

**State of Rhode Island  
Department of Revenue  
Division of Taxation**

**Concise Explanatory Statement**

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

The purpose of proposed Regulation 280-RICR-20-55-15 is to implement R.I. Gen. Laws §§ 44-30-101 and 44-30-102 which provide for the imposition of an individual health insurance mandate, a shared responsibility payment penalty, and reporting requirements for applicable entities providing minimum essential coverage. This regulation clarifies the tax-related process and procedures for the Rhode Island individual health insurance mandate.

Pursuant to R.I. Gen. Laws § 42-35-2.6(1), the Division of Taxation received and considered comments during the comment period. All comments as well as responses, which include reasons for accepting or not accepting arguments made in testimony and comments, are enclosed.

Pursuant to R.I. Gen. Laws § 42-35-2.6(2), changes to the text of the proposed regulation, as well as the reasons for such changes, are as follows:

- Section 15.6(H): Added a hyphen between “Part” and “year” to read “Part-year resident” to be consistent with tax forms and the rest of the regulation;
- Sections 15.7(B)(1) and (2): Removed the word “has” and replaced it with “had” to indicate that minimum essential coverage is required for the prior year;
- Section 15.7(C)(4): Added “the minimum essential coverage requirement and/or” to match the same language in Section 15.7(C)(2);
- Section 15.9(A): Added R.I. Gen. Laws § 44-30-102(d) to the first two sentences because this paragraph applies to both R.I. Gen. Laws § 44-30-102(d) and R.I. Gen. Laws § 44-30-102(e). Removed the word “any” because it was extraneous. Added “or by a date as may be determined by the Tax Administrator” to be consistent with Rhode Island Gen. Laws §§ 44-30-102(c), 44-30-102(d)(1)(iii), and 44-30-102(e)(1) regarding the report filing date.
- Sections 15.9(B) and 15.9(C): Switched the positions of these paragraphs so that previous Section 15.9(B) is now Section 15.9(C) and previous Section 15.9(C) is now Section 15.9(B). These sections were switched to follow the order of their corresponding statute sections: current Section 15.9(B) corresponds to R.I. Gen. Laws § 44-30-102(d) and current Section 15.9(C) corresponds to R.I. Gen. Laws § 44-30-102(e). In the first

sentence of current Section 15.9(B), changed the reference from “R.I. Gen. Laws § 44-30-102(e)” from previous Section 15.9(C) to “R.I. Gen. Laws § 44-30-102(d)” since that is the statute section to which Section 15.9(B) now corresponds.

- Section 15.9(C): Removed the word “return” and replaced it with “report” to more clearly distinguish between tax returns and the reports required by R.I. Gen. Laws § 44-30-102. Using the term “report” here provides for more consistency within the regulation since “return” typically refers to a tax return. Removed the last sentence and added “and the information included in the report with respect to the individuals listed thereupon” to more closely align with R.I. Gen. Laws § 44-30-102(e)(1).

Pursuant to R.I. Gen. Laws § 42-35-2.6(3), the Regulatory Analysis is enclosed with this statement.

In the development of the proposed regulation, consideration was given to: (1) alternative approaches; (2) overlap or duplication with other statutory and regulatory provisions; and (3) whether the regulation, in and of itself, would have significant economic impact on small businesses. No alternative approach, duplication, or impact was identified based upon available information.

This regulation shall take effect twenty (20) days after filing with the Secretary of State’s Office.