

CONCISE EXPLANATORY STATEMENT

RULES AND REGULATIONS DISCLOSURE OF INFORMATION TO FAMILY MEMBERS OR OTHER CO-HABITANT CAREGIVERS

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-1160, ERLID 1160

RULE TITLE: RULES AND REGULATIONS DISCLOSURE OF INFORMATION TO FAMILY MEMBERS OR OTHER CO-HABITANT CAREGIVERS

REASON FOR RULEMAKING: This is a repeal of the rule. These regulations were promulgated before the enactment of the Health Insurance Portability and Accountability Act (HIPAA) on August 21, 1996. This set of regulations has become outdated because it outlines procedures that may be partly or wholly in violation of HIPAA.

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

TESTIMONY AND COMMENTS: No public comments were received on this repeal, therefore, no revisions have been implemented and no response regarding suggested revisions that were not implemented is required.

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.