

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

**DEPARTMENT OF HEALTH**

**Title of Rule:** Pain Management, Opioid Use and the Registration of Distributors of Controlled Substances in Rhode Island (216-RICR-20-20-4)

**Rule Identifier:** 216-RICR-20-20-4

**Rulemaking Action:** Proposed Amendment

**Important Dates:**

Date of Public Notice: 05/17/2019

End of Public Comment: 06/17/2019

**Authority for this Rulemaking:**

R.I. Gen. Laws § 21-28-3.01

**Summary of Rulemaking Action:**

In accordance with R.I. Gen. Laws § 42352.7, notice is hereby given that the Rhode Island Department of Health (RIDOH) proposes to amend the rules and regulations for Pain Management, Opioid Use and the Registration of Distributors of Controlled Substances in Rhode Island (216-RICR20-20-4). RIDOH is proposing rulemaking to create requirements for eprescriptions, implement grammatical corrections and revise the use of several terms including MME and PDMP, eliminate definitions that are not utilized in the regulations or that are being replaced with updated terms, create definitions for electronic prescription, standing order, and substance use disorder, clarify mandatory PDMP review, clarify requirements for documentation of patient education regarding opioids, clarify requirements for ICD10 code equivalents as determined by RIDOH, revise/remove section titles, and correct references to other RIDOH regulations. Please see the attached Concise Statement of Nontechnical Amendments for a full description of all proposed revisions.

This posting is being made in order to extend the public comment period for the regulations originally posted on April 12, 2019. Accordingly, this posting is identical to the posting made on April 12, 2019, with the exception of the end date of the public comment period specified in this notice.

**Additional Information and Comments:**

All interested parties are invited to request additional information or submit written or oral comments concerning the proposed amendment until June 17, 2019 by contacting the appropriate party at the address listed below:

Paula Pullano  
Department of Health

3 Capitol Hill  
Room 410  
Providence, RI 02908-02908  
Paula.Pullano@health.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 an agency or by an association having at least twenty-five (25) members. A request for an oral hearing must be made within thirty (30) days of this notice.

**Regulatory Analysis Summary and Supporting Documentation:**

In the development of the proposed amendment, consideration was given to: 1) alternative approaches; 2) overlap or duplication with other statutory and regulatory provisions; and 3) significant economic impact on small business. No alternative approach, duplication, or overlap was identified based on available information. RIDOH has determined that the benefits of the proposed rule justify the costs of the proposed rule.

The two revisions that are expected to incur compliance costs, including requirements for electronic prescribing and voluntary nonopioid directive forms, are both substantially sourced from statute. Accordingly, RIDOH does not have discretion over the levying of such costs on the regulated community. Those revisions being implemented by RIDOH which are within the agency's discretion are not expected to incur costs to regulated stakeholders.

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