

**STATE OF RHODE ISLAND
RHODE ISLAND DEPARTMENT OF HEALTH
CONCISE STATEMENT OF PROPOSED NON-TEHCNICAL AMENDMENTS
(AMENDMENTS TO EXISTING REGULATIONS)**

In accordance with the Administrative Procedures Act, R.I. Gen. Laws § 42-35-1.7(b)(8), the following is a concise statement of proposed non-technical amendments to *Licensing of Nursing Facilities (216-RICR-40-10-1)*

Amendment Coordinates	Rationale/Summary of Change
§ 1.1	<ul style="list-style-type: none"> Includes references to R.I. Gen. Laws § 23-17.5-32 and 23-17-33
§ 1.2(D)	<ul style="list-style-type: none"> Updates the Guidelines for Design and Construction of Residential Health, Care and Support Facilities form the 2014 edition to the 2018 edition
§ 1.2(M)	<ul style="list-style-type: none"> Incorporates by reference 42 C.F.R. § 483.10(c)(6)
§ 1.3(A)(11)	<ul style="list-style-type: none"> Creates definition of “declaration of disaster emergency”
§ 1.3(A)(13)	<ul style="list-style-type: none"> Revises the definition of “direct care nursing staff”
§ 1.3(A)(14)	<ul style="list-style-type: none"> Creates definition of “direct caregiver”
§ 1.3(A)(19)	<ul style="list-style-type: none"> Creates definition of “essential caregiver”
§ 1.3(A)(21)	<ul style="list-style-type: none"> Revises the definition of “health care facility”
§ 1.3(A)(24)	<ul style="list-style-type: none"> Creates definition of “hours of direct nursing care”
§ 1.3(A)(41)	<ul style="list-style-type: none"> Creates definition of “occupational therapist”
§ 1.3(A)(44)	<ul style="list-style-type: none"> Creates definition of “physical therapist”
§ 1.3(A)(45)	<ul style="list-style-type: none"> Creates definition of “physical therapist assistant”
§ 1.3(A)(47)	<ul style="list-style-type: none"> Revises the definition of “physician assistant”
§ 1.3(A)(57)	<ul style="list-style-type: none"> Creates definition of “speech-language pathologist”
§ 1.3(A)(63)	<ul style="list-style-type: none"> Creates definition of “vaccinated”

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§ 1.13.7	<ul style="list-style-type: none"> Creates new section for COVID-19 Practices and procedures
§ 1.13.7(A)	<ul style="list-style-type: none"> Provides procedures for testing unvaccinated residents, addressing residents who refuse or are unable to be tested for COVID-19, documenting testing of residents, and isolation and quarantine procedures for COVID-19 infected residents
§ 1.13.7(B)	<ul style="list-style-type: none"> Provides procedures for testing personnel – both vaccinated and unvaccinated and documenting personnel testing
§ 1.15(F)	<ul style="list-style-type: none"> Require all reports of alleged violation involving abuse, neglect, exploitation or mistreatment immediately
§ 1.15(G)	<ul style="list-style-type: none"> Require elopement of residents to be reported to the police and the Department within 24 hours
§ 1.15(H)	<ul style="list-style-type: none"> Require unscheduled implementation of fire/evacuation/disaster plan to be reported immediately
§ 1.15.6	<ul style="list-style-type: none"> Creates new section regarding essential caregivers during a declared emergency
§ 1.15.6(A)	<ul style="list-style-type: none"> The essential caregiver section applies 15 days after a declared disaster emergency and lasts until 60 days after the termination of disaster emergency
§ 1.15.6(B)	<ul style="list-style-type: none"> Require a resident to have an essential caregiver during the declaration of disaster emergency
§ 1.15.6(C)	<ul style="list-style-type: none"> Provides qualifications of the essential caregiver
§ 1.15.6(D)	<ul style="list-style-type: none"> Provides the safety measures that must be in place for essential caregivers
§ 1.15.6(E)	<ul style="list-style-type: none"> Provides procedures for the administration of essential caregivers
1.16.6	<ul style="list-style-type: none"> Revises title to include the phrase “and minimum staffing”
1.16.6(C)(1)	<ul style="list-style-type: none"> Require the staffing pattern to include registered nurses, licensed practical nurses, nursing assistants, medication technicians, licensed physical therapists, licensed occupational therapists, licensed speech-language pathologists, and physical therapist assistants
1.16.1(C)(2)	<ul style="list-style-type: none"> Require each nursing facility to include direct caregivers in the master plan of the staffing pattern.

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1.16.1(C)(5)	<ul style="list-style-type: none"> Require nursing facility to meet the quarterly minimum average specified in R.I. Gen. Laws § 23-17.5-32(c)(i)
1.16.1(C)(6)	<ul style="list-style-type: none"> Require nursing facility to meet the quarterly minimum average specified in R.I. Gen. Laws § 23-17.5-32(c)(ii)
1.16.6(C)(7) and (8)	<ul style="list-style-type: none"> Require nursing facilities to employ additional staff as needed to ensure quality resident care. Enforcement of minimum staffing will be done in accordance with statute.
1.16.7(A)(1)(5) and (6)	<ul style="list-style-type: none"> Require regular posting of direct staffing by profession and contact information to report violations of staffing.
1.17.1(B)	<ul style="list-style-type: none"> Require nursing facilities to implement an operational plan for Alzheimer disease or dementia for residents