

## State of Rhode Island and Providence Plantations

Rhode Island Department of Revenue  
Division of Taxation

### Public Notice of Proposed Rule-Making

Pursuant to the provisions of RIGL §42-35-3(a)(1) and in accordance with the Administrative Procedures Act (Chapter 42-35 of the General Laws), the Division of Taxation hereby gives notice of its intent to repeal regulation HCPA 93-01-Health Care Provider Assessment

The purpose of this rule making process is to repeal regulation HCPA 93-01 in light of Rhode Island Public Law 2009, Chapter 68, Articles 16 § 17 that provided for the repeal of Chapters 50 of Title 44 of the Rhode Island General Laws in its entirety. This repeal shall take effect January 1, 2011.

The proposed regulation and concise summary of non-technical requirements and proposed new rules are available for public inspection at [www.tax.ri.gov](http://www.tax.ri.gov), in person at The Rhode Island Division of Taxation, or requested by e-mail at [mcanole@tax.ri.gov](mailto:mcanole@tax.ri.gov) or by calling Michael Canole at (401) 574-8729.

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) significant economic impact on small business. No alternative approach, duplication, or overlap was identified based upon available information.

All interested parties are invited to submit written or oral comments concerning the proposed regulations by Wednesday, November 24, 2010 to Michael Canole, Rhode Island Division of Taxation, One Capitol Hill, Providence, RI – telephone number (401) 574-8729 or via, e-mail at [mcanole@tax.ri.gov](mailto:mcanole@tax.ri.gov). A public hearing to consider the proposed regulation will be held on Wednesday, November 24, 2010 at the Rhode Island Division of Taxation, One Capitol Hill, Providence, RI, at which time and place all persons interested therein will be heard. The room is accessible to the disabled and interpreter services for the hearing impaired will be provided if requested 48 hours prior to the hearing. Requests for this service can be made in writing to Michael Canole at Rhode Island Division of Taxation, One Capitol Hill, Providence, RI 02908 or by calling 401 574-8729.

**Rhode Island Department of Revenue**

**Division of Taxation**

**Concise Summary of ALL Non-technical requirements pursuant to RIGL Section 42-35-3(a)(1)**

**Rules and Regulation on Health Care Provider Assessment HCPA 93-01 Repealed**

**The purpose of this rule making process is to repeal regulation HCPA 93-01 in light of Rhode Island Public Law 2009, Chapter 68, Articles 16 § 17 that provided for the repeal of Chapters 50 of Title 44 of the Rhode Island General Laws in its entirety.**

**This repeal shall take effect January 1, 2011.**

## ~~Health Care Provider Assessment~~

### ~~Regulation HCPA 93-01~~

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### ~~Assessment Rate – Residential Facilities for the Mentally Retarded~~

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~~Pursuant to the provisions of Title 44, Chapter 50 of the Rhode Island General Laws entitled "The Health Care Provider Assessment Act" and specifically Section 44-50-3(e) of said Act, the Tax Administrator is directed to ensure that the assessment rate set forth in R.I.G.L. 44-50-3(e) does not exceed the maximum rate of assessment that the laws of the United States and/or any rules, regulations or standards issued thereunder, relating to health care provider assessments will allow without reduction in Federal financial participation.~~

~~Information received from the Director of the Rhode Island Department of Human Services, pursuant to the requirements of R.I.G.L. 44-50-3(e), indicates that final regulations proposed by the United States Secretary of Health and Human Services indicate that the maximum permissible rate of assessment will be 6 percent (6%) effective September 13, 1993.~~

~~As a result of the above, the Tax Administrator, pursuant to the provisions of R.I.G.L. 44-50-3(e), hereby changes the assessment rate set forth in 44-50-3(e) to 6 percent (6%) effective September 13, 1993.~~

~~R. GARY CLARK TAX ADMINISTRATOR~~

~~DATE: October 25, 1993~~

~~THIS REGULATION AMENDS AND SUPERCEDES EMERGENCY RULE HCPA 93-01 ENTITLED "ASSESSMENT RATE – RESIDENTIAL FACILITIES FOR THE MENTALLY RETARDED" PROMULGATED JULY 1, 1993.~~