

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: Division of Healthcare Quality and Safety

RULE IDENTIFIER: 216-RICR-40-05-14

RULE TITLE: Veterinarians

REASON FOR RULEMAKING: The Rhode Island Department of Health is proposing to amend "Veterinarians" [216-RICR-40-15-14] to fulfill the provisions of R.I. Gen. Laws Chapter 4-9.1 "Donation of Medications for Use by Nonprofit, State, and Local Facilities," to incorporate the American Veterinary Medical Association's Code of Ethics, and to conform to RIDOH regulatory drafting procedures.

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

TESTIMONY AND COMMENTS:

RIDOH received a question regarding § 14.10.4(D)(1)(c). The commenter asked "[this section] appears to indicate that the veterinary hospital that receives the donation from a patient/client is the entity responsible for logging and tracking that received medication as is the receiving non profit entity. Those medications are transported by a veterinary volunteer to the non profits. We'd like to confirm that the person who couriers the medication (transporter) is not also logging the donated medications." To address this question, RIDOH has added § 14.10.4(E) which reads "When re-donating any donated drugs, an inventory of all re-donated drugs must be prepared by the donor and acknowledged by the recipient. A copy of the inventory of all drugs being re-donated must accompany the transfer of said drugs. The recipient of the drugs must verify that the received drugs match the inventory. A copy of the inventory must be maintained by both the donor and recipient."

CHANGES TO THE TEXT OF THE RULE: As noted above, § 14.10.4(E) was added in response to the comment that was received.

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.