

210-RICR-10-05-7

## **TITLE 210 - EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES**

### **CHAPTER 10 - EOHHS GENERAL PROVISIONS**

#### **SUBCHAPTER 05 – CONSUMER RIGHTS, RESPONSIBILITIES, AND PROTECTIONS**

##### **Part 7 – Conduct of Public Hearings**

### **7.1 Purpose**

The purpose of this rule is to establish a defined set of procedures for the conduct of public hearings regarding proposed rulemaking by the Rhode Island Executive Office of Health and Human Services.

### **7.2 Authority**

This regulation is promulgated pursuant to the authority granted in R.I. Gen. Laws § 42- 35-2(a)(4).

### **7.3 Definitions**

#### **A. For the purpose of this regulation:**

1. “Executive Office of Health and Human Services” or “EOHHS” means the state agency that is designated under the Medicaid State Plan as the single state agency responsible for the administration of the Title XIX Medicaid Program.
2. “Member of the public” means any individual, firm, business, corporation, association, partnership or other group.
3. “Presiding EOHHS official” means the employee conducting the public hearing.
4. “Public hearing” means the convening of members of the public and agency personnel for the purpose of obtaining public comment on proposed rulemaking.
5. “Proposed rulemaking” means a proposed new rule, proposed amendment to a rule, or proposed repeal of a rule as noticed pursuant to R.I. Gen. Laws § 42-35-2.7.

## **7.4 Procedure for Conduct of Public Hearings**

### **A. Convening of a Public Hearing**

1. Public hearings may be held at the election of the agency or as required pursuant to R.I. Gen. Laws § 42-35-2.8(c).
2. Notice of public hearings shall be issued in accordance with the provisions of R.I. Gen. Laws §§ 42-35-2.8 and 42-46-6, when applicable.
3. The public hearing shall be held at a time and place designated by the EOHHS.

### **B. Transcription**

1. The public hearing shall be transcribed by a stenographer or audio recorded.
2. For public hearings, any official transcript, recording, or memorandum summarizing presentations prepared by an agency official shall be made part of the rulemaking record in accordance with R.I. Gen. Laws § 42-35-2.3(b)(5).

### **C. Testimony**

1. Oral Testimony
  - a. Members of the public may make oral testimony during the meeting.
  - b. Members of the public who wish to make oral testimony during the meeting are requested to sign their name on the speaker list. Members of the public will be called to testify in the order in which their names appear on the speaker list.
2. Written Testimony
  - a. Written testimony must be submitted via e-mail, fax, hand delivery or regular mail to: EOHHS, Medicaid Policy Office, Virks Building, 3 West Road, Room 315, Cranston, RI 02920.

### **D. Disruptive Conduct**

1. Members of the public attending the public hearing shall not cause disruptions, including but not limited to: screaming, loud noises, and disorderly gesticulations, that interrupt or distract from the testimony of

other members of the public or from the ability of the presiding EOHHS official to conduct the public hearing.

**210-RICR-10-05-7**

**TITLE 210 - EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES**

**CHAPTER 10 - EOHHS GENERAL PROVISIONS**

**SUBCHAPTER 05 - CONSUMER RIGHTS, RESPONSIBILITIES, AND PROTECTIONS**

**PART 7 - Conduct of Public Hearings (210-RICR-10-05-7)**

Type of Filing: Adoption

Effective Date: 03/16/2018

Editorial Note: This Part was filed with the Department of State prior to the launch of the Rhode Island Code of Regulations. As a result, this digital copy is presented solely as a reference tool. To obtain a certified copy of this Part, contact the Administrative Records Office at (401) 222-2473.