State of Rhode Island and Providence Plantations

Department of State | Office of the Secretary of State

Nellie M. Gorbea, *Secretary of State*

Rules and Regulations Filing Form

1. Agency Name and Address

Behavioral Healthcare, Developmental Disabilities and Hospitals, Department of
Barry Hall, 14 Harrington Rd., Cranston, RI 02920

2. Title of Rule

Rules and Regulations for Licensing Agencies Providing Services to Adults with Developmental Disabilities - Part II Developmental Disability Organizations

3. Statutory Source of Authority

RIGL 40.1-24-1

4. Concise Explanatory Statement - §42-35-2.3

These regulations shall repeal and supersede any prior rules, regulations, standards, and certifications relating to the licensure of facilities and programs for adults with developmental disabilities promulgated by the Department of Mental Health, Retardation, and Hospitals, however named. The purpose of the proposed Regulations is to establish prevailing standards for the licensure and certification of agencies and programs that provide services to adults with disabilities in Rhode Island. These regulations are promulgated to ensure that agencies comply with prevailing standards in providing support and assistance to adults with developmental disabilities. They are promulgated in the best interest of health, safety, and welfare of the public. As a result of the comments received during the public hearing on July 1, 2011 and the written comments collected until July 6, 2011, BHDDH has made technical revisions to the proposed regulations to fix typographical errors and make several clarifications. In addition, Part V Health Care Services has been revised to reflect the original intent of the drafters to comply with the Nurse Practices Act. Finally, to comply with recently enacted state laws, specifically RIGL 40.1-21-4.3(7) and RIGL 40.1-26-2(29), these regulations now refer to quarterly resource allocations.

5. Type of Filing

Emergency Rules

A1. Emergency 120-day initial - §42-35-3(b)
☐ Adoption
☐ Amendment of ERLID:
☐ Repeal of ERLID:

A2. Emergency 90-day renewal - §42-35-3(b)
☐ Adoption
☐ Amendment
Indicate ERLID of 120-day initial:

Brief Statement of Reason for Finding Imminent Peril §42-35-3(b)(2):

Final Rules

☐ B1. Amendment ☐ B2. Adoption ☐ B3. Repeal ☑ C. Technical Revision

Supersedes ERLID: 6490

If B1 or C, please indicate new, amended, deleted, or revised sections:
This technical revision is offered for the ease and convenience of identifying the specific topics related to services for adults with developmental disabilities.

6. Notice and Hearing Information

Date of Public Notice - §42-35-3(a)(1):Notice Not Required
Date of Public Hearing - §42-35-3(a)(2):Hearing Not Required
End of Comment Period:

7. Agency Additional Information - Web Page

http://www.bhddh.ri.gov

8. Certification

I hereby certify that the attached rules and regulations were adopted in accordance with the Administrative Procedures Act (42-35) and that they are true copies of this Department, attest,

Name

Notary Public

_____

Title

Subscribed and sworn before me
this_____ day of _____, _____

ERLID#: 6517