RHODE ISLAND GOVERNMENT REGISTER
PUBLIC NOTICE OF PROPOSED RULEMAKING

DEPARTMENT OF LABOR AND TRAINING

Title of Rule: Workers' Compensation Rules pursuant to 28-36-15 (Lack of Insurance) (260-RICR-50-05-10)

Rule Identifier: 260-RICR-50-05-10

Rulemaking Action: Proposed Amendment

Important Dates:

Date of Public Notice: February 16, 2024

End of Public Comment: March 18, 2024

Rulemaking Authority:

R.I. Gen. Laws §§ 28-29-1 et seq. and 28-36-15

Summary of Rulemaking Action:

The Rhode Island Department of Labor and Training ("Department")is promulgating amendments to its regulations for Workers' Compensation rulespertaining to lack of insurance under R.I. Gen. Laws § 28-36-15. This sectionof the state law covers the Department's enforcement powers in matters where anemployer fails to have workers' compensation insurance. The Department isproposing these changes to bring the regulations into conformance with the law.

Inaddition, the proposed revisions will also clarify in regulation that out ofstate employers with no Rhode Island employees, can operate in Rhode Island forsix (6) months with workers' compensation insurance issued by the employer'shome state that covers Rhode Island claims generally.

Additional Information and Public Comments:

All interested parties are invited to request additional information or submit written or oral comments concerning the proposed amendment until March 18, 2024 by contacting the appropriate party at the address listed below:

John Willumsen
Department of Labor and Training
1511 Pontiac Avenue
Cranston, RI 02920
john.willumsen@dlt.ri.gov

In accordance with R.I. Gen. Laws § 42-35-2.8, an oral hearing will be granted if requested by twenty-five (25) persons, by a governmental agency or by an association having at least twenty-five (25) members. A request for an oral hearing must be made within ten (10) days of the publication of this notice.

Regulatory Analysis Summary and Supporting Documentation:

Theregulation will clearly articulate the types of workers' compensation coverageneeded to perform work in Rhode Island on a temporary basis. Furthermore, itprotects Rhode Island employers from unfair competition from out of stateemployers by requiring out of state employers who work on a long-term basiswithin Rhode Island to acquire the same type of coverage required of RhodeIsland employers performing work in Rhode Island. Lastly and most importantly,it ensures protection for Rhode Island's workforce by ensuring that out ofstate employers who perform work in Rhode Island on a long-term basis, havecoverage that meets state law requirements, to which Rhode Island's workforceis accustom.

For full regulatory analysis or supporting documentation contact the agency staffperson listed above.