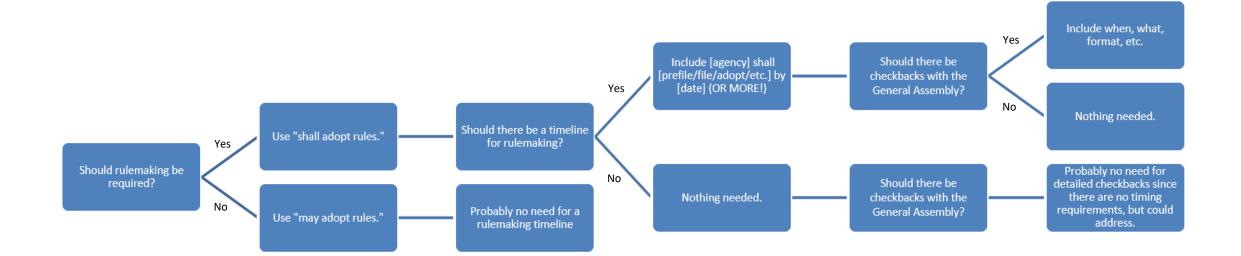
Rulemaking Considerations – From LCAR to Chairs of Committees of Jurisdiction DRAFT – March 8, 2023



Considerations for Requiring Rulemaking:	Considerations for Establishing Rulemaking Timeline:	Considerations for Requiring Checkback(s):
- Whether a rule or rules are necessary in the near	- Statutory length of time to complete the process	- Timing for when checkback(s) should be required (no
term.	(100+ days), which does not include outreach or	matter what, if there is going to be a delay, at
- Whether there is sufficient detail in statute for	drafting the rule prior to prefiling with ICAR.	designated intervals, etc.).
necessary regulation without any rules.	- Other variables (dependent on federal review,	- Form of the checkback(s) (oral v. written).
- Cost/staffing necessary to adopt a rule or rules.	promulgation of a federal regulation, adoption of a	- Recipients of the checkbacks(s).
	rule in another state, etc.).	- Contents of the checkback(s).
	- Whether there is an actual need for rule(s) to be	- Whether the General Assembly should be required to
	adopted by a particular date.	do something affirmative before LCAR involvement.
	- What happens if there is a decrease in staff capacity.	- Whether something with more "teeth" is necessary
	- What step should the rulemaking timeline be linked	(consult with Legislative Counsel).
	to (prefiling with ICAR, one of the intermediary	
	filings, adoption, etc.).	