

ADVANCE NOTICE OF PROPOSED RULEMAKING

DEPARTMENT OF CHILDREN, YOUTH, AND FAMILIES

Title of Rule: Residential Intervention Child Care Regulations for Licensure

Rule Identifier: 214-RICR-40-00-4

Rulemaking Action: Advance Notice of Proposed Rulemaking

Date of Public Notice: May 26, 2026

End of Public Comment: June 30, 2026

Rulemaking Authority

R.I. Gen. Laws § 40-13.2

R.I. Gen. Laws Chapter 42-72

R.I. Gen. Laws § 42-72.1

R.I. Gen. Laws § 42-72.9

Children's Health Act of 2000, 42 U.S.C. § 201

Advance Notice Details

Pursuant to R.I. Gen. Laws § 42-35-2.5, the Rhode Island Department of Children, Youth, and Families gives advance notice that it is considering amendments to the **Residential Child Care Regulations for Licensure, 214-RICR-40-00-4**.

The Department is considering revisions to update and modernize the current licensing regulations for residential child care providers. The existing regulation applies to residential placements licensed by the Department and currently uses terms such as "facility" and "residential facility." The draft revisions update the regulation title and terminology to refer to Residential Intervention Child Care Regulations for Licensure and to use "Residential Intervention" throughout the regulation.

Draft Status and Scope of Requested Comments

The draft regulation posted with this Advance Notice is a working draft intended to support early public review and feedback. The Department recognizes that additional editing will be needed before a formal Notice of Proposed Rulemaking is filed, including formatting, numbering, grammar, cross-references, email addresses, and other technical corrections.

At this stage, the Department is seeking substantive feedback on the proposed content, policy direction, licensing standards, definitions, operational requirements, and implementation considerations. Commenters are encouraged to focus on whether the draft provisions are clear, appropriate, feasible, and consistent with applicable requirements and current residential service needs.

The Department will continue to revise the draft for formatting, grammar, organization, and technical accuracy before filing any formal proposed rule. A formal redline version showing proposed amendments will be posted as part of the formal rulemaking process.

Areas Under Consideration

The Department is considering amendments that may include, but are not limited to:

1. **Updating terminology throughout the regulation** to replace or clarify outdated references such as “facility,” “residential facility,” “congregate care,” and similar terms, and to establish clearer terminology related to Residential Intervention programs.
2. **Updating definitions** to reflect current program models and licensing categories, including Residential Intervention, Psychiatric Residential Treatment Facility, Acute Residential Treatment Services, Assessment and Stabilization Centers, Semi-Independent Living Programs, specialized residential settings, and Commercial Sexual Exploitation of Children standards. The draft includes new and revised definitions for Residential Intervention, Baseline CSEC Standards, Specialized CSEC Standard Providers, and related terms.
3. **Clarifying licensing application, renewal, monitoring, variance, waiver, enforcement, and appeal requirements** for providers licensed by the Department.
4. **Updating staffing and supervision requirements**, including staff-to-young-person ratios, overnight supervision expectations, direct care staffing, PRTF staffing requirements, and requirements for staffing coverage during emergencies or crisis situations.
5. **Clarifying staff qualification, training, and personnel requirements**, including training related to trauma-informed care, crisis intervention, restraint and seclusion, child abuse and neglect reporting, confidentiality, cultural humility, CSEC, and PREA where applicable.
6. **Updating health, safety, privacy, and physical site requirements**, including supervision, overnight checks, use of cameras in common areas, motion detectors, door alarms, delayed-release systems, and safety-related documentation.
7. **Updating requirements related to restraint, seclusion, behavior management, and crisis intervention** to ensure consistency with the Children’s Right to Freedom from Restraint Act and the Children’s Health Act of 2000.
8. **Adding or clarifying standards related to Commercial Sexual Exploitation of Children**, including baseline and specialized CSEC standards, staff training, risk factors, prevention,

safety planning, response to running behavior, and services for young people who are at high risk of or have confirmed commercial sexual exploitation victimization.

9. **Clarifying nondiscrimination, privacy, dignity, and individualized care expectations** for young people served in Residential Intervention programs.
10. **Updating references to state agencies, related regulations, and current practice**, including references to the Department of Behavioral Healthcare, Developmental Disabilities and Hospitals, the Rhode Island Training School/Youth Development Center, the Office of the Child Advocate, Disability Rights Rhode Island, and other oversight entities where applicable.
11. **Adding and clarifying requirements for Psychiatric Residential Treatment Facilities (PRTFs)**, including licensing expectations, staffing and supervision requirements, accreditation and dual licensure considerations, Certification of Need and recertification requirements, plan of care requirements, reporting of serious occurrences, and coordination with applicable Medicaid, RIDOH, EOHHS, DCYF, and federal requirements.

Purpose of Advance Notice

The purpose of this Advance Notice is to gather feedback before the Department files a formal proposed rule. The Department is particularly interested in comments related to:

- Whether the proposed terminology is clear and appropriate;
- Whether the licensing categories and definitions reflect current residential service models;
- Whether the proposed staffing, supervision, training, and safety standards are clear and operationally feasible;
- Whether the proposed CSEC standards are appropriate for baseline and specialized residential settings;
- Whether any provisions may create implementation concerns for providers;
- Whether the proposed amendments create overlap, inconsistency, or conflict with other state or federal requirements; and
- Whether additional clarification is needed before the Department proceeds with formal rulemaking.

Public Comment

Interested persons may submit written comments, data, views, or arguments regarding the potential amendments.

Submit comments to:

Lori D'Alessio

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Division of Licensing & Resource Families

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Comment deadline: June 30, 2026, 5:00 PM

Comments received during this advance notice period will be reviewed and considered as the Department develops proposed regulatory language. After review of comments, the Department may proceed with a formal Notice of Proposed Rulemaking in accordance with the Rhode Island Administrative Procedures Act.