

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

**DEPARTMENT OF HEALTH**

**Title of Rule:** Rules and Regulations for the Licensing of Kidney Disease Treatment Centers

**Rule Identifier:** 216-RICR-40-10-12

**Rulemaking Action:** Proposed Amendment

**Important Dates:**

Date of Public Notice: October 4, 2023

End of Public Comment: November 3, 2023

**Rulemaking Authority:**

R.I. Gen. Laws § 23-17- 10

**Summary of Rulemaking Action:**

The Rhode Island Department of Health (RIDOH) is proposing to revise § 12.5.8(C) of the Rules and Regulations for the Licensing of Kidney Disease Treatment Centers (216-RICR-40-10-12) to align more closely with the Interpretive Guidelines of the Centers for Medicare and Medicaid Services ("CMS"). CMS aligns the number, timing, and frequency of home visits with patients' individual needs.

These amendments are being promulgated in response to a petition for regulatory action from a member of the public.

The regulatory changes proposed in this filing are identical to the regulatory language currently in effect as of MM/DD/YYYY. The effective version was originally noticed for public comment on MM/DD/YYYY. During that public comment period, a technical error within the RICR system may have prevented comments submitted through RICR's attachment field from being received by the agency. Any comments submitted directly through RICR's text box option (with no attachments) or submitted directly to the agency were processed successfully.

As a result of the technical error, the agency is repromulgating the regulatory changes (effective as of MM/DD/YYYY) to ensure that the public has full access to submit public comments as originally intended. The regulatory language included in this notice redlines changes made in the most recent promulgation. The agency is noticing these changes for additional public comment.

**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 November 3, 2023 by contacting the appropriate party at the address listed below:

Zachary Garceau  
Department of Health  
3 Capitol Hill  
Providence, RI 02908  
zachary.garceau@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 a governmental agency or by an association having at least twenty-five (25) members. A request for an oral hearing must be made within ten (10) days of the publication of this notice.

**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.

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