

## REGULATORY AGENDA – June 15, 2012

Agency Name and Address:

Rhode Island Department of Human Services / Division of Elderly Affairs  
74 West Road, 2<sup>nd</sup> Floor  
Cranston, RI 02920

### PART I - Rules Promulgated *January 16, 2012 through June 15, 2012:*

Please indicate if your agency did not promulgate rules during this period, OR complete all sections of the following for each rule promulgated (add or delete rows accordingly).

The Rhode Island Division of Elderly Affairs did not promulgate rules during the period January 16, 2012 through June 15, 2012.

ERLID	Type Filing	Title	Effective Date

### PART II - Expected Rule-making Activity *June 16, 2012 through February 15, 2013:*

Please indicate if your agency does not anticipate rule-making activity during this period, OR complete all sections of the following for each rule anticipated (add or delete rows accordingly).

Type Filing	Title/Subject Area	Objective	Legal Basis	Anticipated Schedule	Agency Contact (Name <u>and</u> Telephone number)	Interested Parties
Amendment	Rule No. 4657: Rules, Regulations & Standards Governing the Pharmaceutical Assistance to the Elderly Program	The purpose of this Amendment is to modify the Program in response to the federal Patient Protection and Affordable Care Act, Public Law 111-148, enacted March 23, 2010.	RIGL 42-66.2	August 2012	Rhonda Schwartz, Chief Program Development; <a href="mailto:rschwartz@dea.ri.gov">rschwartz@dea.ri.gov</a> or 401-462-0561	Advocacy groups, other state agencies, seniors, consumers, caregivers
Adoption	Rules and Regulations Governing the Long Term Care Ombudsperson Program (working title)	For the purpose of implementing the provisions of section 42-66.7-12 of the Rhode	RIGL 42-66.7	October 2012	Rhonda Schwartz, Chief Program Development;	Advocacy groups, other state agencies, seniors, consumers,

		Island General Laws, which requires the Director to promulgate regulations related to the implementation and enforcement of the long term care ombudsperson program administered by the Division of Elderly Affairs (“DEA”).			<a href="mailto:rschwartz@dea.ri.gov">rschwartz@dea.ri.gov</a> or 401-462-0561	caregivers, elder law attorneys, long term care facilities operators
Repeal	Rule No. 5376: Rules, Regulations and Standards Governing Specialized Transportation for Elders & Persons with Disabilities Through the RIDE Program and Managed by the Rhode Island Department of Elderly Affairs	Management of the RIDE Program was transferred to the Department of Human Services (“DHS”) as of July 1, 2009 via Public Law 09-068. Since DEA no longer oversees this program, DEA intends to seek DHS’ cooperation in rescinding this rule.	Public Law 09-068 (transferred mgmt of the program to DHS)	December 2012	Rhonda Schwartz, Chief Program Development; <a href="mailto:rschwartz@dea.ri.gov">rschwartz@dea.ri.gov</a> or 401-462-0561	Advocacy groups, other state agencies, seniors, consumers, caregivers
Repeal	Rule No. 3837: Rules & Regulations Governing the Prescription Drug Program for the Uninsured	This rule was promulgated in 2006. The governing statute was amended materially in 2007, and as a result the rule is inconsistent with the statute in several respects. In addition, RIGL § 42-66.2.1-6 grants rulemaking authority with respect to the statute to DHS. Accordingly, DEA intends to seek DHS’ cooperation in rescinding this rule.	RIGL 42-66.2.1	December 2012	Rhonda Schwartz, Chief Program Development; <a href="mailto:rschwartz@dea.ri.gov">rschwartz@dea.ri.gov</a> or 401-462-0561	Advocacy groups, other state agencies, seniors, consumers, caregivers