CONCISE EXPLANATORY STATEMENT

RULES AND REGULATIONS GOVERNING THE PRACTICES AND PROCEDURES BEFORE THE RHODE ISLAND DEPARTMENT OF MENTAL HEALTH, RETARDATION AND HOSPITALS

In accordance with the Administrative Procedures Act, R.I. Gen. Laws § 42-35-2.6, following is a concise explanatory statement:

AGENCY: RHODE ISLAND DEPARTMENT OF BEHAVIORAL HEALTHCARE, DEVELOPMENTAL DISABILITIES & HOSPITALS (BHDDH)

DIVISION: N/A

RULE IDENTIFIER: 212-RICR-XXX-XX-1747, ERLID 1747

RULE TITLE: RULES AND REGULATIONS GOVERNING THE PRACTICES AND PROCEDURES BEFORE THE RHODE ISLAND DEPARTMENT OF MENTAL HEALTH, RETARDATION AND HOSPITALS

REASON FOR RULEMAKING: Repeal of the rule. BHDDH will manage all appeals through the appeal process established by the Executive Office of Health and Human Services (EOHHS) rules and regulations at Appeals Process and Procedures for EOHHS Agencies and Programs, 210-RICR-10-05-2.

ANY FINDING REQUIRED BY LAW AS A PREREQUISITE TO THE EFFECTIVENESS OF THE RULE: N/A

TESTIMONY AND COMMENTS: The EOHHS process requires that each agency offer the party to the hearing Alternative Dispute Resolution Options which includes informal options for resolution within BHDDH. The process identified in these regulations has been implemented by BHDDH in accordance with the promulgated rule.

CHANGE TO TEXT OF THE RULE: There were no changes between the text of the rule as proposed and the text of the final rule.

REGULATORY ANALYSIS: In its determination to repeal this rule, BHDDH gave consideration to: 1) alternative approaches; 2) overlap or duplication with other statutory and regulatory provisions; and 3) significant economic impact on small business.

It was determined that repeal of the rule was the most appropriate course of action and would incur no additional costs.