

**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 *Licensure of Nursing Facilities* (216-RICR-40-10-1)

Amendment Coordinates	Rationale/Summary of Change
	<ul style="list-style-type: none"> • § 1.3(A) – Definitions <ul style="list-style-type: none"> ○ Revised the definition for (6) – "Change in operator" ○ Revised the definition for (7) – "Change in owner" ○ Revised the definition for (9) – "Controlling person" ○ Revised the definition for (18) – "Equity" ○ Added definition for (26) - "Lessee" ○ Added definition for (27) - "Licensee" ○ Added definition for (32) - "Management company" ○ Added definition for (40) - "Nursing facility" ○ Added definition for (45) - "Operator" ○ Added definition for (46) - "Owner" • § 1.6 – Added section (D) – "In accordance with R.I. Gen. Laws § 23-17-4(a), a person that owns real property that is being operated by another person as a nursing facility is acting severally or jointly with such other person to conduct or maintain such property as a nursing facility. Accordingly, real property that is being operated as a nursing facility may not be acquired or purchased by a person prior to the Department's review and approval of such transaction." • § 1.7(F)(1)(c) – added “, including maintenance, throughout the period of licensure, including all subsequent renewals, of the minimum equity position approved by the licensing agency at the time of initial licensure or change in effective control.” • § 1.7(F)(2)(a)(1) – added “and the maintenance of same by the licensee throughout the period of licensure, including all renewals thereof” • § 1.7.2(A) <ul style="list-style-type: none"> ○ (1) – added “The Department has authority to reject management agreements for failure to comply with nursing home regulations.” ○ (2) and (3) new sections added