

**FINAL REGULATORY FLEXIBILITY ANALYSIS AND
SUMMARY OF LEGISLATIVE STANDING COMMITTEE COMMENTS**

August 18, 2017

CR 16-087

Department of Health Services

DHS 124.28 (2), DHS 131.38 (2), DHS 132.82 (1), and DHS 134.82 (1), relating to fire protection requirements for hospitals, hospices, nursing homes and facilities serving people with developmental disabilities.

Final Regulatory Flexibility Analysis or Summary:

All hospitals, hospices, nursing homes and facilities serving people with developmental disabilities are subject to chs. DHS 124, DHS 131, DHS 132, DHS 134, and ch. 50, Stats. If a health care provider participates as a provider in the Medicaid and Medicare programs, the health care provider is also subject to 42 CFR 482 for hospitals, 42 CFR 418 for hospices and 42 CFR 483 for nursing homes and facilities serving people with developmental disabilities. The department determined that hospitals, nursing homes and facilities serving people with developmental disabilities are not considered small businesses. However, there are 21 hospices in Wisconsin that provide in-patient care and would be subject to this proposed rule. The department determined that 3, or 14 %, of these hospices may be considered small businesses.

In addition, pursuant to s. 227.114 (2), Stats., the department considered the methods for reducing the impact of proposed rule revisions on small businesses. The department believes that proposed rule revisions will result in simplified and consistent compliance with the requirements.

Comments of Legislative Standing Committees:

No comments were received.