



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 Opioid Overdose Reporting [R23-1-OPIOIDR]

**3. Statutory Source of Authority**

RIGL Chapter 23-1

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

The Department finds that there is imminent peril to the public health, safety and welfare and that these emergency regulations should be adopted to protect the public health. Specifically the Department finds that: 1. Rhode Island is in the midst of a severe prescription and street-drug overdose crisis. There have been over seventy (70) opioid-related deaths since the start of 2014 in communities all over Rhode Island. Many of these deaths are directly related to the use of fentanyl and heroin, which are opioids. Legal prescriptions for opioids, particularly oxycodone and hydrocodone, have increased in Rhode Island during recent years. 2. The use of oxycodone and other narcotic painkillers, often as a route to heroin addiction, has been on the rise for the last few years in Rhode Island. In promulgating these Regulations the Director finds that it is necessary to public health to attack the abuse of oxycontin, heroin and other opioids in Rhode Island with the same reporting requirements and rigor directed towards controlling the spread of other epidemics and diseases. The gathering of clinical data concerning all overdoses in Rhode Island is the cornerstone of public health, and will inform policy decision and evidence-based practice by identifying risk factors for overdose and targets for access to substance abuse treatment. 3. Under these Regulations, health care professionals and hospitals shall be required to report all opioid overdoses or suspected overdoses to the Department within a forty-eight (48) hour time period. The reporting requirement is immediately necessary to combat the increase in opioid overdoses, reduce overdose deaths and assist individuals already addicted to access recovery and treatment. The reporting data will assist the State in identifying and mapping long-term solutions to ending widespread opiate abuse in the State. Further, the collected information will enable the Department to further understand the burden of the epidemic, the number of lives potentially saved by the use of naloxone by community bystanders, first responders and EMS. At present the only information available concerns opioid-related overdose deaths. To address and fully understand the impact of this public health epidemic the Department needs to understand the risk factors for death among those with similar exposures. This will enable the Department to understand risk factors for death among those with similar exposures or evaluate the potential benefits of programs put in place to respond to the epidemic [e.g. use of intranasal naloxone by EMS-Basics, Police, and harm reduction coalitions, the Good Samaritan Law, and OTC Naloxone (Narcan)]. 4. The Department recently issued Rules and Regulations Pertaining to Opioid Overdose Prevention [R23-1-OPIOID] as emergency regulations. These new Rules and Regulations Pertaining to Opioid Overdose Reporting [R23-1-OPIOIDR] compliment and further the intent of the emergency Rules and Regulations Pertaining to Opioid Overdose Prevention by requiring health care professionals and hospitals to include in their reports whether Naloxone (Narcan) was administered, the total dosage and the patient response.

**5. Type of Filing**

| <b>Emergency Rules</b>   |  |
|--|--|
| A1. Emergency 120-day initial - §42-35-2.10<br><input checked="" type="checkbox"/> Adoption<br><input type="checkbox"/> Amendment of ERLID:<br><input type="checkbox"/> Repeal of ERLID: | A2. Emergency 60-day renewal - §42-35-2.10<br><input type="checkbox"/> Adoption<br><input type="checkbox"/> Amendment<br><input type="checkbox"/> Repeal<br>Indicate ERLID of 120-day initial: |
| Brief Statement of Reason for Finding Imminent Peril §42-35-2.10:<br>See concise explanatory statement (above)   |  |

Agency Head Signature: \_\_\_\_\_

Governor/Governor's Designee Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Date: \_\_\_\_\_

| <b>Final Rules</b>   |  |   |
|--|--|---|
| <input type="checkbox"/> B1. Amendment - §42-35-3(a)<br><input type="checkbox"/> C. Technical Revision | <input type="checkbox"/> B2. Adoption - §42-35-3(a)<br><input type="checkbox"/> D. Direct Final Rule - §42-35-2.11 | <input type="checkbox"/> B3. Repeal - §42-35-3(a) |
| If B1 or C, please indicate new, amended, deleted, or revised sections:                                |  |   |

**6. Notice and Hearing Information**

Date of Public Notice - §42-35-2.8:Notice Not Required  
Date of Public Hearing - §42-35-2.8:Hearing Not Required  
End of Comment Period - §42-35-2.8 :

**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

\_\_\_\_\_

Title

\_\_\_\_\_

Notary Public

Subscribed and sworn before me

this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_