

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

DEPARTMENT OF HEALTH

Title of Rule: Licensing of Nursing Facilities (216-RICR-40-10-1)

Rule Identifier: 216-RICR-40-10-1

Rulemaking Action: Proposed Amendment

Important Dates:

Date of Public Notice: January 5, 2022

Hearing Date: January 24, 2022

End of Public Comment: February 4, 2022

Rulemaking Authority:

R.I. Gen. Laws § 23-17-10

R.I. Gen. Laws § 23-17.5-32

R.I. Gen. Laws § 23-17.5-33

Summary of Rulemaking Action:

The Rhode Island Department of Health is proposing amendments to the regulation, Licensing of Nursing Homes in order to incorporate new references, add definitions for declaration of disaster emergency, direct care nursing staff, direct caregiver, essential caregiver, hours of direct nursing care, occupational therapist, physical therapist, physical therapist assistant, speech language pathologist, and vaccinated. The regulation also provides procedures for COVID-19 testing for residents and personnel; provides procedures for essential caregivers during a declared emergency; creates minimum staffing levels in accordance with statute; and requires implementation of an Alzheimer's disease plan.

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 February 4, 2022 by contacting the appropriate party at the address listed below:

Paula Pullano
Department of Health
3 Capitol Hill
Room 410
Providence, RI 02908
Paula.Pullano@health.ri.gov

Public Hearing:

A public hearing, in accordance with R.I. Gen. Laws § 42-35-2.5, to consider the proposed amendment shall be held at which time and place all persons interested therein will be heard. This hearing is subject to R.I. Gen. Laws Chapter 42-46, Open Meetings.

Public Hearing Information:

Date: January 24, 2022

Time: 4:00 P.M.

Location: 3 Capitol Hill RIDOH Auditorium
(Lower Level)
Providence, RI, 02908

The place of the public hearing is accessible to individuals with disabilities. If communication assistance (readers/interpreters/captioners) is needed, or any other accommodation to ensure equal participation, please call 401-222-3395 or RI Relay 711 at least three (3) business days prior to the meeting so arrangements can be made to provide such assistance at no cost to the person requesting. For questions regarding available parking, please contact the agency staffperson listed above.

Regulatory Analysis Summary and Supporting Documentation:

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.

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