

**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)*

Section	Rationale/Summary of Change
Universal	Changed “these regulations” to “this Part”
Universal	Changed he/his to they/their
Universal	Changed “must” to “shall”
6.1.1	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.
6.1.2	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.”
6.1.4	<p>Added incorporated reference section and incorporated the following:</p> <ul style="list-style-type: none"> 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>Added citations throughout the regulations.</p>
6.2(A)	<p>Removed the following definitions:</p> <ul style="list-style-type: none"> • (8) ‘Critical deficiency’ • (20) ‘Key deficiency’ • (23) ‘Other deficiency’ • (33) ‘Secondary dealer’ <p>Revised the following definitions:</p> <ul style="list-style-type: none"> • (7) ‘Critical control point’ reworded for clarity • (11) ‘Director’ revised to read “means the Director of the Rhode Island Department of Health or their designee.” • (15) – HACCP – Revised formatting for clarity • (24) ‘Processing’ changed to a signpost to the statutory definition. • (27) ‘Repacking shellfish’ changed to ‘Repacking’

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

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