CONCISE EXPLANATORY STATEMENT

In accordance with the Administrative Procedures Act, R.I. Gen. Laws § 42-35-2.6, the following is a concise explanatory statement:

AGENCY: Rhode Island Department of Health

DIVISION: N/A

RULE IDENTIFIER: 216-RICR-40-10-10

RULE TITLE: Licensing Nursing Service Agencies

REASON FOR RULEMAKING:

The Rhode Island Department of Health ("RIDOH"; "The Department") is proposing to amend Licensing Nursing Service Agencies (216-RICR-40-10-10) to implement the required provisions of Public Law 23-102.

In addition to the requirements of the statute, RIDOH is proposing the following amendments:

- Requiring RIDOH to provide a notice of all deficiencies reported as a result of an inspection or investigation, and
- Requiring that if an employee has been found to have a quality-of-care violation or substandard quality of care deficiency, the nursing service agency must provide re-education pursuant to the nursing service agency's policy on training, including a re-evaluation of competency. The re-education must also be documented in the employee's personnel file.

ANY FINDINGS REQUIRED BY LAW AS A PREEQUISITE TO THE EFFECTIVENESS OF THE RULE: N/A

TESTIMONY AND COMMENTS:

RIDOH did not receive any public comments on the proposed amendments.

CHANGES TO THE TEXT OF THE RULE:

No additional changes have been made to the regulations that were proposed for public comment.

REGULATORY ANALYSIS:

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.