

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

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

**Title of Rule:** Rules and Regulations for the Licensing of Organizations and Facilities Licensed by the Department of Behavioral Healthcare, Developmental Disabilities and Hospitals

**Rule Identifier:** 212-RICR-10-00-1

**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 rehabilitation, support, and guidance for individuals with developmental and/or cognitive disabilities and behavioral health services for 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 1:00 pm at BHDDH Arnold Conference Center , 111 Howard Ave., Regan Building, Bldg #60, Cranston, RI 00292 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 two (2) areas.

First, the most significant change to the regulations is that BHDDH will no longer licensing individual I/DD services. Through regulations, BHDDH is licensing DDOs and BHOs (providers). Licensed providers will be approved to provide services by meeting certification standards. The regulation identifies how the certification standards are to be met and enforced. The most notable change to the status quo related to certification standards is around quality assurance/quality improvement and client safety considerations.

The other significant change is the consolidation and standardization of licensing and other general regulatory requirements across both BHOs and DDOs. Significant sections of the DDO and BHO regulations were moved to these Licensing Regulations and combined into standards that apply to both entities. For example, employee criminal background check and organizational ethical requirements have been standardized for all BHDDH licensed entities. The teams worked to ensure that rules were only stated once in the document. Often times, these requirements were adapted from current language that applied only to DDOs, and was made general so as to apply to both types of providers.

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