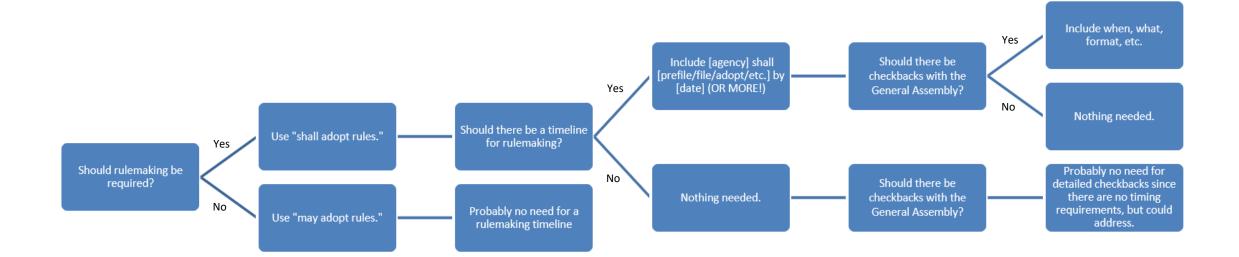
Rulemaking Considerations – From LCAR to Chairs of Committees of Jurisdiction DRAFT – April 7, 2023



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