

## **CONCISE EXPLANATORY STATEMENT**

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

**AGENCY:** Rhode Island Department of Health

**DIVISION:** N/A

**RULE IDENTIFIER:** 216-RICR-50-15-11

**RULE TITLE:** Lead Training, Certification and Licensing

**REASON FOR RULEMAKING:** This regulation is being created to include all lead training and licensing rules and regulations originally found in the Lead Poising and Prevention regulation (216-RICR-50-15-3). The regulation also includes alignment with new Environmental Protection Agency and Housing and Urban Development standards and regulations regarding Lead Hazard Mitigation and Certificates of Lead Conformance, which authority to perform and/or enforce has been granted to RIDOH by the Housing Resource Commission.

**ANY FINDINGS REQUIRED BY LAW AS A PREEQUISITE TO THE EFFECTIVENESS OF THE RULE:** N/A

### **TESTIMONY AND COMMENTS:**

A comment was reviewed noting that EPA authorized states certain flexibilities due to a public health emergency. Proposed language in § 11.3.7(5)(a) could potentially be a contradiction to federal regulations. Therefore, RIDOH has removed such language and will follow federal guidance regarding any flexibility in regulations.

### **CHANGES TO THE TEXT OF THE RULE:**

11.3.7(5)(a) removed language regarding public health emergencies.

11.4.3(l)(1) added clarifying language regarding online training.

### **REGULATORY ANALYSIS:**

In development of this rule, 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 rule justify its costs.