

FINAL REGULATORY FLEXIBILITY ANALYSIS AND
SUMMARY OF LEGISLATIVE STANDING COMMITTEE COMMENTS

September 24, 2015

Department of Health Services (CR 15-001)

Chapter DHS 178

Final Regulatory Flexibility Analysis or Summary:

1. The issues raised by each small business during the public hearing(s).

The issues raised by all businesses during public hearings are stated in the “Summary of Public Comments and Department Responses” section of the report to the Legislature.

2. Any changes in the rule as a result of an alternative suggested by a small business and the reasons for rejecting any of those alternatives.

Changes in the proposed rule as a result of an alternative suggested by a small business or other person and the reasons for rejecting any of those alternatives are stated in the “Summary of Public Comments and Department Responses” section of the report to the Legislature.

3. The nature of any reports and estimated cost of their preparation by small businesses that must comply with the rule.

The initial proposed rule did include reporting requirements, but due to public comments, the reporting requirements have been removed from the rule.

4. The nature and estimated costs of other measures and investments that will be required by small businesses in complying with the rule.

The nature and estimated costs that will be required by businesses, including, small businesses are contained within the Fiscal Estimate-Economic Impact Analysis, and the rule’s analysis.

5. The reason for including or not including in the proposed rule any of the following methods for reducing the rule’s impact on small businesses. Also include additional cost, if any, to the department for administering or enforcing a rule which includes any of the following methods and the impact, if any, on public health, safety and welfare caused by including in the rule any of the following methods.

a. Less stringent compliance or reporting requirements for small business.

The proposed rules are the minimum requirements for public health and safety. The department is unable to lessen or exempt small businesses from the requirements of this proposed rule because campgrounds, regardless of size, serves the same camping public who are subjected to the same public, health, or safety issues. The proposed rule does include provisions for requesting a variance for alternative compliance with a rule.

b. Less stringent schedules or deadlines for compliance or reporting requirements for small businesses, such as grandfathering or staged implementation.

The proposed rule contains the minimum requirements for health and safety. The department is unable to lessen or exempt small businesses from the requirements of this proposed rule because the campgrounds regardless of size, serves the same camping public who are subjected to the same public, health, or safety issues. The proposed rule does include provisions for requesting a variance for alternative compliance with a rule.

Initially proposed reporting requirements have been removed from the proposed rule.

c. Consolidated or simplified compliance or reporting requirements for small businesses.

The proposed rule contains the minimum requirements for health and safety. Initially proposed reporting requirements have been removed from the proposed rule.

d. Replace required design or operational standards with performance standards for small businesses.

The proposed rule contains the minimum requirements for public health and safety. The department is unable to lessen or exempt small businesses from the requirements of this proposed rule because campgrounds, regardless of size, serves the same camping public who are subjected to the same public, health, or safety issues. The proposed rule does include provisions for requesting a variance for alternative compliance with a rule.

e. Make small businesses exempt from any or all requirements of the rules.

The proposed rule contains the minimum requirements for health and safety. The department is unable to lessen or exempt small businesses from the requirements of this proposed rule because the campgrounds regardless of size, serves the same camping public who are subjected to the same public, health, or safety issues. The proposed rule does include provisions for requesting a variance for alternative compliance with a rule.

Comments of Legislative Standing Committees:

No comments were received.