

2019 -- S 0069

LC000289

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2019

A N A C T

RELATING TO BEHAVIORAL HEALTHCARE, DEVELOPMENTAL DISABILITIES AND HOSPITALS -- THE LICENSURE, INSPECTIONS AND INVESTIGATIONS OF DEVELOPMENTAL DISABILITIES FACILITIES

Introduced By: Senators DiPalma, Conley, Paolino, Miller, and Goldin

Date Introduced: January 16, 2019

Referred To: Senate Health & Human Services

It is enacted by the General Assembly as follows:

1 SECTION 1. Sections 40.1-24-3 and 40.1-24-11 of the General Laws in Chapter 40.1-24
2 entitled "Persons With Mental Illness, Addiction/Substance Abuse Disorders and Developmental
3 Disabilities" are hereby amended to read as follows:

4 **40.1-24-3. License requirement.**

5 No person or governmental unit, acting severally or jointly with any other person or
6 governmental unit, shall establish, conduct, or maintain a facility or program as defined in this
7 chapter in this state without a license under this chapter. [The department shall make or cause to
8 be made annual unannounced inspections and investigations of community residences as defined
9 in § 40.1-24-1.](#)

10 **40.1-24-11. Inspections and investigations -- Alterations or new construction.**

11 The department shall make or cause to be made such inspections and investigations that it
12 deems necessary. Deemed status shall not prohibit the department from conducting any
13 inspection and/or investigation it deems necessary [in addition to the required licensure
14 inspections and investigations pursuant to § 40.1-24-3.](#) The department may prescribe by
15 regulations that any licensee or applicant desiring to make a specified type of alteration or
16 addition to its facilities or to construct new facilities shall, before commencing the alteration,
17 addition, or new construction, submit plans and specifications thereto to the department for
18 preliminary inspection and approval or recommendations with respect to compliance with the

1 regulations and standards herein authorized. Necessary conference and consultations may be
2 provided.

3 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 -- THE LICENSURE, INSPECTIONS AND INVESTIGATIONS OF
DEVELOPMENTAL DISABILITIES FACILITIES

1 This act would require the department of behavioral healthcare, developmental
2 disabilities and hospitals to make or cause to be made annual unannounced inspections and
3 investigations of community residences.

4 This act would take effect upon passage.

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