

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

**DEPARTMENT OF HEALTH**

**Title of Rule:** Licensing Home Nursing Care Providers and Home Care Providers (216-RICR-40-10-17)

**Rule Identifier:** 216-RICR-40-10-17

**Rulemaking Action:** Proposed Amendment

**Important Dates:**

Date of Public Notice: December 7, 2023

End of Public Comment: January 6, 2024

**Rulemaking Authority:**

R.I. Gen. Laws §§ 23-17-10 and 23-17-42

**Summary of Rulemaking Action:**

The Rhode Island Department of Health (“RIDOH”; “The Department”) is proposing to amend “Licensing Home Nursing Care Providers and Home Care Providers” [216-RICR-40-10-17] in order to bring these regulations into conformity with current statutory requirements.

**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 January 6, 2024 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](mailto: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:**

The proposed regulation will expand access to home nursing care and home care by allowing additional qualified clinicians, such as a physician assistant or advance practice registered nurse, to prescribe home nursing care or home care to patients as well as attend to patients. This expansion will allow greater access to home nursing care and home care and is not anticipated to incur costs beyond prescribed treatment.

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.