



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

Health, Department of
 Cannon Building

2. Title of Rule

Rules and Regulations Pertaining to Immunization, Testing, and Health Screening for Health Care Workers [R23-17-HCW]

3. Statutory Source of Authority

RIGL Chapters 23-17 and 23-17.7.1

4. Concise Explanatory Statement - §42-35-2.6

The new regulations differ from the existing regulations in that all health care workers in health care facilities must now be vaccinated against annual seasonal influenza each year, unless they obtain a medical exemption or sign a refusal form to be submitted to the health care facility in which they are employed or volunteering. Those who remain nonimmunized against flu must wear a surgical face mask when the Director of Health declares that a period of widespread flu exists and the facility in which the worker is employed is covered by this declaration. Those who fail to wear a surgical face mask during direct patient contact during a declared period of widespread flu shall be subject to a \$100 fine and to disciplinary action against their professional license. Also, by January 1, 2014, all health care workers must obtain the TDaP vaccine against tetanus, diphtheria and pertussis if they have not previously had one. Rules about other vaccinations were amended for clarification.

5. Type of Filing

Emergency Rules

A1. Emergency 120-day initial - §42-35-2.10

- Adoption
 Amendment of ERLID:
 Repeal of ERLID:

A2. Emergency 60-day renewal - §42-35-2.10

- Adoption
 Amendment
 Repeal

Indicate ERLID of 120-day initial:

Brief Statement of Reason for Finding Imminent Peril §42-35-2.10:

Final Rules

B1. Amendment - §42-35-3(a)

B2. Adoption - §42-35-3(a)

B3. Repeal - §42-35-3(a)

C. Technical Revision

D. Direct Final Rule - §42-35-2.11

Supersedes ERLID: 4465

If B1 or C, please indicate new, amended, deleted, or revised sections:

Section 6.0 has been deleted and Section 5.0 has undergone a major rewrite. Other changes throughout the regulations

6. Notice and Hearing Information

Date of Public Notice - §42-35-2.8:08/21/2012

Date of Public Hearing - §42-35-2.8:09/21/2012

End of Comment Period - §42-35-2.8 :09/17/2012

7. Agency Additional Information - Web Page

http://

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

Subscribed and sworn before me
 this _____ day of _____, _____

Title

ERLID#: 7083