

**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 § 42-35-2.7(b)(8), the following is a concise statement of proposed non-technical amendments *Healthcare Quality Reporting Program (216-RICR-10-10-7)*

<b>Section</b>	<b>Rationale/Summary of Change</b>
<b>Universal</b>	Changed “these regulations” to “this Part”
<b>Universal</b>	Changed he/his to they/their
<b>Universal</b>	Changed “must” to “shall”
<b>6.1.1</b>	Updated language to read “This Part is adopted pursuant to R.I. Gen. Laws § 21-14-3” and updated the date of the National Shellfish Sanitation Program’s Guide for Control of Molluscan Shellfish to 2023.
<b>6.1.2</b>	Updated language to read “This Part establishes minimum sanitary requirements for the conduct of molluscan shellfish business and the sanitary quality of shellfish sold and distributed to the public.”
<b>6.1.4</b>	<p>Added incorporated reference section and incorporated the following:</p> <p>A) 21 C.F.R. § 123.6 (1997)  B) 21 C.F.R. § 123 (2017)  C) National Shellfish Sanitation Program’s Guide for Control of Molluscan Shellfish (2023)  D) 21 C.F.R. § 161.130 (2017)  E) Federal Fair Packaging and Labeling Act, 15 U.S.C. §§ 1451-1461 (1967)  F) Jenkins, David, Joseph J. Connors, and Arnold E. Greenberg, Standard Methods for the Examination of Water and Wastewater. Washington, D.C: American Public Health Association (1981)</p> <p>Added citations throughout the regulations.</p>
<b>6.2(A)</b>	<p>Removed the following definitions:</p> <ul style="list-style-type: none"> <li>• (8) ‘Critical deficiency’</li> <li>• (20) ‘Key deficiency’</li> <li>• (23) ‘Other deficiency’</li> <li>• (33) ‘Secondary dealer’</li> </ul> <p>Revised the following definitions:</p> <ul style="list-style-type: none"> <li>• (7) ‘Critical control point’ reworded for clarity</li> <li>• (11) ‘Director’ revised to read “means the Director of the Rhode Island Department of Health or their designee.”</li> <li>• (15) – HACCP – Revised formatting for clarity</li> <li>• (24) ‘Processing’ changed to a signpost to the statutory definition.</li> <li>• (27) ‘Repacking shellfish’ changed to ‘Repacking’</li> </ul>

	<ul style="list-style-type: none"> <li>• (31) 'Shellfish business' changed to a signpost to the statutory definition.</li> </ul>
<b>6.3(B)</b>	<ul style="list-style-type: none"> <li>• Changed "until that person shall have obtained a license from the Department" to "without a valid license issued by the Department"</li> <li>• Removed "in some instances"</li> </ul>
<b>6.3(C) and (E)</b>	Updated the date of 21 C.F.R. Part 123 to 2017
<b>6.3(D) 6.3.2(B)</b>	Removed "the Act and"
<b>6.3(E)</b>	<ul style="list-style-type: none"> <li>• Changed "wants to be" to "is seeking licensure as"</li> <li>• Corrected date of reference to 2017.</li> </ul>
<b>6.3(G)</b>	Changed "January 1 <sup>st</sup> " to "the first (1 <sup>st</sup> ) day of January"
<b>6.3.4(A)</b>	<ul style="list-style-type: none"> <li>• Changed date of "National Shellfish Sanitation Program's Guide for Control of Molluscan Shellfish" to 2023.</li> <li>• Removed URL to the above-mentioned document</li> </ul>
<b>6.4.1(A)(2)</b>	Changed "licensing" to "a license"
<b>6.4.1(B)(1)(b) and (2)</b>	Reworded for clarity.
<b>6.4.1(B)(2)(b)(5)</b>	Changed 250-RICR-90-00-4 to hyperlink reading "Shellfish Harvest Area Tagging Map"
<b>6.4.1(B)(2)(b)(6)</b>	Changed "cross" to "across"
<b>6.4.1(B)(2)(b)(9)</b>	Updated reference to the FDA Food Code to 2022 version.
<b>6.4.1(E)(1)</b>	Updated reference to the FDA Food Code to 2022 version.
<b>6.4.1(E)(2)</b>	Changed "this section of the Regulation" to "§ 6.4.1(E) of this Part."
<b>6.4.1(E)(2)(a)</b>	Added "number"
<b>6.4.1(E)(4)</b>	Updated the date of 21 C.F.R. § 161.130
<b>6.4.1(E)(5)(a)</b>	Changed "will" to "shall"
<b>6.4.1(E)(6)(b)(1)</b>	Changed "number of the day of the year" to "Julian format or"
<b>6.4.1(E)(6)(b)(2)</b>	Changed "include the year" to "the year should be added to the month and day of the month if using the non-Julian format"
<b>6.4.1(F)</b>	Changed "dealer (SP, RP)" to "SP or RP"
<b>6.4.1(G)(2)(b)</b>	Spelled out "Food and Drug Administration" and added "and vomitus"
<b>6.4.1(G)(2)(c)(4)</b>	Added "and"
<b>6.4.2(F)(3)(d)</b>	Added "and,"
<b>6.4.2(I)(2)(b)</b>	Changed "within" to "with"
<b>6.4.2(J)</b>	Added "shall"
<b>6.4.2(J)(9)</b>	Changed internal citation to point to the correct location
<b>6.4.3(D)(1)(b)</b>	Moved "and," to (c)
<b>6.4.3(F)(2)(c)</b>	Added "and,"
<b>6.4.3(K)(4)</b>	Changed "Health Department" to "the Department"
<b>6.4.4(B)</b>	Added "or"

<b>6.4.4(E)(3)</b>	Reworded for clarity
<b>6.4.4(G)</b>	Removed “and,”
<b>6.4.4(H)(2)(a)</b>	Moved “and,” to (b)
<b>6.4.4(J)(1)(I)</b>	Changed “Authority” to “Department”
<b>6.4.4(K)(1)(a)</b>	Moved “and,” to (b)
<b>6.4.5(A)(4)</b>	Updated internal citation
<b>6.4.5(F)(1)(b) and (d)</b>	Reworded for clarity
<b>6.4.5(F)(3)(c)</b>	Added “and,”
<b>6.4.5(G)(3)(c)(3)</b>	Added “and,”
<b>6.4.6(A)(1)</b>	Changed date of FDA Model Ordinance from 2019 to 2023 and updated URL.
<b>6.4.6(E)(2)</b>	Revised R.I. Gen. Laws citation
<b>6.4.7(B)(1)(b)</b>	Added “that has:”
<b>6.4.8(A)(2)</b>	Reworded for clarity
<b>6.4.11</b>	Changed header to “Wet Storage”
<b>6.4.11(B)(8)(a)</b>	Changed “shellstock” to “shellfish”
<b>6.4.11(C)</b>	Deleted section and all references in regulations to this section.
<b>6.4.11(D)(2)</b>	Reorganized section for clarity
<b>6.4.11(D)(3)(a)(6)</b>	Changed date of National Shellfish Sanitation Program (NSSP) model regulations from 2019 to 2023.
<b>6.5(I)</b>	Changed “Subchapter” to “Title”