

**RHODE ISLAND GOVERNMENT REGISTER  
PUBLIC NOTICE OF PROPOSED RULEMAKING**

**DEPARTMENT OF BEHAVIORAL HEALTH, DEVELOPMENTAL DISABILITIES  
AND HOSPITALS**

**Title of Rule:** Rules and Regulations for Behavioral Healthcare Organizations

**Rule Identifier:** 212-RICR-10-10-01

**Rulemaking Action:** Proposed Adoption

**Important Dates:**

Date of Public Notice: 09/06/2018

Hearing Date: 09/18/2018

End of Public Comment: 10/06/2018

**Authority for this Rulemaking:**

R.I. Gen. Laws § 40.1-1-13(a)(12)

**Summary of Rulemaking Action:**

By this rulemaking, BHDDH is proposing to:

Adopt prevailing standards for the licensure and operation of facilities and programs providing behavioral health services for adults who are not in the custody of the Department of Children, Youth, and Families (DCYF), and/or substance use disorder services for children and adults.

**Additional Information and Comments:**

All interested parties are invited to request additional information or submit written or oral comments concerning the proposed adoption until October 6, 2018 by contacting the appropriate party at the address listed below:

Gail Theriault, Esq.

Department of Behavioral Health, Developmental Disabilities and Hospitals

BHDDH, Office of Legal Counsel

Hazard Building, 41 West Road, Room 2-41

Cranston, RI 02920

[gail.theriault@ohhs.ri.gov](mailto:gail.theriault@ohhs.ri.gov)

**Public Hearing:**

A public hearing, in accordance with R.I. Gen. Laws § 42-35-2.8, to consider the proposed adoption shall be held on September 18, 2018 at 3:00 pm at BHDDH, Arnold Conference Center, 111 Howard Ave., Regan Building, Bldg #60, Cranston, RI 02920 at which time and place all persons interested therein will be heard. The seating capacity of the room will be enforced and therefore the number of persons

participating in the hearing may be limited at any given time by the hearing officer, in order to comply with safety and fire codes.

The place of the public hearing is accessible to individuals who are handicapped. If communication assistance (readers/interpreters/captioners) is needed, or any other accommodation to ensure equal participation, please call 401-462-2317 or RI Relay 711 at least three (3) business days prior to the meeting so arrangements can be made to provide such assistance at no cost to the person requesting.

**Regulatory Analysis Summary and Supporting Documentation:**

Overall the proposed changes cover three (3) areas.

First, the most significant change to the regulations is that they have been modernized to conform with current practice, industry standards and best practice in the delivery of behavioral healthcare services. Person-centered, community-based themes and language were addressed throughout the document. Safety of consumers and staff was also a major focus.

The second significant focus is on clearly defining the types of services associated with the levels of care provided by licensed behavioral health organizations and ensuring alignment with best practice standards established by nationally recognized bodies.

The final significant changes were to remove redundancies and language that is non-regulatory in nature. The teams worked to ensure that rules were only stated once in the document, either in the licensing section of the regulations or in the BHO regulations if the content was specific to behavioral health. Policy statements were removed from the document to be addressed by the appropriate oversight authority. All language in the regulations that exceeds BHDDH's regulatory mandate was removed. The changes are documented and references are made on how those changes are addressed to maintain appropriate safeguards for the population served by these regulations.

BHDDH has determined through its internal work, the stakeholder process, and the benefit-cost analysis that the benefits of the proposed BHO regulations justify the costs, and that the proposed rule has greater net benefits than other regulatory alternatives.

For full regulatory analysis or supporting documentation see agency contact person above.