



RHODE ISLAND AND PROVIDENCE PLANTATIONS

Executive Department

GOVERNOR'S COMMISSION ON DISABILITIES

John O. Pastore Center, 41 Cherry Dale Court

Cranston, RI 02920-3049

[voice] (401) 462-0100 [tty] via RI Relay 711 [fax] 462-0106

[e-mail] disabilities@gcd.ri.gov [website] www.disabilities.ri.gov

R. Timothy Flynn, Chairperson / Bob Cooper, Executive Secretary / Morgan Fuchs, Editor

## Legislative Letter

6/7/2010

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### *Transmitted to Governor*

Next Action on **6/12/2010**

Location **Governor's Office Donald L. Carcieri Governor**

Hearing Time and Room or Calendar

### **10 S 2034 Sub A as Amended AN ACT RELATING TO EDUCATION**

Introduced by Sen. Felag & Sens. Levesque C, Bates, Sosnowski

Introduced on 1/13/2010 Last Action taken on 6/4/2010

**Description** This act would require school districts to work with the Rhode Island interscholastic league to develop guidelines for educating coaches and players in youth sports about the risks associated with concussions. This act would also limit the liability of school districts and others for such injuries, provided certain insurance coverage is provided. This act would take effect upon passage.

The Substitute adds to the findings "Concussions can occur in any sport or recreational activity. All coaches, parents, and athletes shall be advised of the signs and symptoms of concussions as well as the protocol for treatment." It also adds a definition of "youth sports programs" to mean "any program organized for recreational and/or athletic competition purposes by any school district or by any school participating in Rhode Island Interscholastic League Competition, and whose participants are 19 years of age or younger." The development of regulations shifts from the school districts and the Rhode Island Interscholastic League, to the state departments of education and the department of health. School districts would be required to use training materials made available by the United States Center for Disease Control and Prevention entitled "Heads Up: Concussion in the High School Sports/Concussion in Youth Sports". The limitation of liability for concussion injuries sections has been replaced by a provision that does not "abrogate, limit or create any cause of action or limitation of liability already so provided by the general or public laws of this state". The Floor Amendment deletes the limitation of liability for concussion injuries section.

Identical to H 7036

Votes: House 5/27/2010 Senate 5/18/2010 2nd House 2nd Senate

Public Law / Resolution # Effective Date

**10 S 2289 Sub A AN ACT RELATING TO HEALTH AND SAFETY**

Introduced by Sen. Levesque C & Sens. Blais, Perry, Miller, Gallo

Introduced on 2/11/2010 Last Action taken on 6/4/2010

Description This act would extend the moratorium on new initial nursing facility licensed beds and on increases to the licensed capacity of existing nursing facility licenses from 2010 to 2013 and allow for nursing facility culture change. This act would take effect on July 1, 2010.

The Substitute corrects several spelling and grammatical errors.

Votes: House 5/27/2010 Senate 5/5/2010 2nd House 2nd Senate

Public Law / Resolution # Effective Date

**10 S 2629 AN ACT RELATING TO INSURANCE-EXTENDED MEDICAL BENEFITS**

Introduced by Sen. DeVall & Sen. Crowley Requested by the Lieutenant Governor

Introduced on 3/4/2010 Last Action taken on 6/4/2010

Description This act would provide that dental and vision benefits be included for individuals eligible for extended medical benefits. This act would take effect upon passage.

Votes: House 5/27/2010 Senate 5/12/2010 2nd House 2nd Senate

Public Law / Resolution # Effective Date

**10 S 2631 AN ACT RELATING TO HEALTH AND SAFETY**

Introduced by Sen. Tassoni & Sens. Fogarty P, Picard, DiPalma Requested by the Lieutenant Governor

Introduced on 3/4/2010 Last Action taken on 6/4/2010

Description This act would give authority to the director of health to certify out-of-state health care professionals in times of emergency. This act would take effect upon passage.

Votes: House 5/27/2010 Senate 5/12/2010 2nd House 2nd Senate

Public Law / Resolution # Effective Date

**10 S 2714 Sub A AN ACT RELATING TO INSURANCE**

Introduced by Sen. Lynch & Sens. Walaska, Bates

Introduced on 3/24/2010 Last Action taken on 6/8/2010

Description This act would add a trend test to the risk based capital statutes governing insurers and health organizations, financial health determinations. This act would take effect upon passage.

The Substitute makes a grammatical correction.

Identical to H 7711 Sub A

Votes: House 5/27/2010 Senate 5/4/2010 2nd House 2nd Senate

Public Law / Resolution # Effective Date

**10 H 7036 Sub A as Amended AN ACT RELATING TO EDUCATION**

Introduced by Rep. Gallison & Reps. McNamara, Rice A, Martin, Azzinaro

Introduced on 1/7/2010 Last Action taken on 6/4/2010

**Description** This act would require school districts to work with the Rhode Island interscholastic league to develop guidelines for education coaches and players in youth sports about the risks associated with concussions. This act would also limit the liability of school districts and others for such injuries, provided certain insurance coverage is provided. This act would take effect upon passage.

The Substitute adds to the findings "Concussions can occur in any sport or recreational activity. All coaches, parents, and athletes shall be advised of the signs and symptoms of concussions as well as the protocol for treatment." It also adds a definition of "youth sports programs" to mean "any program organized for recreational and/or athletic competition purposes by any school district or by any school participating in Rhode Island Interscholastic League Competition, and whose participants are 19 years of age or younger." The development of regulations shifts from the school districts and the Rhode Island Interscholastic League, to the state departments of education and the department of health. School districts would be required to use training materials made available by the United States Center for Disease Control and Prevention entitled "Heads Up: Concussion in the High School Sports/Concussion in Youth Sports". The limitation of liability for concussion injuries sections has been replaced by a provision that does not "abrogate, limit or create any cause of action or limitation of liability already so provided by the general or public laws of this state". The Floor Amendment deletes the limitation of liability for concussion injuries section.

Identical to S 2034

Votes: House 5/18/2010 Senate 6/1/2010 2nd House 2nd Senate

Public Law / Resolution # Effective Date

**10 H 7169 Sub A AN ACT RELATING TO HEALTH AND SAFETY**

Introduced by Rep. McNamara

Introduced on 1/21/2010 Last Action taken on 6/4/2010

**Description** This act would extend the moratorium on new initial nursing facility licensed beds and on increases to the licensed capacity of existing nursing facility licenses from 2010 to 2013 and allow for nursing facility culture change. This act would take effect on July 1, 2010.

The Substitute makes a grammatical change.

Votes: House 5/4/2010 Senate 6/1/2010 2nd House 2nd Senate

Public Law / Resolution # Effective Date

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## 10 H 7397 Article 01 Sub A as Amended RELATING TO MAKING APPROPRIATIONS IN SUPPORT OF FY 2011

### Introduced by

Introduced on 3/3/2010

Last Action taken on 6/4/2010

### Description

The Floor Amendment adds Section 16 "Should the U.S. Congress not enact an extension to the enhanced Federal Medical Assistance Percentage (FMAP), or adopt an alternative program to provide financial assistance in a substantially equivalent amount to State governments by December 31, 2010, the Governor is hereby authorized to institute across the board reductions of equal percentage in fiscal year 2011 only in general revenue appropriations equivalent to but not to exceed the unrealized FMAP resources, excluding any debt-related obligations that require the full faith and credit of the State. For purposes of this section, "unrealized FMAP resources" shall mean the difference between the amount that would have been distributed to the State by virtue of an FMAP extension and any amount actually provided by an alternative program. The General Assembly reserves the authority to alter the appropriations to achieve similar reductions.

Votes: House 6/3/2010

Senate

6/4/2010

2nd House

2nd Senate

Public Law / Resolution #

Effective Date

## 10 H 7397 Article 03 (formerly 7105 GBA 14) Sub A as Amended RELATING TO SUPPLEMENTAL SECURITY INCOME PAYMENTS

Introduced by Requested by the Governor

Introduced on 3/3/2010 Last Action taken on 6/4/2010

**Description** The Governor requests a new article (GBA 14) be added to the FY 2010 Supplemental Appropriations Act entitled "Relating to Supplemental Security Income Payment". The new article reverses a provision contained in Article 18 of the FY 2010 Appropriations Act requiring the Department of Mental Health, Retardation, and Hospitals (MHRH) to make state supplement payments directly to individuals receiving residential services through the Division of Developmental Disabilities. In fact, the Department of Human Services has continued to make the payments throughout FY 2010, and \$1,055,000 of general revenue funding was transferred back to the Department of Human Services from MHRH in the FY 2010 Supplemental Appropriations Act.

The Substitute would lower SSI benefits for (i) Individual living alone: from \$57.35 to \$39.92  
(ii) Individual living with others: from \$69.94 to \$51.92  
(iii) Couple living alone: from \$108.50 to \$79.38  
(iv) Couple living with others: from \$128.50 to \$97.30  
(v) Individual living in state licensed assisted living residence: from \$575.00 to \$538.00.  
It also requires "As of July 1, 2010 state supplemental payments shall not be federally administered and shall be paid directly by the department of human services to the recipient."

The Floor Amendment, corrects the date the SSI's state share was last revised from 01/01/03 to 01/01/09.

Votes: House 6/3/2010 Senate 6/4/2010 2nd House 2nd Senate

Public Law / Resolution # Effective Date

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## 10 H 7397 Article 06 Sub A as Amended RELATING TO DEBT MANAGEMENT ACT JOINT RESOLUTIONS

Introduced by Rep. Watson Requested by the Governor

Introduced on 2/3/2010 Last Action taken on 6/4/2010

**Description** This article would authorize the issuance of debt for: Projects proposed include: energy service companies' energy service contracts for the University or Rhode Island and the Community College of Rhode Island, and Renovations for two buildings, Mathias and Varley, at the Pastore Center in Cranston as part of a hospital consolidation plan in an amount not to exceed \$32,090,000. The consolidate patient care operations from the Adolph Meyer, Pinel and Virks Buildings to Mathias and Varley, will allow vacating these facilities for future renovation and use by other state agencies; This article shall take effect upon passage.

The Substitute limits the projects to: energy service companies' energy service contracts for the University or Rhode Island and the Community College of Rhode Island; and RI Turnpike and Bridge Authority projects on the Pell and Mount Hope bridges. The Pastore Center projects were deleted.

The Floor Amendment adds the Rhode Island Public Rail Corporation to repair bridges for a total of not more than \$200,000,000.

Votes: House 6/3/2010 Senate 6/4/2010 2nd House 2nd Senate

Public Law / Resolution # Effective Date

## 10 H 7397 Article 07 (formerly 7105 Articles 06 & 08) Sub A RELATING TO GOVERNMENT RESTRUCTURING

Introduced by Rep. Watson Requested by the Governor

Introduced on 1/16/2010 Last Action taken on 6/4/2010

**Description** The article would delay to transfer of the administrative management of food and nutritional services to the executive office of health and human services from March 1, 2010 to October 1, 2010.

The Governor requests that Article 6 entitled "Relating to Administrative Management of Food and Nutritional Services be replaced with an article entitled "Relating to WIC Program". The replacement article, "Relating to WIC Program", strikes the requirement for these services to be transferred to EOHHS, and authorizes the transfer of the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) from the Department of Health (DOH) to the Department of Human Services (DHS) as of October 1, 2010. These modifications are in conformance with Article 1 of the Governor's FY 2011 Appropriations Act, which contains three quarters of financing for WIC within DHS, while maintaining appropriations for Food Stamps within DHS.

The Substitute also eliminates the state fugitive task force, creates a Workers' Compensation Investigation Unit to the Department of Public Safety. It also delays the establishment of the Department of Veterans' Affairs until July 1, 2011.

Votes: House 6/3/2010 Senate 6/4/2010 2nd House 2nd Senate

Public Law / Resolution # Effective Date

## 10 H 7397 Article 08 (formerly Art. 23 and H 7105 Art. 08) Sub A as Amended RELATING TO RESTRICTED RECEIPT ACCOUNTS

Introduced by Rep. Watson Requested by the Governor

Introduced on 2/3/2010 Last Action taken on 6/4/2010

**Description** This article would create two new restricted receipt accounts for the Eleanor Slater Hospital System. One account is for non-Medicaid services for third party insurers while the other is for Eleanor Slater Administration. The article would exempt both accounts from the 10% indirect cost recovery fee. This article would take effect as of July 1, 2010.

The Substitute would not include the Eleanor Slater Hospital Administration account. It does include several accounts from the Supplemental Budget act including the: Vigneron Memorial Fund Grant; and Statewide Student Transportation Services Account, but not the Drug Market Intervention Initiative account. It also exempts several accounts from the 10% indirect cost recovery. Transportation of public and private school pupils: Variances to the requirement for the purchase of transportation services through the statewide transportation system for non-public and non shared routes, may be granted by the commissioner of elementary and secondary education if the commissioner finds that an alternative system is more cost effective. All fees paid for transportation services provided to students under the statewide system shall be paid into a statewide student transportation services restricted receipt account within the department of elementary and secondary education.

Statewide transportation of students with special needs: All fees paid for transportation services provided to students with special needs under the statewide system shall be paid into a statewide student transportation services restricted receipt account within the department of elementary and secondary education.

Vigneron memorial fund grant account: (a) There is hereby created within the department of mental health, retardation, and hospitals a restricted receipt account to be known as the Vigneron memorial fund grant account. Donations deposited into the Vigneron memorial fund grant account shall be used solely to provide material for the patients at Zambarano hospital to improve their ability to express themselves, participate in motivating activities, exert greater control over their daily environment, and increase their independence. (b) All amounts deposited in the Vigneron memorial fund grant account on or after June 24, 2009, shall be exempt from the indirect cost recovery provisions of § 35-4-27.

Floor amendment creates an additional restricted receipt account in the Department of Labor and Training, the "Job Development Fund – Title XII loans principal and interest"

Votes: House 6/3/2010 Senate 6/4/2010 2nd House 2nd Senate

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## 10 H 7397 Article 09 (formerly 7397 Article 25 GBA 07) Sub A as Amended RELATING TO REVENUES

Introduced by Rep. Watson Requested by the Governor

Introduced on 2/3/2010 Last Action taken on 6/4/2010

**Description** This article would increase some fees at the Division of Motor Vehicles (DMV) and bring the law in line with business practices at the DMV. With the new computer system, RIMS, coming on line in March, 2010, the DMV has reviewed its practices with the existing law, and in the case where discrepancies occurred, has proposed to change the law. In other sections of the article, fees have been imposed, such road test fees, or raised, such as licenses for manufacturers' representatives and dealers.

Fees for non-driver photo identification cards would be increased from \$15 to \$25 for the initial card and at renewal every 5 years. Any person who has been designated as permanently and totally disabled by the social security administration or who upon certification by an optometrist, ophthalmologist or physician that a holder of a valid and current motor vehicle operator's license is no longer able to operate a motor vehicle, the administrator of the division of motor vehicles shall issue to such person, upon request, a Rhode Island identification card for the unexpired term of such person's motor vehicle operator's license at no additional cost, nor at any subsequent renewal. The fee for license plates designated as "Veteran", "Purple Heart", and "Ex-POW" would be reduced from \$20 to \$10 for the order of each set of plates. This article would take effect as of July 1, 2010.

Governor's Amendment: The revised version adds section 3-8-6.1 to the article, which provides for identification cards for persons under the age of 21, and increases fees from \$15.00 to \$25.00 consistent with section 3-8-6. The \$335,000 revenue estimate from the \$10.00 fee increase from \$15.00 to \$25.00 included revenues identification cards issued to persons under the age of 21.

The revised article also eliminates new language in section 3-8-6(b)(8), which provides that a permanently or totally disabled person formerly holding a driver's license would not be charged for renewal of a Rhode Island identification card. The Governor's Commission on Disabilities requested the amendment so that individuals who in the past held a driver's license with an identification card seeking a renewal are not charged the renewal fee while disabled persons who never held a driver's license requesting an identification card for the first time are charged the fee. Eliminating the new underlined language has the effect of treating all disabled individuals equitably.

The Substitute: Would not reduce the fee for license plates designated as "Veteran", "Purple Heart", and "Ex-POW" from \$20 to \$10 for the order of each set of plates, nor would the \$5 transfer charge for National Guard plates be eliminated.

Changes the Hospital Licensing fee from 5.237% to 5.276% of the net patient services revenue.

Eliminates the Medical Malpractice Insurance exemption from taxation on gross premiums and stabilization reserve funds of any joint underwriting association created to provide medical malpractice insurance. The annual 2% tax on the gross premiums on contracts for insurance will be retroactive to January 1, 2010.

This article would take effect upon passage.

The Floor Amendment extends the exemption from the \$25 flashing light permit fee to fire

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districts; the hospital licensing fee from 5.276% to 5.314% of net patient revenues for FY 2010 and an increase for FY 2011 from 5.276% to 5.465%; and the minimal fee of prepaid wireless telecommunication services for E911 charge.

Votes: House 6/3/2010 Senate 6/4/2010 2nd House 2nd Senate

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## 10 H 7397 Article 13 Sub A as Amended RELATING TO EDUCATION AID

Introduced by Rep. Watson Requested by the Governor

Introduced on 2/3/2010 Last Action taken on 6/4/2010

**Description** This article would provide the distribution of general revenue education aid and stabilization funds. The department of education would be authorized to deduct from the final aid payment to each school district any amounts owed the statewide {special education} transportation system. Any such deductions in aid shall be transferred to the statewide student transportation services restricted receipt account.

School districts would also be assessed tuition to cover the costs of educational services that are additional to the core deaf and hard of hearing education program that is provided to students at the Rhode Island School for the Deaf. The tuition would be based on a graduated tuition schedule that is based on the varying needs of students. The department would be authorized to withhold education aid to districts that do not pay for their student transportation costs or special education services to students at the School for the Deaf. This article would take effect as of July 1, 2010.

Governor Amendment GBA 13: According to guidance from the federal government, the 0.5% administrative fee that states may charge to ARRA grants may not be taken out of the Education Stabilization Fund portion of the State Fiscal Stabilization Funds.

As a result, \$132,564 that was originally budgeted in Elementary and Secondary Education for the administrative fee on the Education Stabilization Fund will be distributed to the LEAs including local districts, state schools, and charter schools as education aid. This distribution will be offset by an identical reduction in general revenue education aid so that there will be no net change for the LEAs.

The Floor Amendment increases the FY 2010 & 2011 appropriations of general revenue and federal stimulus funds to school districts. This article shall take effect upon passage.

Votes: House 6/3/2010 Senate 6/4/2010 2nd House 2nd Senate

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**10 H 7397 Article 14 (formerly 7105 Art. 05 & 7397 Art. 22) RELATING TO MENTAL HEALTH LAW**

Introduced by Rep. Watson Requested by the Governor

Introduced on 2/3/2010 Last Action taken on 6/4/2010

**Description** This article would amend §40.1-5-26 {Disclosure of confidential information and records} to authorize a psychiatric hospital to share confidential healthcare information of a child in their care with the department of children, youth and families for the purposes of ensuring effective discharge planning when the cost of caring for that child in the hospital or in an aftercare program is paid for in part or in whole by the state. This article shall take effect upon passage.

Votes: House 6/3/2010 Senate 6/4/2010 2nd House 2nd Senate

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**10 H 7397 Article 15 Sub A as Amended RELATING TO HOSPITAL UNCOMPENSATED CARE**

Introduced by Rep. Watson Requested by the Governor

Introduced on 2/3/2010 Last Action taken on 6/4/2010

**Description** This article would authorize Disproportionate Share (DSH) payments to community hospitals in FY 2011. The disproportionate share hospital payments to all participating hospitals would not exceed an aggregate limit of \$117.8 million. This article would take effect upon passage.

The Substitute would change the base years and increase the aggregate limit of payments at \$125.4 million. A new provision for Outpatient adjustment payments for fiscal year 2011 would be established.

The Floor Amendment revises the percentage of the outpatient adjustment from 70.26% to 82.95% of the sum of all Medicaid payments.

Votes: House 6/3/2010 Senate 6/4/2010 2nd House 2nd Senate

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## **10 H 7397 Article 17 RELATING TO GENERAL PUBLIC ASSISTANCE – HARDSHIP CONTINGENCY FUND**

Introduced by Rep. Watson Requested by the Governor

Introduced on 2/3/2010 Last Action taken on 6/4/2010

**Description** This article would establish a \$478,000 hardship contingency fund and allows payments for certain individuals showing hardships, at the discretion of the Director of Human Services. The article establishes the benefit with a ceiling on total costs authorized for FY 2011. The director of human services would authorize payments of cash assistance benefits up to \$200 per month upon a showing of hardship by an individual who is eligible for general public assistance medical benefits; however, that individuals who are determined eligible for Medicaid or who are determined eligible to receive an interim cash assistance payment for the disabled, shall not be eligible for assistance. This article would take effect as of July 1, 2010.

Votes: House 6/3/2010 Senate 6/4/2010 2nd House 2nd Senate

Public Law / Resolution # Effective Date

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## **10 H 7397 Article 18 (formerly 7105 Art. 15 & 7397 Art. 24) Sub A RELATING TO TREATMENT ALTERNATIVES TO STREET CRIME**

Introduced by Rep. Watson Requested by the Governor

Introduced on 2/3/2010 Last Action taken on 6/4/2010

**Description** This article would eliminate the Treatment Alternatives to Street Crime (TASC) program as a requirement for persons who are initially convicted with a controlled substance; eliminates the program as a public substance abuse care agency defined within the continuum of care network; eliminates the program as a participant agency for individuals convicted of a violation under RIGL 31-27-2 {Driving under influence of liquor or drugs}; and transfers responsibility for conducting a clinical assessment of individuals convicted of a driving under influence of liquor or drugs violation from a facility approved by the department of mental health retardation and hospitals to the community college of Rhode Island center for workforce and community education. This article would take effect upon passage.

The Substitute also sets the fee for driving under the influence of liuor or drugs at \$86, in addition to fines, and other costs

Votes: House 6/3/2010 Senate 6/4/2010 2nd House 2nd Senate

Public Law / Resolution # Effective Date

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## 10 H 7397 Article 19 RELATING TO CHILDREN’S HEALTH ACCOUNT

Introduced by Rep. Watson Requested by the Governor

Introduced on 2/3/2010 Last Action taken on 6/4/2010

**Description** This article would specify the exact set of Medicaid services that fall under the auspices of the Children’s Health Account to include: (1) home health services, which include pediatric private duty nursing and certified nursing assistant services; (2) comprehensive, evaluation, diagnosis, assessment, referral and evaluation (CEDARR) services, which include CEDARR family center services, home based therapeutic services, personal assistance services and supports (PASS) and kids connect services and (3) child and adolescent treatment services (CAITS). The article would also raise the amount utilized to determine the total annual assessment on insurers from \$5,000 to \$6,000 per child per service per year. This article would take effect as of July 1, 2010.

Votes: House	6/3/2010	Senate	6/4/2010	2nd House	2nd Senate
Public Law / Resolution #				Effective Date	

**10 H 7397 Article 20 GBA 05 Sub A as Amended RELATING TO MEDICAL ASSISTANCE**

Introduced by Rep. Watson Requested by the Governor

Introduced on 2/3/2010 Last Action taken on 6/4/2010

**Description** This article would provide a framework for the procurement and/or reprocurement of Medicaid managed care contracts for elderly and disabled residents (including those for managed long-term care) in FY 2011. Managed care systems may also include services and supports that optimize the health and independence of recipients who are determined to need Medicaid funded long-term care under § 40-8.10 {Long Term Care Service Reform for Medicaid Eligible Individuals} or to be at risk for such care under applicable rules and regulations. The department would be authorized to obtain any approval for category II or III changes. Those category II or III changes would include authorization to extend managed care to cover long-term care services and supports. This article would also authorize selective contracting for non-emergency transportation for Medicaid recipients. This article would take effect upon passage.

The Governor's Amendment: Article 20 sets forth statutory changes that will facilitate the reprocurement of contracts for Medicaid managed care services in FY 2011. The success of this initiative is dependent upon the full participation of hospitals since hospital payments represent more than half of capitation-based expenditures. This requires that specific, binding contractual language relating to the hospitals be included in the associated legislation. Also necessary is a change to the present "lesser of" language related to the Medicaid managed care payment rates to replace CMS national trends with the CMS Prospective Payment System Hospital Input Price Index in order to limit the scope of potential influences on rate determination.

The reasons for modifying the current language are as follows:

- (1) To achieve the intended effect, it has been determined that this legislation must include specific language stipulating that acceptance of the managed care payments on the part of the hospitals shall be considered payment in full.
- (2) The language must also include implications if a hospital refuses to accept a Medicaid managed care payment as payment in full. The proposed amendment mandates that acceptance of payment in full be a condition of a hospital's participation in the Medicaid program.
- (3) Previously, the legislation required that the Medicaid managed care payments not exceed national Medicaid hospital care expenditure trend(s), as measured annually by CMS. The Department proposes amending this requirement to be based upon the annual CMS Prospective Payment System (IPPS) Hospital Input Price Index (HIPI). It is the Department's opinion, that it is more appropriate to use the HIPI rather than the national trends. The national trends are influenced by three factors: Medicaid caseload, utilization, and price. In order to limit influence solely by price, use of the HIPI is more appropriate.

The Substitute would direct DHS to "review the DRG payment method and the DRG base price annually, making adjustments as appropriate in consideration of such elements as trends in hospital input costs, patterns in hospital coding, beneficiary access to care, and the Center for Medicare and Medicaid Services national CMS Prospective Payment System (IPPS) Hospital Input Price index." The inpatient services rate, as of January 1, 2011, for Medicaid managed care payment rates to any hospital, in aggregate on a case mix adjusted basis (adjusting payment for a beneficiary's condition and needs), shall not exceed 110% of that

hospital’s Medicaid payment rates. Medicaid managed care payment rates between each hospital and health plan would not exceed contracted payment rates between the hospital and the health plan that were in effect during calendar year 2009 as adjusted by the Center for Medicare and Medicaid Services national CMS Prospective Payment System (IPPS) Hospital Input Price index

using calendar year 2009 as a base year. Hospital payments for “Uncompensated Care” would be \$4,750,000 during state fiscal year 2011. The Health Care for Elderly and Disabled Residents Act’s Managed health care delivery systems provision would remove the authorization to redesign benefit packages for medical assistance beneficiaries. The Medical Assistance and Public Assistance Caseload Estimating Conferences reporting shall include the number of Medicaid recipients whose estate may be subject to a recovery, the anticipated recoveries from the estate and the total recoveries collected each month. Long-term care re-balancing system reform goal was revised to a minimum of 50% of Medicaid long-term care funding for persons aged 65 and over and adults with disabilities in addition to services for persons with developmental disabilities and mental disabilities, to home and community-based care on or before December 31, 2013. Last year’s wording excluded persons with developmental disabilities.

The Floor Amendment revises the: Payment for services provided by in state and out of state hospitals, to recognize the importance, impact, and cost of Graduate Medical Education; Rate methodology for payment for in state and out of state hospital services, Medicaid managed care payment rates to hospitals would be reduced by 9.9% for FY 2011, and as of Jan. 1, 2011 rate will not exceed 100% of the rate as of July 1, 2010; and Uncompensated Care Hospital payments, revises the amount paid to individual hospitals; Medical Assistance Rates of payment to nursing facilities, delays acuity based rate adjustment until Oct 1, 2011. The director of the Department of Human Services shall establish an independent study commission comprised of representatives of the hospital network, representatives from the communities the hospitals serve, state and local policy makers and any other stakeholders or consumers interested in improving the access and affordability of hospital care. The study commission shall assist the director in identifying: issues of concern and priorities in the community hospital system, the delivery of services and rate structures, including graduate medical education and training programs; and opportunities for building sustainable and effective public-private partnerships that support the missions of the department and the state’s community hospitals.

Votes: House 6/3/2010 Senate 6/4/2010 2nd House 2nd Senate  
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## 10 H 7397 Article 21 (Merged with H 7105 Article 19) Sub A RELATING TO MEDICAID REFORM ACT

Introduced by Rep. Watson Requested by the Governor

Introduced on 2/3/2010 Last Action taken on 6/4/2010

**Description** This article would establish the legal authority for the Departments of Human Services and Mental Health, Retardation and Hospitals to undertake a series of programmatic reforms geared toward the restructuring of their respective Medicaid programs in FY 2011. These reforms include: (a) Expansion and integration of care management strategies; (b) Re-procure Medicaid managed care; (c) Enhance program integrity by improving estate recoveries; (d) Modify payment system for supportive employment programs and day treatment; (e) Refine payment system for multi-disciplinary treatment planning; (f) Establish behavioral health community safety net; (g) Restructuring of the network of providers serving persons with developmental disabilities; and (h) Transfer of state funded methadone maintenance and treatment to costs not otherwise matchable. The secretary of the office of health and human services would be authorized to pursue and implement any such necessary waiver amendments, category II or category III changes, state plan amendments and/or changes to the applicable department’s rules, regulations and procedures. This article would take effect as of July 1, 2010.

The Substitute does not include (c) Enhance program integrity by improving estate recoveries; or (d) Modify payment system for supportive employment programs and day treatment. Added from the FY 2010 Supplemental are (g) Pharmacy – SMAC Program for fee for service and (h) Personal Choice and Habilitation Services Reform.

Votes: House 6/3/2010 Senate 6/4/2010 2nd House 2nd Senate  
Public Law / Resolution # Effective Date

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**10 H 7397 Article 22 (formerly Art. 27) As Amended RELATING TO UNEMPLOYMENT INSURANCE**

Introduced by Rep. Watson Requested by the Governor

Introduced on 2/3/2010 Last Action taken on 6/4/2010

**Description** This article would raise the minimum dependent’s allowance from \$10 or 5% of the individual’s weekly benefit rate to \$15 or 5% of the individual’s weekly benefit rate. The total dependents’ allowance paid shall not exceed the greater of \$50 or 25% of an individual’s weekly benefit rate. For individuals receiving partial unemployment benefits, their dependents’ allowance shall be prorated based on the percentage that their partial weekly benefit rate is of their full weekly benefit rate.  
This article would also allow individuals who voluntarily leave work for compelling family reasons to become eligible for unemployment benefits if they remain able to work and are available for work. Compelling family reasons would include the need to take care for a member of the individual’s immediate family due to illness or disability as defined by the Secretary of Labor; provided that the individual shall not be eligible for waiting period credit or benefits until he or she is able to work and is available for work. This article would take effect as of January 1, 2011.

The Floor Amendment would adjust the job development assessment to repay the unemployment benefit loans from the federal government.

Votes: House 6/3/2010 Senate 6/4/2010 2nd House 2nd Senate

Public Law / Resolution # Effective Date

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**10 H 7603 AN ACT RELATING TO INSURANCE - EXTENDED MEDICAL BENEFITS**

Introduced by Rep. Pacheco & Reps. Fierro, Ferri, Serpa, Messier Requested by the Lieutenant Governor

Introduced on 2/25/2010 Last Action taken on 6/4/2010

**Description** This act would provide that dental and vision benefits be included for individuals eligible for extended medical benefits. Whenever the employment of an insured member of a group dental or vision insurance plan is terminated because of involuntary layoff or death, or as a result of the workplace ceasing to exist, or the permanent reduction in size of the workforce, the benefits of the plan may be continued as provided in this section for a period of up to 18 months from the termination date of the insured member. This act would take effect upon passage.

Votes: House 5/6/2010 Senate 6/1/2010 2nd House 2nd Senate

Public Law / Resolution # Effective Date

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# Legislative Letter

## 10 H 8196 Sub A AN ACT RELATING TO TAXATION - PERSONAL INCOME TAX

Introduced by Rep. Melo & Reprs. Costantino, Giannini, Carter, Almeida

Introduced on 5/27/2010 Last Action taken on 6/4/2010

**Description** This act would eliminate the alternative flat tax, as of January 1, 2011. The state income tax would be revised starting on January 1, 2011 through December 31, 2011, and thereafter, "Rhode Island taxable income" means federal adjusted gross income and as modified for Rhode Island less the amount of Rhode Island Basic Standard Deduction and less the amount of personal exemption. The only credits allowed against a tax imposed would be: (a) Rhode Island Earned Income Credit; (b) Property Tax Relief Credit; (c) Lead Paint Credit; (d) Credit for income taxes of other states; (e) Historic Structures Tax Credit; (f) Motion Picture Productions Tax Credit; (g) Child and Dependent Care; (h) Tax credits for contributions to Scholarship Organizations; and (i) Credit for tax withheld. No other RI tax credits will be allowed after December 31, 2010. The "Property Tax Relief Act"'s definition of income shall not include any deductions for rental losses, business losses, capital losses, exclusion for foreign income, and any losses received from pass-through entities.

This act would take effect on January 1. 2011.

The Substitute would reduce the standard deduction amount as the adjusted gross income exceeds \$175,000.

Identical to S 2921 Sub A

Votes: House 6/4/2010 Senate 6/4/2010 2nd House 2nd Senate

Public Law / Resolution # Effective Date

***Recommend Pass in Concurrence***

Next Action on **6/8/2010**

Location **House Calendar Gordon D. Fox Speaker**

Hearing Time and Room or Calendar 004

**10 S 2647 Sub A AN ACT RELATING TO MOTOR AND OTHER VEHICLES - OPERATORS' AND CHAUFFEURS' LICENSES**

Introduced by Sen. Walaska

Introduced on 3/4/2010 Last Action taken on 6/2/2010

**Description** This act would provide that the administrator of the division of motor vehicles, having good cause to believe the applicant for renewal is incompetent or otherwise not qualified, may require the applicant to successfully complete a motor vehicle road test only; provided, however, that a physical age of seventy-five (75) years or older may not be the sole determining factor of good cause. This act would take effect upon passage.

The Substitute would provide that the administrator of the division of motor vehicles, having good cause to believe the applicant for renewal is incompetent or otherwise not qualified, may require the applicant to successfully complete a motor vehicle road test only; provided, however, that possession of a valid medical examination certificate issued pursuant to federal motor carrier regulations would deem an applicant competent under this chapter.

Votes: House Senate 4/15/2010 2nd House 2nd Senate

Public Law / Resolution # Effective Date

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Hearing Time and Room or Calendar 006

**10 H 2921 Sub A AN ACT RELATING TO TAXATION - PERSONAL INCOME TAX**

Introduced by Sen. DaPonte & Sens. Connors, Felag, Ruggerio, and Lynch

Introduced on 5/20/2010 Last Action taken on 6/4/2010

**Description** This act would eliminate the alternative flat tax, as of January 1, 2011. The state income tax would be revised starting on January 1, 2011 through December 31, 2011, and thereafter, "Rhode Island taxable income" means federal adjusted gross income and as modified for Rhode Island less the amount of Rhode Island Basic Standard Deduction and less the amount of personal exemption. The only credits allowed against a tax imposed would be: (a) Rhode Island Earned Income Credit; (b) Property Tax Relief Credit; (c) Lead Paint Credit; (d) Credit for income taxes of other states; (e) Historic Structures Tax Credit; (f) Motion Picture Productions Tax Credit; (g) Child and Dependent Care; (h) Tax credits for contributions to Scholarship Organizations; and (i) Credit for tax withheld. No other RI tax credits will be allowed after December 31, 2010. The "Property Tax Relief Act"'s definition of income shall not include any deductions for rental losses, business losses, capital losses, exclusion for foreign income, and any losses received from pass-through entities.

This act would take effect on January 1, 2011.

The Substitute would reduce the standard deduction amount as the adjusted gross income exceeds \$175,000.

Identical to H 8196 Sub A

Votes: House Senate 6/4/2010 2nd House 2nd Senate

Public Law / Resolution # Effective Date

Location **Senate Consent Calendar Teresa Paiva-Weed President**

Hearing Time and Room or Calendar 007

**10 H 7767 Sub A AN ACT RELATING TO MOTOR AND OTHER VEHICLES - OPERATORS' AND CHAUFFEURS' LICENSES**

Introduced by Rep. San Bento & Reps. Gemma, Corvese, Williams

Introduced on 2/25/2010 Last Action taken on 6/4/2010

**Description** This act would provide that the administrator of the division of motor vehicles, having good cause to believe the applicant for renewal is incompetent or otherwise not qualified, may require the applicant to successfully complete a motor vehicle road test only; provided, however, that a physical age of 75 years or older may not be the sole determining factor of good cause. This act would take effect upon passage.

Votes: House 6/2/2010 Senate 2nd House 2nd Senate

Public Law / Resolution # Effective Date

***Passed and Transferred***

Next Action on **6/9/2010**

Location **Senate Constitutional and Regulatory Issues Committee Maryellen Goodwin Chairperson**

Hearing Time and Room or Calendar @ Rise in rm 310

**10 H 7352 Sub A as Amended AN ACT RELATING TO ALCOHOLIC BEVERAGES - RETAIL LICENSES**

Introduced by Rep. Kilmartin & Reprs. DaSilva, Coderre E, Messier, Shallcross Smith

Introduced on 2/3/2010 Last Action taken on 6/4/2010

Description This act would require that employees required to complete the Alcohol Server training regulations testing procedures must do so prior to employment in the city of Pawtucket. Current law requires employees to complete certified training within 60 days of the commencement of his or her employment and must attain a minimum score of 75%. This act would take effect upon passage.

The Substitute would provide that any state municipality, not just Pawtucket, may require persons hired to serve alcohol in any establishment in said municipality to complete the Alcohol Server Training Program administered through the regulations promulgated by the department of business regulation prior to their employment.

The Floor Amendment limits the provision to just the city of Pawtucket.

Votes: House 6/4/2010 Senate 2nd House 2nd Senate

Public Law / Resolution # Effective Date

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## *Recommend Passage*

Next Action on **6/8/2010**

Location **House Calendar Gordon D. Fox Speaker**

Hearing Time and Room or Calendar 002

### **10 H 7118 Sub A AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- SUSPENSION OR REVOCATION OF LICENSES**

Introduced by Rep. Gablinske & Reps. DaSilva, Carnevale, Almeida, Gallison

Introduced on 1/13/2010 Last Action taken on 6/4/2010

**Description** This act would make it a felony punishable by imprisonment for not more than 3 years and by a fine of not more than \$3,000 for any person to drive or otherwise operate any vehicle in the state while under the influence of any intoxicating liquor, drugs, toluene, or any controlled substance, or any combination of these, when his or her license to operate is suspended, revoked or cancelled for operating under the influence of a narcotic drug or intoxicating liquor. This act would also require the sentencing court to require alcohol and/or drug treatment for the individual. This act would also require alcohol and/or drug treatment for an individual not intoxicated by operating on a suspended license, where the suspension is due to a previous conviction for driving under the influence or a chemical test refusal. This act would take effect upon passage.

The Substitute establishes criteria regarding the sentencing of individuals who have "served the court ordered period of suspension, but who, for any reason, has not had their license reinstated after the period of suspension, revocation, or suspension has expired".

Identical to S 2062

Votes: House	Senate	2nd House	2nd Senate
Public Law / Resolution #		Effective Date	

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Hearing Time and Room or Calendar 003

## 10 S 2062 Sub A AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- SUSPENSION OR REVOCATION OF LICENSES

Introduced by Sen. Raptakis & Sens. Sosnowski, Maselli, DiPalma, Blais

Introduced on 1/13/2010 Last Action taken on 6/4/2010

**Description** This act would make it a felony punishable by imprisonment for not more than 3 years and by a fine of not more than \$3,000 for any person to drive or otherwise operate any vehicle in the state while under the influence of any intoxicating liquor, drugs, toluene, or any controlled substance, or any combination of these, when his or her license to operate is suspended, revoked or cancelled for operating under the influence of a narcotic drug or intoxicating liquor. This act would also require the sentencing court to require alcohol and/or drug treatment for the individual. This act would also require alcohol and/or drug treatment for an individual not intoxicated by operating on a suspended license, where the suspension is due to a previous conviction for driving under the influence or a chemical test refusal. This act would take effect upon passage.

The Substitute establishes criteria regarding the sentencing of individuals who have "served the court ordered period of suspension, but who, for any reason, has not had their license reinstated after the period of suspension, revocation, or suspension has expired".

Identical to H 7118

Votes: House	Senate	5/27/2010	2nd House	2nd Senate
Public Law / Resolution #			Effective Date	

Location **Senate Calendar Teresa Paiva-Weed President**

Hearing Time and Room or Calendar 001

## 10 S 2014 Sub A AN ACT RELATING TO TAXATION -- PROPERTY SUBJECT TO TAXATION

Introduced by Sen. Sosnowski

Introduced on 1/13/2010 Last Action taken on 6/3/2010

**Description** This act would change the deadline for applying for a veteran's tax exemption to 5 days prior to the certification of the tax rolls. This act would take effect upon passage.

The Substitute would change the deadline for applying for a veteran's tax exemption to 5 days prior to the certification of the tax rolls and would allow South Kingstown to provide by ordinance a veterans' exemption filing deadline of at least 5 days prior to the certification of the tax roll.

Votes: House	Senate	2nd House	2nd Senate
Public Law / Resolution #		Effective Date	

Hearing Time and Room or Calendar 002

## 10 S 2196 Sub A AN ACT RELATING TO MILITARY AFFAIRS AND DEFENSE

Introduced by Sen. Pichardo & Sen. Tassoni, Goodwin, Sheehan, Felag

Introduced on 2/9/2010 Last Action taken on 6/3/2010

**Description** This act would establish an Ocean State Youth ChalleNGe Academy for at-risk youth through a cooperative agreement between the Rhode Island national guard and the Rhode Island adjutant general. This act would take effect upon passage.

The Substitute would provide that in the event sufficient donations are not deposited into the restricted receipt account to cover the state's share of costs, the Rhode Island national guard would not be authorized to conduct this program.

Identical to H 7074

Votes: House Senate 2nd House 2nd Senate

Public Law / Resolution # Effective Date

Hearing Time and Room or Calendar 007

## 10 S 2421 Sub A as Amended AN ACT RELATING TO FOOD AND DRUGS - UNIFORM CONTROLLED SUBSTANCES ACT

Introduced by Sen. Levesque

Introduced on 2/11/2010 Last Action taken on 6/2/2010

**Description** This act would require the director of health, after appropriate notice and hearing, to promulgate rules and regulations for the purpose of adopting a system for electronic data transmission of prescriptions for controlled substances in schedule II, III, IV, and V. This act would take effect upon passage.

The Substitute as Amended would require the director of health, after appropriate notice and hearing, to promulgate rules and regulations for the purpose of adopting a system for electronic data transmission of prescriptions for only controlled substances in schedule II and III. This act would take effect upon passage.

Identical to H 7922 Sub A as Amended

Votes: House Senate 2nd House 2nd Senate

Public Law / Resolution # Effective Date

Hearing Time and Room or Calendar 010

## 10 S 2636 AN ACT RELATING TO MOTOR AND OTHER VEHICLES--MOTOR VEHICLE OFFENSES

Introduced by Sen. Sosnowski & Sens. Maselli, Algieri, McCaffrey Requested by the Attorney General

Introduced on 3/4/2010 Last Action taken on 6/2/2010

**Description** This act would repeal the enhancement of penalties for subsequent offenses of driving under the influence, death resulting and driving under the influence resulting in serious bodily injury, and would replace the enhancement of penalties with an amended single range of penalties that include longer sentences and higher fines. This act would also create a new criminal offense of "driving under the influence resulting in personal injury." The act would make a defendant's refusal to submit to a chemical test admissible in the underlying trial whether or not a defendant elects to testify. This act would take effect upon passage.

Votes: House Senate 2nd House 2nd Senate

Public Law / Resolution # Effective Date

Hearing Time and Room or Calendar 013

## 10 S 2734 Sub A AN ACT RELATING TO EDUCATION

Introduced by Sen. Doyle & Sen. Connors

Introduced on 3/25/2010 Last Action taken on 6/3/2010

**Description** This act would provide a new structure for the creation, operation and funding of charter schools. The act would also make distinctions for district charter schools, independent charters and mayoral academies. The current language regarding non-discriminatory enrollment of a diverse student population, has been deleted. {"The makeup of the charter public school must be reflective of the student population of the district, including but not limited to special education children, children at risk, children eligible for free or reduced cost lunch, and limited English proficient students. No charter shall be authorized for a school with a student population that does not include students eligible for free or reduced cost lunch, students with limited English proficiency, and special education students in a combined percentage which is at least equal to the combined percentage of those student populations enrolled in the school district as a whole"}. This act would take effect upon passage.

The Substitute would change the legislative purpose to establish and maintain "high performing public school program according to the terms of a charter. The key appeal of the charter school concept is its promise of increased accountability for student achievement in exchange for increased school autonomy." Standards and oversight by the Commissioner of Education is enhanced.

Identical to H 7867

Votes: House Senate 2nd House 2nd Senate

Public Law / Resolution # Effective Date

Hearing Time and Room or Calendar 021

## 10 H 7417 Sub A AN ACT RELATING TO HEALTH AND SAFETY--MEDICAL EXAMINERS

Introduced by Rep. Naughton & Reps. Rice M, Kennedy, Coderre E

Introduced on 2/9/2010 Last Action taken on 5/20/2010

**Description** This act would increase the responsibilities of the medical examiner's office to make recommendations to decrease the prevalence of preventable child deaths, and to help establish community intervention strategies through the use of a child death review team. This act would take effect upon passage.

The Substitute makes grammatical changes.

Votes: House 4/7/2010 Senate 2nd House 2nd Senate

Public Law / Resolution # Effective Date

*Scheduled for hearing and/or consideration*

Next Action on **6/8/2010**

Location **House Corporations Committee Brian Patrick Kennedy Chairperson**

Hearing Time and Room or Calendar @ 3 in rm 203

## 10 S 2632 Sub A AN ACT RELATING TO INSURANCE-DISCOUNT MEDICAL PLANS

Introduced by Sen. Sheehan & Sens. Perry, Pichardo, Crowley, Raptakis

Introduced on 3/4/2010 Last Action taken on 6/3/2010

**Description** This act would establish standards for discount medical plan organizations, protect consumers from unfair and deceptive marketing practices and facilitate consumer understanding of discount medical plan organizations. This act would take effect upon passage.

The Substitute would definition of "Health care professional" by deleting pharmacists. The discount medical plan's a surety bond would be reduced from \$100,000 to \$50,000.

Identical to H 7606 Sub A

Votes: House Senate 6/3/2010 2nd House 2nd Senate

Public Law / Resolution # Effective Date



**10 S 2780 As Amended AN ACT RELATING TO MENTAL HEALTH, RETARDATION AND HOSPITALS -- DEVELOPMENTALLY DISABLED ADULTS**

Introduced by Sen. Goodwin

Introduced on 4/13/2010 Last Action taken on 6/3/2010

Description This act would offer private operators of state-owned group homes the right of first refusal should the state to decide to sell the facility. This act would take effect upon passage.

The Floor Amendment would

Votes: House Senate 6/2/2010 2nd House 2nd Senate

Public Law / Resolution # Effective Date

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**10 H 7199 AN ACT RELATING TO HEALTH AND SAFETY--MERCURY REDUCTION AND EDUCATION ACT**

Introduced by Rep. Malik & Reps. McNamara, Gablinske, Walsh

Introduced on 1/26/2010 Last Action taken on 2/4/2010

Description This act would revise the mercury reduction and education act in order to require thermostat manufacturers to submit plans for the collection and disposal of mercury thermostats. This act would take effect upon passage, and would sunset under certain circumstances.

Votes: House Senate 2nd House 2nd Senate

Public Law / Resolution # Effective Date

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Location **House Finance Committee Steven M. Costantino Chairperson**

Hearing Time and Room or Calendar @ 1 in rm 35

**10 H 7133 AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT - DEPARTMENT OF CHILDREN, YOUTH AND FAMILIES**

Introduced by Rep. Naughton & Reps. Lally, Almeida, Giannini

Introduced on 1/19/2010 Last Action taken on 5/11/2010

Description This act would provide that upon appropriation of sufficient funds and resources by the general assembly the department of children, youth and families initiate the process for seeking COA) council and accreditation standard on best practices for protecting and providing services to abused and neglected children, by July 1, 2011 and submit an accreditation plan by July 1, 2012. This act would take effect upon passage.

Votes: House Senate 2nd House 2nd Senate

Public Law / Resolution # Effective Date

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## **10 H 7547 AN ACT RELATING TO MENTAL HEALTH, RETARDATION AND HOSPITALS-- DEVELOPMENTALLY DISABLED ADULTS**

Introduced by Rep. Carter

Introduced on 2/24/2010 Last Action taken on 3/4/2010

Description This act would offer private operators of state-owned group homes the right of first refusal should the state to decide to sell the facility. This act would take effect upon passage.

Votes: House Senate 2nd House 2nd Senate

Public Law / Resolution # Effective Date

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## **10 H 7867 AN ACT RELATING TO EDUCATION**

Introduced by Rep. Silva & Reprs. Gablinske, and Vaudreuil

Introduced on 3/4/2010 Last Action taken on 3/4/2010

Description This act would provide a new structure for the creation, operation and funding of charter schools. The act would also make distinctions for district charter schools, independent charters and mayoral academies. The current language regarding non-discriminatory enrollment of a diverse student population, has been deleted. {"The makeup of the charter public school must be reflective of the student population of the district, including but not limited to special education children, children at risk, children eligible for free or reduced cost lunch, and limited English proficient students. No charter shall be authorized for a school with a student population that does not include students eligible for free or reduced cost lunch, students with limited English proficiency, and special education students in a combined percentage which is at least equal to the combined percentage of those student populations enrolled in the school district as a whole"}. This act would take effect upon passage.

Identical to S 2734

Votes: House Senate 2nd House 2nd Senate

Public Law / Resolution # Effective Date

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**10 S 2265 Sub A AN ACT RELATING TO EDUCATION--HEALTH EDUCATION CURRICULUM**

Introduced by Sen. Dipalma & Sens. Tassoni, Maselli, DeVall

Introduced on 2/11/2010 Last Action taken on 6/2/2010

**Description** This act would require that the department of elementary and secondary education develop a Lyme disease awareness and prevention course for public school students and all health education classes include instruction on Lyme disease prevention and treatment. This act would take effect upon passage.

The Substitute would only require that the department of elementary and secondary education in collaboration with the department of health, make Lyme disease awareness and prevention resources available for all public school students in the state.

Identical to H 7418

Votes: House Senate 6/1/2010 2nd House 2nd Senate

Public Law / Resolution # Effective Date

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**10 S 2495 AN ACT RELATING TO HUMAN SERVICES-PUBLIC ASSISTANCE ACT**

Introduced by Sen. Levesque C

Introduced on 2/11/2010 Last Action taken on 5/13/2010

**Description** This act would amend the title and meaning of section 40-6-8 by changing references from "food stamp program" to the supplemental nutrition assistance program or "SNAP." This act would take effect upon passage.

Votes: House Senate 5/12/2010 2nd House 2nd Senate

Public Law / Resolution # Effective Date

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**10 S 2547 AN ACT RELATING TO INSURANCE-EXTENDED MEDICAL LEAVE**

Introduced by Sen. DeVall & Sen. Crowley

Introduced on 2/11/2010 Last Action taken on 5/6/2010

**Description** This act would make group health insurance coverage available for employees on extended medical leave. This act would take effect upon passage.

Votes: House Senate 5/5/2010 2nd House 2nd Senate

Public Law / Resolution # Effective Date

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## **10 H 7418 AN ACT RELATING TO EDUCATION--HEALTH EDUCATION CURRICULUM**

**Introduced by** Rep. Jackson & Reprs. Gallison, Martin, Rice A, Edwards

**Introduced on** 2/9/2010                      **Last Action taken on** 3/10/2010

**Description**      This act would require that the department of elementary and secondary education develop a Lyme disease awareness and prevention course for public school students and all health education classes include instruction on Lyme disease prevention and treatment. This act would take effect upon passage.

Identical to S 2265

Votes: House	Senate	2nd House	2nd Senate
Public Law / Resolution #		Effective Date	

## **10 H 7865 AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- CONFIDENTIALITY OF HEALTH CARE COMMUNICATIONS AND INFORMATION ACT -- HEALTH CARE COMMUNICATIONS AND INFORMATION**

**Introduced by** Rep. McNamara

**Introduced on** 3/4/2010                      **Last Action taken on** 3/17/2010

**Description**      This act would allow for the release or transfer of confidential health care information of a parent or guardian of a child who is the suspected victim of physical, psychological or sexual abuse and/or neglect. This act would take effect upon passage.

Votes: House	Senate	2nd House	2nd Senate
Public Law / Resolution #		Effective Date	

## **10 H 8109 JOINT RESOLUTION CREATING A SPECIAL LEGISLATIVE COMMISSION TO BE KNOWN AS "THE TASK FORCE ON THE EDUCATION OF CHILDREN AND YOUTH IN THE CARE OF THE DEPARTMENT OF CHILDREN, YOUTH, AND FAMILIES"**

**Introduced by** Rep. Naughton & Reprs. Coderre, McNamara

**Introduced on** 5/11/2010                      **Last Action taken on** 6/2/2010

**Description**      This resolution would create a 21 member special legislative commission whose purpose it would be to make a comprehensive study of challenges to ensuring the educational stability and success of children and youth involved with DCYF from pre-K through college undergraduates, and who would report back to the General Assembly no later than March 21, 2011, and whose life would expire May 31, 2011.

Identical to S 2872

Votes: House	Senate	2nd House	2nd Senate
Public Law / Resolution #		Effective Date	

## 10 H 8198 AN ACT RELATING TO INSURANCE - EXTENDED MEDICAL LEAVE

Introduced by Rep. Kennedy

Introduced on 5/27/2010 Last Action taken on 5/27/2010

**Description** This act would make group health insurance coverage available for employees on extended medical leave. An employee who has been employed on a full-time basis for at least 3 months and goes on extended medical leave would remain in the group coverage for 18 months from the date the employee was placed on extended medical. An employer may continue to contribute to the cost of the plan benefits for an employee on extended medical leave or may require an employee on extended medical leave to pay up to 100% of the cost of the plan benefits. This act would take effect upon passage.

Votes: House	Senate	2nd House	2nd Senate
Public Law / Resolution #		Effective Date	

**Location** House Judiciary Committee David A. Caprio Chairperson

**Hearing Time and Room or Calendar** @ 3 in House Lounge

## 10 S 2055 AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- STATE POLICE

Introduced by Sen. Miller & Sens. Perry, Connors, Sosnowski, Lynch

Introduced on 1/13/2010 Last Action taken on 6/3/2010

**Description** This act would make the definitions of disability, sexual orientation, gender identity and expression the same as set forth in Rhode Island general laws section 11-24-2.1. This act would take effect upon passage.

Identical to H 7044

Votes: House	Senate	6/3/2010	2nd House	2nd Senate
Public Law / Resolution #		Effective Date		

## 10 S 2332 Sub A AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT - CORRECTIONS DEPARTMENT

Introduced by Sen. Blais Requested by the Department of Corrections

Introduced on 3/11/2010 Last Action taken on 5/27/2010

**Description** This act would allow the director under this section to access the juvenile arrest and/or adjudication records, and records of assessment and/or treatment or adjudication records of persons committed to the custody of the corrections department. This act would take effect upon passage.

The Substitute would require "the express consent of the inmate", for the inmate's juvenile arrest and/or adjudication records

Votes: House	Senate	5/27/2010	2nd House	2nd Senate
Public Law / Resolution #		Effective Date		

**10 S 2834 As Amended AN ACT RELATING TO FOOD AND DRUGS -- MEDICAL MARIJUANA ACT**

Introduced by Sen. Perry

Introduced on 4/29/2010 Last Action taken on 5/27/2010

Description This act would exempt information contained in applications and supporting information under the medical marijuana act from provisions of the Rhode Island access to public information act. This act did not have an "effect date" section.

The Floor Amendment adds an effective date "Section 2. This act shall take effect upon passage."

Votes: House Senate 5/26/2010 2nd House 2nd Senate

Public Law / Resolution # Effective Date

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**10 H 8172 AN ACT RELATING TO FOOD AND DRUGS -- MEDICAL MARIJUANA ACT**

Introduced by Rep. Slater & Reps. Diaz, Ajello, DeSimone

Introduced on 5/25/2010 Last Action taken on 6/2/2010

Description This act would exempt information contained in applications and supporting information under the medical marijuana act from provisions of the Rhode Island access to public information act. This act would take effect upon passage.

Votes: House Senate 2nd House 2nd Senate

Public Law / Resolution # Effective Date

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**10 S 8208 AN ACT RELATING TO COURTS AND CIVIL PROCEDURE--COURTS -- FAMILY COURT**

Introduced by Rep. Mattiello

Introduced on 6/2/2010 Last Action taken on 6/2/2010

Description This act would provide the family court with jurisdiction over all protective orders being sought by a juvenile. This act would take effect upon passage.

Identical to H 2955

Votes: House Senate 2nd House 2nd Senate

Public Law / Resolution # Effective Date

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**Location** House Municipal Government Committee John J. McCauley Jr. Chairperson

**Hearing Time and Room or Calendar** @ 3 in rm 205

**10 S 2133 Sub A as Amended AN ACT RELATING TO HIGHWAYS-ACCESSIBLE CROSSWALKS**

**Introduced by** Sen. Tassoni & Sens. Lanzi, Cote Requested by the Governor's Commission on Disabilities

**Introduced on** 2/4/2010 **Last Action taken on** 5/27/2010

**Description** This act would require the installation of curb cuts and/or ramps at both ends of any pedestrian crosswalk. This act would take effect upon passage.

The Substitute as Amended would also require all privately developed sidewalks and pedestrian crosswalks that will be turned over to cities and towns (by the developer) to also meet state standards.

Identical to H 7300

**Votes:** House Senate 5/27/2010 2nd House 2nd Senate

**Public Law / Resolution #** **Effective Date**

**Location** Senate Finance Committee Daniel DaPonte Chairperson

**Hearing Time and Room or Calendar** @ Rise in rm 211

**10 S 2720 AN ACT RELATING TAXATION**

**Introduced by** Sen. Paiva-Weed & Sens. Algieri, Connors

**Introduced on** 3/24/2010 **Last Action taken on** 3/24/2010

**Description** This act would allow various taxpayer check-offs and donations to be deposited into separate funds known as the nongame wildlife account, drug program account and voluntary support of the arts and tourism account. This act would take effect upon passage.

**Votes:** House Senate 2nd House 2nd Senate

**Public Law / Resolution #** **Effective Date**

**10 S 2770 AN ACT RELATING TO EDUCATION-- THE EDUCATION ADEQUACY ACT**

**Introduced by** Sen. Gallo & Sens. Paiva-Weed, Ruggerio, DiPalma, and Felag

**Introduced on** 2/8/2010 **Last Action taken on** 5/18/2010

**Description** This act would establish a permanent education foundation aid formula for calculating state aid to public education. Direct state funding for excess costs associated when an individual special education student shall be deemed to be "extraordinary." Excess costs are defined as exceeding 5 times the current fiscal year's statewide per pupil foundation amount. This act would take effect upon passage.

**Votes:** House Senate 2nd House 2nd Senate

**Public Law / Resolution #** **Effective Date**



**10 S 2806 AN ACT RELATING TO HEALTH AND SAFETY - SEXUALLY TRANSMITTED DISEASES**

Introduced by Sen. Perry & Sens. Gallo, Sosnowski, Crowley, Lanzi

Introduced on 4/15/2010 Last Action taken on 6/2/2010

Description This act would permit physicians, physician assistants and nurse practitioners to prescribe prescription drugs to a patient's sexual partner or partners for the treatment of sexually transmitted diseases. This act would take effect upon passage.

Votes: House Senate 2nd House 2nd Senate

Public Law / Resolution # Effective Date

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## **10 S 2976 SENATE RESOLUTION RESPECTFULLY REQUESTING THE EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES TO REPORT DESIGNATED MEDICAID INFORMATION TO THE RHODE ISLAND SENATE COMMITTEE ON HEALTH AND HUMAN SERVICES**

**Introduced by** Sen. Perry & Sens. Miller, Pichardo, Sheehan, Levesque

**Introduced on** 6/4/2010      **Last Action taken on** 6/4/2010

**Description** RESOLVED, That this Senate of the State of Rhode Island and Providence Plantations hereby respectfully requests the Executive Office of Health and Human Services to report to the Rhode Island Senate Committee on Health and Human Services on a quarterly basis beginning September 15, 2010, on the following information:

- (a) The number of new applicants found eligible for Medicaid funded long-term care services, as well as the basis for the eligibility determination, including level of clinical need and any HIPAA compliant demographic data about such applicants;
- (b) The number of new applicants found ineligible for Medicaid funded long-term care services, as well as the basis for the determination of ineligibility, including whether ineligibility resulted from failure to meet financial or clinical criteria, and any HIPAA compliant demographic data about such applicants;
- (c) The number of Medicaid beneficiaries, by age, over and under 65 years, served in institutional and home and community-based long-term care settings, by provider and service type and/or delivery system as applicable, including: nursing facilities, home care, adult day services for elders and persons with disabilities, assisted living, personal attendant and homemaker services, PACE, public and private group homes for persons with developmental disabilities, in-home support services for persons with developmental disabilities, shared living, behavioral health group home, residential facility and institution, and the number of persons in supported employment;
- (d) Data on the cost and utilization of service units for Medicaid long-term care beneficiaries;
- (e) Percent distribution of expenditures for Medicaid long-term care institutional services and home and community services by population, including: elders aged 65 and over, persons with disabilities, and children with special health care needs;
- (f) The number of persons on waiting lists for any long-term care services;
- (g) The number of persons in a non-Medicaid funded long-term care co-pay program, by type and units of service utilized and expenditures;
- (h) The average and median length of time between submission of a completed long term care application and Medicaid approval/denial;
- (i) Number of applicants for Medicaid funded long-term care meeting the clinical eligibility criteria for each level of : (1) Nursing facility care; (2) Intermediate care facility for persons with developmental disabilities or mental retardation; and (3) Hospital care;
- (j) The average and median turnaround time for such clinical eligibility determinations across populations;
- (k) Number of appeals of clinical eligibility determinations across populations;
- (l) Average and median length of time after an applicant is approved for Medicaid long term care until placement in the community or an institutional setting;
- (m) For persons transitioned from nursing homes, the average length of stay prior to transfer and type of living arrangement or setting and services upon transfer;
- (n) Data on diversions and transitions from nursing homes to community care, including information of unsuccessful transitions and their cause;
- (o) Data on the number of RItE Care and RItE Share applications per month and the outcome of the eligibility determination by income level (acceptance or denial, including the basis for

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denial);

(p) For new RItE Care and RItE Share applicants, the number of applications pending more than 30 days;

(q) Data on the number of RItE Care and RItE Share beneficiaries losing coverage per month including the basis for the loss of coverage and whether the coverage was terminated at recertification or at another time;

(r) Number of families enrolled in RItE Care and RItE Share required to pay premiums by income level (150-184% FPL, 185-199% FPL, and 200-250% FPL);

(s) Information on sanctions due to nonpayment of premiums by income level (150-184% FPL, 185-199% FPL, and 200-250% FPL);

(t) On an annual basis, State and Federal Expenditures under the "Cost Not Otherwise Matchable" provision of Section 1115(a)(2) of the Social Security Act; and

(u) On an annual basis, data on Medicaid spending recoveries, including estate recoveries as provided for in section 40-8-15; and be it further

RESOLVED, That this Senate hereby requests the Executive Office of Health and Human Services to provide a copy of the comprehensive Medicaid overview as provided for in section 42-7.2-5(4), to the Senate committee on Health and Human Services.

Votes: House	Senate	2nd House	2nd Senate
Public Law / Resolution #		Effective Date	

**10 H 7331 AN ACT RELATING TO HEALTH AND SAFETY - LICENSING OF HEALTH CARE FACILITIES**

Introduced by Rep. McNamara

Introduced on 2/3/2010      Last Action taken on 6/2/2010

**Description**      This act would implement a moratorium on new initial licenses for hospice providers, home nursing care providers, and home care providers until July 1, 2012. This act would take effect upon passage.

Votes: House	5/12/2010	Senate	2nd House	2nd Senate
Public Law / Resolution #			Effective Date	

**10 H 7550 AN ACT RELATING TO HEALTH AND SAFETY--HEALTH CARE QUALITY PROGRAM**

Introduced by Rep. Naughton & Reps. Ferri, Messier, McNamara, San Bento

Introduced on 2/24/2010      Last Action taken on 6/2/2010

**Description**      This act would define consumer information as meaning, but not limited to, providing written guidelines to every individual before and during their hospitalization for the purpose of preventing hospital-acquired infections. In emergency hospitalizations, the written guidelines would be required to be provided within a reasonable period of time. This act would take effect upon passage.

Votes: House	4/7/2010	Senate	2nd House	2nd Senate
Public Law / Resolution #			Effective Date	





\* hearing is scheduled but bill is not officially in that committee, in most cases its a budget article

For daily updates on the status of bills, committee hearings, etc. call the General Assembly's Legislative Hot-Line at 401-751-8833 (v), 401-222-2466 (tty) or Computer Bulletin Board at 401-222-2910. Additionally, visit their website at <http://www.rilin.state.ri.us> (which provides links to the complete texts of all bills).

*Notices of meetings of the Commission's Legislation Committee, minutes of prior meetings, and copies of the Commission's Legislative Package are available on our website at <http://www.disabilities.ri.gov>. The Legislative Letter is a weekly listing of bills filed in the RI General Assembly, committee hearings, and actions by the House and Senate relevant to people with disabilities and disabilities issues. It is available by subscription for \$20 annually. For an additional \$5 annually, the Legislative Letter will be delivered along with all Commission Reports. Both are available in standard print, large print, audiocassette, computer diskette, Braille. E-mail versions are available at no charge.*

The Commission also has a free E-mail Legislative Alert Service, e-mailing notices of important legislative activity at the State House or in Washington and local distribution of e-mail messages from the National Council on Disability, American Association of People with Disabilities, National Organization on Disability and other sources. To sign up just send an e-mail to [disabilities@gcd.state.ri.us](mailto:disabilities@gcd.state.ri.us). Thank you for your subscription to the Legislative Letter of the RI Governor's Commission on Disabilities. We appreciate your continued support and welcome any feedback that you may have.