

2015 -- H 5170

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2015

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A N A C T

RELATING TO BEHAVIORAL HEALTHCARE, DEVELOPMENTAL DISABILITIES, AND  
HOSPITALS - DIVISION OF DEVELOPMENTAL DISABILITIES

Introduced By: Representatives Hull, Serpa, Bennett, Messier, and Casey

Date Introduced: January 21, 2015

Referred To: House Finance

It is enacted by the General Assembly as follows:

1           SECTION 1. Section 40.1-21-4 of the General Laws in Chapter 40.1-21 entitled  
2 "Division of Developmental Disabilities" is hereby amended to read as follows:

3           **40.1-21-4. Powers and duties of director of mental health, retardation and hospitals.**

4       -- (a) The director of mental health, retardation, and hospitals shall be responsible for planning  
5 and developing a complete, comprehensive, and integrated statewide program for the  
6 developmentally disabled for the implementation of the program; and for the coordination of the  
7 efforts of the department of mental health, retardation, and hospitals with those of other state  
8 departments and agencies, municipal governments as well as the federal government and private  
9 agencies concerned with and providing services for the developmentally disabled.

10           (b) The director shall be responsible for the administration and operation of all state  
11 operated community and residential facilities established for the diagnosis, care, and training of  
12 the developmentally disabled. The director shall be responsible for establishing standards in  
13 conformance with generally accepted professional thought and for providing technical assistance  
14 to all state supported and licensed habilitative, developmental, residential and other facilities for  
15 the developmentally disabled, and exercise the requisite surveillance and inspection to insure  
16 compliance with standards. Provided, however, that none of the foregoing shall be applicable to  
17 any of the facilities wholly within the control of any other department of state government.

18           (c) The director of mental health, retardation, and hospitals shall stimulate research by

1 public and private agencies, institutions of higher learning, and hospitals, in the interest of the  
2 elimination and amelioration of developmental disabilities, and care and training of the  
3 developmentally disabled.

4 (d) The director shall be responsible for the development of criteria as to the eligibility  
5 for admittance of any developmentally disabled person for residential care in any department  
6 supported and licensed residential facility or agency.

7 (e) The director of mental health, retardation, and hospitals may transfer retarded persons  
8 from one state residential facility to another when deemed necessary or desirable for their better  
9 care and welfare.

10 (f) The director of mental health, retardation, and hospitals shall make grants-in-aid and  
11 otherwise provide financial assistance to the various communities and private nonprofit agencies,  
12 in amounts which will enable all developmentally disabled adults to receive developmental and  
13 other services appropriate to their individual needs.

14 (g) The director shall coordinate all planning for the construction of facilities for the  
15 developmentally disabled, and the expenditure of funds appropriated or otherwise made available  
16 to the state for this purpose.

17 (h) The director shall adopt a state reimbursement system for community and nonprofit  
18 agencies that will encourage the hiring and retention of competent, qualified, and caring  
19 individuals. Effective April 1, 2015, said rate shall be increased to thirteen dollars and ninety-  
20 seven cents (\$13.97) per hour. The rate shall be adjusted annually every April 1 by a percentage  
21 increase to the nearest cent using the Consumer Price Index for Urban Wage Earners and Clerical  
22 Workers (CPI-W) or a successor index for the previous calendar year as calculated for the  
23 northeast region by the United States Department of Labor.

24 SECTION 2. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

A N A C T

RELATING TO BEHAVIORAL HEALTHCARE, DEVELOPMENTAL DISABILITIES, AND  
HOSPITALS - DIVISION OF DEVELOPMENTAL DISABILITIES

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1           This act requires the director of Behavioral Healthcare, Developmental Disabilities, and  
2 Hospitals to adopt a state reimbursement system for community and nonprofit agencies that  
3 encourages the hiring and retention of competent individuals. This rate will be thirteen dollars  
4 and ninety-seven cents (\$13.97) per hour and will be adjusted annually.

5           This act would take effect upon passage.

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