Safe Activities by Covered Entities During the COVID-19 Pandemic	Adoption	0	Establishing certain criteria for safe activity by and at certain entities in Rhode Island during the COVID-19 state of emergency in the interest of the public's health.		2020-07-15
Preliminary Draft	Health	Off Label Prescribing of Medications for COVID-19	Adoption	2	Establish conditions for permissible off-label prescribing to treat and/or prevent COVID-19.	NO, this regulation DOES NOT IMPACT small business	2020-07-15
Emergency	Human Services	General Provisions	Amendment	0	COVID-19 and National / State Emergency		2020-07-16
Emergency	Health	Licensing of Aquatic Venues	Amendment	0	To provide instructions to licensed pool operators for how to operate during COVID-19.		2020-07-16
Emergency	Human Services	Supplemental Nutrition Assistance Program	Amendment	2	Expiration of Federal SNAP waiver		2020-07-16
Direct Final	Environmental Management	Part 9 – Maps	Repeal	7	1. Proposal is to repeal the rule in its entirety as the map locations of the floating fish traps are now available online on the DEM Marine Fisheries Maps. Proposed repeal is in conjunction with recent amendments made to the locational descriptions of floating fish traps as provided in Part 6 – General Equipment Provisions where outdated descriptions were replaced with defined	NO, any small business impact is POSITIVE	2020-07-17

					coordinates and compass headings.		
Direct Final	Environmental Management	Part 3 – Finfish	Amendment	7	<p>1. Re-locate rule regarding minimum mesh size for trawl vessels when fishing for black sea bass, scup, summer flounder, and winter flounder from Part 1 (section 1.6(D)) to Part 3 (sections 3.7.2(C), 3.8.2(C), 3.10.2(D), and 3.30.2(E) respectively) :</p> <p>Rules regarding minimum mesh size are currently located in each of the sections for each of these species in Part 3. The rule currently located in Part 1 under section titled “Stowage of Nets” is somewhat obscured and is better suited to be located in each of these species section in Part 3 as this rule is directly related to rules currently located in Part 3. There is no net change to the regulations resulting from this amendment.</p> <p>2. Remove language “in total length” in the minimum size rule for menhaden and striped bass (sections 3.9.1, 3.9.2(A) and (B), and 3.22.1): The term “total length” is defined in Part 1 as it pertains to minimum size measurement and is therefore unnecessary (i.e., duplicative) as used in these two section in Part 3, and is not used for other finfish species in the rule. Removal of this language</p>	NO, any small business impact is POSITIVE	2020-07-17

						<p>provides for consistency of rule language across species. There is no net change to the regulations resulting from this amendment. 3. Increase possession limit for commercial skate bait from 12,000 pounds/day to 25,000 pounds/day during the 11/1 - 4/30 subperiod (section 3.26.2(C)): Rule change is consistent with NOAA Framework 8 implemented specifications for the fishery effective May 1, 2020. 4. Other minor non-substantive clarifications.</p>	
Direct Final	Environmental Management	Part 1 - Definitions and General Provisions	Amendment	7	<p>1. Delete section 1.6(I) regarding commercial harvest reporting: Rule is currently located in both parts 1 and 2. Rule is appropriately located in Part 2 (section 2.7.4(D)) which houses all commercial licensing requirements, including reporting, and is therefore duplicative as located in Part 1. There is no net change to the regulations resulting from this amendment. 2. Re-locate rules regarding possession limit compliance from Part 2 to Part 1: Rules regarding possession limit compliance are currently located in both Parts 1 and 2, with both differing and overlapping/duplicative sections. As general rules applicable to more than</p>	NO, any small business impact is POSITIVE	2020-07-17

commercial licenses, these rules are more appropriately located in Part 1. Duplicative rules will be subsequently removed in Part 2 later in the year. There is no net change to the regulations resulting from this amendment.

3. Re-locate rule regarding minimum mesh size for trawl vessels when fishing for black sea bass, scup, summer flounder, and winter flounder from Part 1 (section 1.6(D)) to Part 3 (sections 3.7.2(C), 3.8.2(C), 3.10.2(D), and 3.30.2(E) respectively): Rules regarding minimum mesh size are currently located in each of the sections for each of these species in Part 3. The rule currently located in Part 1 under section titled "Stowage of Nets" is somewhat obscured and is better suited to be located in each of these species section in Part 3 as this rule is directly related to rules currently located in Part 3. There is no net change to the regulations resulting from this amendment.

4. Re-locate general provisions regarding the establishment of control dates from Part 2 to Part 1: Establishment of control dates is applicable to all marine fisheries regulations, and is therefore more appropriate to house

						<p>this rule in Part 1 as a general provision applicable to all marine fisheries regulations. Duplicative rules will be subsequently removed in Part 2 later in the year. There are no new control dates established nor amendment to currently established control dates proposed; there is no net change to the regulations resulting from this amendment.</p>	
Emergency	Environmental Management	Port Operations Regulations and Berthing Management System	Adoption	0	<p>The purpose of this emergency amendment is to align the regulations governing dockside sales at Pier 9 in Newport with the new, statewide licensing opportunities for direct sales of seafood afforded by 250-RICR-90-00-15. The alignment addresses, on a limited basis, the COVID-19-based economic hardships facing the RI commercial and seafood industry, and food insecurities facing RI consumers, by supporting the development of new, local supply chains for RI seafood.</p>		2020-07-17
Emergency	Executive Office of Health and Human Services	MEDICAID PROGRAM INSTITUTIONS FOR MENTAL DISEASES	Adoption	0	Federal compliance		2020-07-20
Post-Comment Draft	Executive Office of Health and Human Services	Medicaid MAGI Financial Eligibility Determinations and Verification	Amendment	0	<p>Regulation 210 30-00-5 describes the Modified Adjust Gross Income (MAGI) standard and explains how it is applied; and establishes the role and responsibilities</p>	<p>NO, this regulation DOES NOT IMPACT small business</p>	2020-07-20

					of the State and consumers when determining MAGI-related eligibility for the Medicaid Affordable Care Coverage (MACC) groups. The purpose of amending 30-00-5 is to be compliant with CMS State Health Official Letter #19-003 that describes mandated changes to allowable income deductions for those eligible for Medicaid through the MAGI pathway.	
Post-Comment Draft	Executive Office of Health and Human Services	MEDICAID PROGRAM INSTITUTIONS FOR MENTAL DISEASES	Adoption	0		2020-07-20
Post-Comment Draft	Executive Office of Health and Human Services	Community Medicaid	Amendment	0		2020-07-20
Emergency	Health	Medical Marijuana Program	Amendment	0	As a result of the State of Emergency issued by Governor Gina M. Raimondo on March 9, 2020, (Executive Order 20-02), the registry identification cardholders may not be able to renew registry identification cards that have expired since March 1, 2020. The inability to renew these registry identification cards would prevent qualified patients, primary caregivers and authorized purchasers from obtaining medical marijuana. Accordingly, the Department has prepared these emergency regulations to extend the expiration date of any caregiver or authorized registry identification cards	2020-07-24

					that expired or expires on or after March 1, 2020 until August 15, 2020.		
Emergency	Business Regulation	Department of Business Regulation Medical Marijuana Program Emergency Regulations – Extension of Expired Registry Identification Cards	Amendment	0	This emergency regulation was adopted effective April 23, 2020, and the Department of Business Regulation (“Department”). This 2nd proposed amendment would further extend expiration dates until August 15. In Rhode Island, licensed compassion centers may only sell medical marijuana to qualifying registered patients, registered caregivers and authorized purchasers who possess a valid registry identification card in accordance with the Edward O. Hawkins and Thomas C. Slater Medical Marijuana Act, R.I. Gen. Laws § 21-28.6-1 et seq. (the “Act”) and the regulations promulgated thereunder by the Department and the Rhode Island Department of Health (“RIDOH”). Pursuant to R.I. Gen. Laws § 21-28.6-5, the Department registers primary caregivers while qualifying patients and authorized purchasers are registered by RIDOH.		2020-07-24
Direct Final	Human Services	Supplemental Nutrition Assistance Program	Amendment	0	To comply with Federally mandated Cost of Living Increases. Exercising the broad flexibility as outlined in C.F.R § 273.2 (c) (7) (viii) to select the use of a telephonic	NO, this regulation DOES NOT IMPACT small business	2020-08-03

					signature as an acceptable means for signing an application.	
Emergency	Environmental Management	Beach and Swimming Area Rules and Regulations	Amendment	0	Due to the impending storm and dangerous riptides, we have cancelled two out of five of our testing dates for the Surf Conditional Lifeguard certification. We have approximately 200 guards who were scheduled to be tested over the course of these two days with approximately 600 over the course of the week. These guards are currently allowed to work under a conditional certification that expires on August 14th, 2020. In order to allow for time to reschedule these two dates and test these guards so that they can receive their full certification that will last until the following August, we need to be able to extend the conditional certification. Our current regulation does not allow for this. We are only able to suspend or revoke a card. DEM/Division of Parks and Recreation is tasked with certifying lifeguards for all private, municipal and state beaches in Rhode Island. It is crucial that we are able to extend our conditional certification in order to provide other testing dates to allow guards to receive full certification and continue working at	2020-08-03

					these facilities that are already seeing the strain of lack of staffing. A majority of these guards are college and high school age and will be returning to school in the next few weeks. This full certification not only allows the guards to continue working this season, it allows facilities to open with fully certified guards for next season.		
Emergency	Health	Clinical Laboratories and Stations	Amendment	0	Due to a shortage of medical technologists in testing COVID-19 samples, the minimum qualifications for personnel are being lowered.	2020-08-03	
Preliminary Draft	Environmental Management	Construction and Demolition Debris Facilities	Amendment	15	Updating these regulations gets rid of unnecessary burden for redundant testing, makes it easier to put solar panels on closed landfills and makes regulation more consistent with statutes.	NO, this regulation DOES NOT IMPACT small business	2020-08-04
Preliminary Draft	Environmental Management	Solid Waste Landfills	Amendment	15	Updating these regulations gets rid of unnecessary burden for redundant testing, makes it easier to put solar panels on closed landfills and makes regulation more consistent with statutes.	NO, any small business impact is POSITIVE	2020-08-04
Preliminary Draft	Environmental Management	Rules and Regulations for Solid Waste Management Facilities and Organic Waste Management Facilities.	Amendment	15	Part of overall change to 3 solid waste regulations to update rules regarding statutes and changes in science.	NO, this regulation DOES NOT IMPACT small business	2020-08-04
Direct Final	Environmental Management	Rules and Regulations Governing the Suspension/Revocation	Amendment	1	The purpose of this amendment is to add the newly created license	NO, this regulation DOES NOT	2020-08-06

		of Commercial and Recreational Fishing Licenses				category, "Direct Sale Dealer License," to the RIDEM Division of Law Enforcement's enforcement regulation. This new license category was recently created by emergency regulation "PART 15 – Emergency Regulations – Direct Sale Dealer License" (250-RICR-90-00-15) and will also be made a permanent license category in "Part 2 - Commercial and Recreational Saltwater Fishing Licensing Regulations" (250-RICR-90-00-2) upon expiration of the emergency rule. Without amending the enforcement regulation to include this language, the Department would not have authority to enforce violations of a Direct Sales Dealer License.	IMPACT small business	
Direct Final	Historical Preservation and Heritage Commission	Rules and Regulations for the State Preservation Grants	Amendment	0	Regulation is being updated to 1) correct oversights and 2) to allow the Commission to award emergency grants in exceptional situations.	NO, this regulation DOES NOT IMPACT small business		2020-08-06
Preliminary Draft	Health	Certification of Public Drinking Water Supply Treatment and Public Water Supply Transmission and Distribution Operators	Amendment	2	Due to state of emergencies as declared by the governor, 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	NO, any small business impact is POSITIVE		2020-08-06

						that a supplier is not otherwise able to maintain water service.	
Emergency	Health	Enforcement of Certain COVID-19 Related Executive Orders	Amendment	0	To restrict the spread of COVID-19 and assure the public health, safety, and welfare by promoting compliance and deterring noncompliance with the Executive Orders.		2020-08-07
Emergency	Health	Safe Activities by Covered Entities During the COVID-19 Pandemic	Amendment	0	Establishing certain criteria for safe activity by and at certain entities in Rhode Island during the COVID-19 state of emergency in the interest of the public's health.		2020-08-07
Preliminary Draft	Executive Office of Health and Human Services	Self-Directed Care	Amendment	4	Access to personal care attendants	NO, this regulation DOES NOT IMPACT small business	2020-08-11
Preliminary Draft	Executive Office of Health and Human Services	Community Medicaid	Amendment	4	COVID and access to preventive level of care	NO, this regulation DOES NOT IMPACT small business	2020-08-11
Preliminary Draft	Executive Office of Health and Human Services	Medicaid Integrated Health Care Coverage, SSI Financial Eligibility Determinations	Amendment	4	SSA Compliance	NO, this regulation DOES NOT IMPACT small business	2020-08-11
Emergency	Human Services	Rhode Island Works Program Rules and Regulations	Amendment	1	COVID-19 and National / State Emergency		2020-08-12
Emergency	Health	Safe Activities by Covered Entities During the COVID-19 Emergency	Amendment	0	Establishing certain criteria for safe activity by and at certain entities in Rhode Island during the COVID-19 state of emergency in the interest of the public's health.		2020-08-13

Preliminary Draft	Executive Office of Health and Human Services	Self-Directed Care	Amendment	1	Outlining an assessment process	NO, any small business impact is POSITIVE	2020-08-18
Emergency	Health	Fee Structure for Licensing, Laboratory and Administrative Services Provided by the Department of Health	Amendment	1	To allow the state to recover some of the cost of testing for COVID-19 through insurance claims.		2020-08-19
Preliminary Draft	EastProvidenceWaterfrontCommission	East Providence Waterfront Commission Application and Processing Fees	Amendment	8	This proposed amendment updates existing development fee structures and what fees can be charged, corrects fee references, and includes fees for zoning amendments.	YES, there is ADVERSE IMPACT on small business (continue on to complete the requirements of RIGL § 42-35.1-3 and 1-4).	2020-08-20
Preliminary Draft	Administration	Rules of Practice and Procedure for Hearings on Complaints Issued by the State Equal Opportunity Administrator	Adoption	20	The reason for this regulatory action is to establish a procedure for the filing of complaints initiated by the State Equal Opportunity Administrator in accordance with R.I. Gen. Laws § 28-5.1-3.2, as well as to establish a process for the hearing of same.	NO, this regulation DOES NOT IMPACT small business	2020-08-20
Preliminary Draft	Administration	State of RI Equal Opportunity Office Rules and Regulations Concerning Hearings of Discrimination Complaints	Repeal	20	The reason for this regulatory action is to eliminate duplicative investigative actions between the RI Department of Administration, Division of Human Resources and the Office of Diversity, Equity and Opportunity (ODEO).	NO, this regulation DOES NOT IMPACT small business	2020-08-20
Emergency	Health	Safe Activities by Covered Entities	Amendment	0	To add a provision allowing the use of Hookah and Waterpipes		2020-08-21

Direct Final	Turnpike and Bridge Authority	Concerning Cash and Credit Card Toll Transactions	Adoption	0	These Rules and Regulations are intended to provide the public with information regarding the manner in which the Authority, in its discretion, may collect tolls by cash or credit card.	NO, this regulation DOES NOT IMPACT small business	2020-08-24
Emergency	Human Services	Child Care Center, Family Child Care Home and Group Family Child Care Home Licensing Changes Due to COVID-19	Adoption	0	COVID-19 and RI State of Emergency		2020-08-24
Emergency	Human Services	Supplemental Nutrition Assistance Program	Amendment	0	COVID-19		2020-08-25
Post-Comment Draft	Commerce Corporation	Rules and Regulations for the Rebuild Rhode Island Tax Credit Program	Amendment	0			2020-08-25
Post-Comment Draft	Health	Off Label Prescribing of Medications for COVID-19	Adoption	1	Establish conditions for permissible off-label prescribing to treat and/or prevent COVID-19.	NO, any small business impact is POSITIVE	2020-08-25
Post-Comment Draft	Education - Council of Elem and Sec Ed	Regulations Governing the Certification of Educators in RI	Amendment	7	- Establishes regulations to enact fast-track principal legislation - Expands grade span of certificates to address and support districts' needs - Addresses Dept. of Justice mandates for Providence in the area of English as a Second Language - Broaden a certification pathways allowing for greater flexibility in becoming RI certified	NO, this regulation DOES NOT IMPACT small business	2020-09-02
Emergency	Labor and Training	EMERGENCY REGULATIONS FOR THE WAIVER OF EMPLOYEES' AND	Adoption	0	These emergency rules and regulations: 1) add definitions which define the current potential threat to		2020-09-03

		EMPLOYERS' DUTIES AND OBLIGATIONS DURING A POTENTIAL HEALTH THREAT RELATED TO THE INFECTIOUS COVID-19 VIRUS PURSUANT TO TITLE 28 OF RHODE ISLAND GENERAL LAWS			the health, safety, or resources of the people of the state created by the infectious "SARS-CoV-2 virus" which causes "Coronavirus Disease-2019" (COVID-19) as a state of emergency; 2) waive the waiting periods for unemployment insurance and temporary disability insurance benefits; and 3) waive the certification by a qualified healthcare provider for temporary disability insurance benefits eligibility.		
Preliminary Draft	Coastal Resources Management Council	Management Procedures	Amendment	8	The proposed amendments will provide a lower application fee for small scale, low cost projects, and will provide for application fee waivers for non-federal dredging projects and coastal hazard resiliency projects that are associated with Army Corps funded projects. In addition, the proposed amendments will correct existing text and regulatory citations.	NO, this regulation DOES NOT IMPACT small business	2020-09-03
Emergency	Taxation	Withholding for Employees Working Remotely During the COVID-19 State of Emergency	Adoption	0	The purpose of these rules and regulations is to provide guidance to employers who have implemented remote working requirements for their employees, some of whom are performing services on behalf of their employer from a location outside the state where their employees were based prior		2020-09-09

					to the COVID-19 State of Emergency.	
Emergency	Environmental Management	Emergency Regulations Governing the Administration of Federal Fisheries Relief Funding Provided to the State of Rhode Island Under the CARES Act	Amendment	2	The purpose of these rules and regulations is to administer the \$3,267,923 allocation of federal fisheries relief provided to Rhode Island under Sec. 12005 of the CARES Act, P.L. 116-136 by expeditiously and equitably disbursing it in the form of direct payments to eligible fishery participants in the four sectors used by NOAA Fisheries to establish Rhode Island's allocation: commercial fishing, commercial aquaculture, seafood processing/wholesaling, and for-hire businesses.	2020-09-10
Emergency	Executive Office of Health and Human Services	Medicaid Long-Term Services and Supports Application and Renewal Process	Amendment	2	Access to care during COVID Emergency	2020-09-11
Emergency	Executive Office of Health and Human Services	Medicaid Long-Term Services and Supports Overview and Eligibility Pathways	Amendment	2	Access to care during COVID Emergency	2020-09-11
Emergency	Executive Office of Health and Human Services	Medicaid for Working People with Disabilities Program	Amendment	2	Access to care during COVID Emergency	2020-09-11
Emergency	Executive Office of Health and Human Services	Medicaid Managed Care Service Delivery Arrangements	Amendment	2	Access to care during COVID Emergency	2020-09-11
Emergency	Executive Office of Health and Human Services	Medicaid for Elders and Adults with Disabilities: Community Medicaid	Amendment	2	Access to care during COVID Emergency	2020-09-11
Emergency	Executive Office of Health and Human Services	Application and Renewal Process for IHCC Groups	Amendment	2	Access to care during COVID Emergency	2020-09-11

Emergency	Executive Office of Health and Human Services	Rlte Share Premium Assistance Program	Amendment	2	Access to care during COVID Emergency	2020-09-11
Emergency	Executive Office of Health and Human Services	Medicaid Managed Care Delivery Options	Amendment	2	Access to care during COVID Emergency	2020-09-11
Emergency	Executive Office of Health and Human Services	Medicaid Application and Renewal Processes	Amendment	2	Access to care during COVID Emergency	2020-09-11
Emergency	Executive Office of Health and Human Services	Medicaid Payments for Out-of-State Care	Amendment	2	Access to care during COVID emergency	2020-09-11
Emergency	Executive Office of Health and Human Services	Medicaid Payments and Providers	Amendment	2	Access to care during COVID emergency	2020-09-11
Emergency	Human Services	General Provisions	Amendment	0	COVID-19 and National / State Emergency	2020-09-15
Emergency	Environmental Management	Emergency Regulations – Direct Sale Dealer License	Amendment	0	To establish a temporary Direct Sale Dealer License to address, on a limited basis, the economic hardship faced by the commercial fishing and seafood industries as a result of the COVID-19 pandemic.	2020-09-15
Emergency	Human Services	General Public Assistance Program	Amendment	0	Due to a potential threat to public health and safety declared in the Emergency Executive Order as a result of COVID-19, the Department is waiving some requirements. As such, the provisions herein must be promulgated immediately.	2020-09-15
Post-Comment Draft	Health	Certification of Public Drinking Water Supply Treatment and Public Water Supply Transmission and Distribution Operators	Amendment	0		2020-09-15
Emergency	Health	Certification of Public Drinking Water Supply Treatment and Public Water Supply Transmission and Distribution Operators	Amendment	0	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	2020-09-17

						<p>this pandemic could cripple the water system. Thus RIDOH is relaxing certification requirements in the event taht a supplier is not otherwise able to maintain water service.</p>	
Emergency	Human Services	Office of Child Support Services	Amendment	0	<p>The IRS has determined that it will now assume that all injured spouses wish to claim their share of the COVID-19 stimulus intercept without filing the injured spouse form. The Department is concerned that the funds remitted to the custodial parent will be recouped from the State, leaving a deficit in the child support escrow account. Extending the period of hold will allow the R.I. State regulation to mirror the Federal regulation.</p>		2020-09-17
Emergency	Human Services	Child Care Assistance Program Rules and Regulations Due to COVID-19	Amendment	1	<p>COVID-19 and the RI State of Emergency</p>		2020-09-17
Emergency	Human Services	Family Child Care Home and Group Family Child Care Home Adjustments to Capacity During COVID-19	Adoption	2	<p>COVID-19 Crisis and the RI State of Emergency</p>		2020-09-17
Preliminary Draft	Health	Fee Structure for Licensing, Laboratory and Administrative Services Provided by the Department of Health	Amendment	1	<p>To increase the Newborn Testing fee in order to account for new conditions that newborns must be screened for. Create new fee schedules for COVID-19 testing that is provided by the state lab.</p>	<p>NO, any small business impact is POSITIVE</p>	2020-09-17

Emergency	Executive Office of Health and Human Services	Self-Directed Care (formerly The Personal Choice Program)	Amendment	0	access to care		2020-09-18
Emergency	Human Services	Child Care Assistance Rules and Regulations due to COVID-19	Adoption	7	Extending the existing Emergency Rule for the Child Care Assistance Program due to COVID-19 and the RI State of Emergency.		2020-09-18
Direct Final	Environmental Management	PART 6 – General Equipment Provisions	Amendment	12	Clarify rule language and add provision that all recreational nets must be constantly tended.	NO, this regulation DOES NOT IMPACT small business	2020-09-21
Preliminary Draft	Environmental Management	Part 2 – Commercial and Recreational Saltwater Fishing Licensing Regulations	Amendment	21	<ul style="list-style-type: none"> Correction to activity standard criteria for the issuance of a new license in instances of Incapacity (section 2.7.5(D)(1)(b)(2)): Rule incorrectly refers to “medical hardship”. A new license is only issued in instances of incapacity; a temporary “operator permit” is issued in instances of medical hardship. Change the activity standard criteria for the date that landings must have occurred from 2006 to 2010 for the issuance of new licenses in instances of incapacity (section 2.7.5(D)(1)(b)(2)): 2006 was adopted in 2016 due to reliability of reporting data since 2006 and to capture most recent 10 yrs. Updating rule to reflect the most recent 10 yrs. Clarify eligibility requirements regarding the issuance of a new license in instances of incapacity (section 	NO, any small business impact is POSITIVE	2020-09-21

2.7.5(E)(6)(a): Clarify that an activity standard must be met as a requirement for eligibility. The activity standard required per R.I. Gen Laws §20-2.1-5(5). • Add prioritization criteria for the issuance of new licenses and endorsements for veterans to account for fishing activity lost during active duty (section 2.7.5(G)(1)(f)): There is currently no mechanism to use prior history to meet the activity standard for prioritization and lottery for the issuance of new licenses and endorsements for veterans returning from active military service. • Clarify meaning of control dates for the soft-shell clam fishery and the purse seine/mid-water/pair trawl fisheries: Clarify that the established control dates are for the potential use in establishing eligibility criteria for future access to the fishery, but that no rule is currently in effect relative to the control date. This proposal does not establish a new or amend an existing control date. • Section 2.7.5(G): Other proposed amendments to this section other than the proposed amendment to section 2.7.5(G)(1)(e) are clarifications to the language

					<p>only, no actual changes to the requirements are proposed. • Direct Sale Dealer License (proposed new section 2.7.9(F)): o Background: • Rule adopted in April 2020 via emergency action in response to Covid-19. • Authorizes the direct sale of allowable finfish and crustacean species from the fisherman directly to consumers and licensed seafood retailers dockside from the vessel on which they were harvested. • Proposed rule establishes applicability, eligibility, general requirements, prohibited activities not authorized by the license, storage and handling requirements, reporting requirements, and fee. • Other non-substantive clarifications throughout rule.</p>	
Emergency	Health	Licensing of Nursing Facilities	Amendment	0	to allow criminal record check be completed within 30 days of employment during the state of emergency.	2020-09-23
Emergency	Human Services	Child Care Assistance Program - Temporary Rate Enhancements for Licensed Providers During COVID-19 Reopening	Adoption	0	COVID-19, the RI State of Emergency, and RI Executive Order 20-39	2020-09-24
Emergency	Human Services	General Public Assistance Program related to COVID-19	Adoption	0	The Department of Human Services is expanding some requirements during the	2020-09-24

						Novel Corona Virus to prepare for the increased need of GPA Burial Assistance.	
Emergency	Health	Pharmacist, Pharmacies, and Manugacturers, Wholesalers and Distributors	Amendment	0	To prevent delays in necessary actions to combat the COVID-19 emergency response related to pharmacy practices and procedures.		2020-09-28
Emergency	Health	Enforcement of Certain COVID-19 Executive Orders	Amendment	0	To restrict the spread of COVID-19 and assure the public health, safety, and welfare by promoting compliance and deterring noncompliance with the Executive Orders.		2020-09-28
Emergency	Health	Emergency Medical Services	Amendment	0	To allow EMS practitioners to collect specimens to test for the presence of COVID-19		2020-09-28
Emergency	Health	Licensing of Nursing Facilities	Amendment	18	To require nursing homes to test all personnel once every two weeks in order to prevent COVID-19 outbreaks.		2020-09-28
Emergency	Health	Licensing of Assisted Living Residences	Amendment	18	To require assisted living residences to test all personnel once every two weeks in order to prevent COVID-19 outbreaks.		2020-09-28
Post-Comment Draft	EastProvidenceWaterfrontCommission	East Providence Waterfront Commission Application and Processing Fees	Amendment	0			2020-09-28
Preliminary Draft	Environmental Management	Port Operations Regulations and Berthing Management System	Amendment	4	The purpose of this regulation is to align the regulations governing dockside sales at Pier 9 in Newport with the new, statewide licensing opportunities for direct sales	NO, this regulation DOES NOT IMPACT small business	2020-09-29

of seafood afforded by 250-
RICR-90-00-15. The
alignment addresses, on a
limited basis, the economic
hardships facing the RI
commercial and seafood
industry, and food
insecurities facing RI
consumers, by supporting
the development of new,
local supply chains for RI
seafood.