

Minutes



LEGISLATION COMMITTEE

Monday May 9, 2005 3:00 PM to 4:30 PM

Governor's Commission on Disabilities

John O. Pastore Center (Formerly the Howard Center)

- 41 Cherry Dale Court

Cranston, RI 02920

(voice) 401-462-0100 (tty) 462-0101 (fax) 462-0106

(e-mail) disabilities@gcd.ri.gov

(website) www.disabilities.ri.gov

Secretary: Bob Cooper

Attendees: Tim Flynn (Vice Chair); Raymond Bandusky; Jeanne Behie; Sharon Brinkworth; Paul Choquette; Joseph Corrente; Linda Deschenes; Bill Inlow; Kate McCarthy-Barnett; & Arthur Plitt

Excused: Rosemary Carmody; Regina Connor; Joan D'Agostino; Scott Greco; Ken Pariseau; Gwen Reeve; & Rev. Gerard Sabourin

Agenda

3:00 PM Call to Order and acceptance of minutes Tim Flynn, Vice Chair.

Discussion: Vice Chair calls the meeting to order at 3:00 PM.

Members and guests introduce themselves

MOTION: To accept the minutes as presented JC/KMCCB passed unanimously

3:05 PM Status of GCD Legislative Package Bob Cooper

The Commission Position: Supports this bill if its amended

Continued

Thursday, March 10, 2005

05 H-5270 Art. 30 COMPENSATION OF BOARD MEMBERS Rep. Watson

Total of GCD Bills Supports this bill if its amended - Continued: 1

The Commission Position: Supports this bill

Scheduled for hearing and/or consideration

Tuesday May 10th @ 1 PM in rm 35

05 H-5382 HUMAN SERVICES - HEALTH CARE FOR ELDERLY AND DISABLED RESIDENTS ACT Rep. Slater Identical to S 238

Thursday, May 12, 2005 @ 4:30 PM. rm 313

05 S-0844 SOVEREIGN IMMUNITY Sen. McCaffrey Identical to H 6157

Total of GCD Bills Supports this bill - Scheduled for hearing and/or consideration: 2

Continued

Wednesday, March 09, 2005

05 H-5270 Art. 08 GENERAL PUBLIC ASSISTANCE HARDSHIP CONTINGENCY FUND Rep. Watson

Thursday, March 10, 2005

05 H-5270 Art. 01/05 GCD MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2006 Rep. Watson

Tuesday, March 22, 2005

05 H-5270 Art. 04 PROPERTY TAX RELIEF Rep. Watson Similar to H 5370 & S 0062

Wednesday, March 30, 2005

05 S-0801 HEALTH CARE FOR ELDERLY AND DISABLED RESIDENTS Sen. Paiva-Weed Identical H 5734

Thursday, March 31, 2005

05 S-0114 MOTOR AND OTHER VEHICLES -- ADJUDICATION OF TRAFFIC OFFENSES Sen. Blais Identical to H 5220

Tuesday, April 05, 2005

05 S-0171 HUMAN SERVICES - HEALTH CARE FOR ELDERLY AND DISABLED RESIDENTS ACT Sen. Gibbs

05 S-0238 HUMAN SERVICES - HEALTH CARE FOR ELDERLY AND DISABLED RESIDENTS ACT Sen. Perry Identical to H 5382

05 S-0261 HUMAN SERVICES -- HEALTH CARE FOR ELDERLY AND DISABLED RESIDENTS ACT Sen. Lanzi

05 S-0262 HUMAN SERVICES - LONG-TERM HOME HEALTH CARE Sen. Alves Identical to H 5142

05 S-0413 HUMAN SERVICES -- PERSONAL CARE ATTENDANT PROGRAM Sen. Gallo

Wednesday, April 06, 2005

05 H-5142 HUMAN SERVICES -- LONG TERM HOME HEALTH CARE Rep. Gallison Identical to S 262

Monday, April 11, 2005

05 H-5370 TAXATION - PROPERTY TAX RELIEF Rep. McManus Similar to H 5270 Art. 04, H 5472, & S 0062

Wednesday, April 13, 2005

05 H-5220 MOTOR AND OTHER VEHICLES -- ADJUDICATION OF TRAFFIC OFFENSES Rep. McNamara Identical to S 0114

Thursday, April 28, 2005

05 H-5475 PROPERTY TAX RELIEF Rep. Amaral Similar to S 62, H 5370, & H 5270 Art. 04

Tuesday, May 03, 2005

05 H-5175 HOUSING RESOURCES - NEIGHBORHOOD OPPORTUNITIES PROGRAM Rep. Fox Identical to S 651, Similar to 5270 Art. 06

Thursday, May 05, 2005

05 S-0651 HOUSING RESOURCES - NEIGHBORHOOD OPPORTUNITIES PROGRAM Sen. Felag Similar to 5270 Art. 06 & H 5175

Total of GCD Bills Supports this bill - Continued: 16

In Committee

Thursday, January 13, 2005

05 S-0062 TAXATION - PROPERTY TAX RELIEF Sen. Felag Similar to H 5370, H 5475 & H 5270 Art. 04

Tuesday, February 01, 2005

05 H-5270 Art. 06 CAPITAL DEVELOPMENT PROGRAM Rep. Watson Similar to H 5175 & S 651
Thursday, April 14, 2005

05 H-6157 SOVEREIGN IMMUNITY Rep. Moura Identical to S 844
Tuesday, April 26, 2005

05 H-5734 as Amended HUMAN SERVICES -- HEALTH CARE FOR ELDERLY AND DISABLED
RESIDENTS ACT Rep. Naughton Identical to S 801

Total of GCD Bills Supports this bill - In Committee: 4
The Commission Position: Opposes this bill

Continued

Wednesday, March 09, 2005

05 H-5270 Art. 14 MEDICAL ASSISTANCE FOR CERTAIN DISABLED CHILDREN Rep. Watson

Total of GCD Bills Opposes this bill - Continued: 1
The Commission Position: finds this bill Beneficial

Continued

Wednesday, March 09, 2005

05 H-5848 LABOR AND LABOR RELATIONS Rep. Watson Identical to S 683
Tuesday, March 15, 2005

05 S-0516 STATE AFFAIRS AND GOVERNMENT -- THE EXECUTIVE DEPARTMENT --
ESTABLISHMENT OF THE SECRETARIAT OF HEALTH AND HUMAN SERVICES Sen. Gibbs
Identical to H 5600 & see new Budget Article

Wednesday, March 16, 2005

05 H-5055 HEALTH AND SAFETY Rep. Palumbo

05 H-5715 STATE AFFAIRS AND GOVERNMENT Rep. Diaz Identical to S 0441

05 H-5758 ELECTIONS -- ELECTION OFFENSES Rep. Handy
Tuesday, March 22, 2005

05 S-0058 MILITARY AFFAIRS - VETERANS' HOME Sen. Felag Similar to H 5098

05 S-0441 STATE AFFAIRS AND GOVERNMENT Sen. Pichardo Identical to H 5715

05 S-0654 LABOR AND LABOR RELATIONS -- TEMPORARY DISABILITY INSURANCE --
NATIONAL GUARD Sen. Breene Identical to H 6176 & H 5996

Wednesday, March 23, 2005

05 H-5621 HEALTH AND SAFETY - - PUBLIC BEACH SMOKING POLLUTION CONTROL
ACT Rep. Lewiss

Wednesday, March 30, 2005

05 S-0803 EDUCATION - HEALTH AND SAFETY OF PUPILS Sen. Paiva-Weed Identical to H
5278

Tuesday, April 05, 2005

05 S-0139 HUMAN SERVICES -- ESTABLISHING A LONG-TERM CARE IMPROVEMENT
FUND Sen. Connors Identical to H 5300

05 S-0397 STATE AFFAIRS AND GOVERNMENT Sen. Goodwin Identical to H 5299

05 S-0522 STATE AFFAIRS AND GOVERNMENT -- PHARMACEUTICAL ASSISTANCE
ELDERLY PROTECTION ACT OF 2005 Sen. Roberts Identical to H 5332 and New art 2

05 S-0710 FOOD AND DRUGS -- THE RHODE ISLAND MEDICAL MARIJUANA ACT Sen.
Perry Identical to H 6052

Thursday, April 07, 2005

05 S-0291 TOWNS AND CITIES -- ZONING ORDINANCES Sen. Levesque

Monday, April 11, 2005

05 H-5098 MILITARY AFFAIRS - VETERANS' HOME Rep. Gallison Similar to S 0058
05 H-5448 STATE AFFAIRS AND GOVERNMENT -- DEPARTMENT OF VETERANS' AFFAIRS
Rep. Shanley

Wednesday, April 13, 2005

05 H-5236 BRIDLE AND HIKING TRAILS Rep. Gorham

Tuesday, April 26, 2005

05 H-5385 STATE AFFAIRS AND GOVERNMENT -- THE HOUSING FIRST, ENDING
HOMELESSNESS INITIATIVE Rep. Slater Identical to S 145 & H 5793, Similar to H 5289 & S 204

05 H-5600 STATE AFFAIRS AND GOVERNMENT -- THE EXECUTIVE DEPARTMENT --
ESTABLISHMENT OF THE SECRETARIAT OF HEALTH

AND HUMAN SERVICES Rep. Mumford Identical to S 516 & see new budget Article

Wednesday, April 27, 2005

05 H-5285 TAXATION -- CIGARETTE TAX Rep. Rice

Thursday, April 28, 2005

05 S-0749 MENTAL HEALTH, RETARDATION, AND HOSPITALS - DIVISION OF MENTAL
HEALTH Sen. Pichardo Identical to H 5482

Tuesday, May 03, 2005

05 H-5226 HEALTH AND SAFETY -- ENVIRONMENTAL LEAD PROGRAM Rep. Lewiss
Similar to H 5383

05 H-5289 STATE AFFAIRS AND GOVERNMENT - RHODE ISLAND HOUSING RESOURCES
ACT OF 1998 Rep. Slater Identical to S 0204, Similar to H 5385, H 5793, & S 145

05 H-5793 STATE AFFAIRS AND GOVERNMENT -- THE SHELTER TO HOUSING PROGRAM
Rep. Slater Identical to H 5385 & S 145, Similar to H 5289 & S 0204

Wednesday, May 04, 2005

05 H-5182 HEALTH AND SAFETY OF PUPILS Rep. Naughton

Thursday, May 05, 2005

05 S-0145 STATE AFFAIRS AND GOVERNMENT -- THE SHELTER TO HOUSING
PROGRAM Sen. Perry Identical to H 5385 & H 5793, Similar to H 5289 & S 0204

05 S-0204 STATE AFFAIRS AND GOVERNMENT - RHODE ISLAND HOUSING RESOURCES
ACT OF 1998 Sen. Pichardo Identical to H 5289, Similar to H 5385, H 5793, & S 145

Total of GCD Bills finds this bill Beneficial - Continued: 28

In Committee

Thursday, January 27, 2005

05 H-5012 JOINT COMMITTEE ON NAMING STATE CONSTRUCTIONS Rep. Carter

Wednesday, February 02, 2005

05 H-5278 EDUCATION - HEALTH AND SAFETY OF PUPILS Rep. Savage Identical to S 803

05 H-5288 INSURANCE Rep. Slater

05 H-5299 STATE AFFAIRS AND GOVERNMENT -- ELDERLY PHARMACEUTICAL
ASSISTANCE Rep. Ginaitt Identical to S 397

05 H-5300 HUMAN SERVICES -- ESTABLISHING A LONG-TERM CARE IMPROVEMENT
FUND Rep. Slater Identical to S 139

Thursday, February 03, 2005

05 H-5332 STATE AFFAIRS AND GOVERNMENT -- PHARMACEUTICAL ASSISTANCE
ELDERLY PROTECTION ACT OF 2005 Rep. Sullivan Identical to S 522 and New art. 2

Tuesday, February 08, 2005

05 H-5372 THE RHODE ISLAND STUDENT INVESTMENT INITIATIVE Rep. Moran

Thursday, February 10, 2005

05 H-5482 MENTAL HEALTH, RETARDATION, AND HOSPITALS - DIVISION OF MENTAL HEALTH Rep. Slater Identical to S 749

Tuesday, February 15, 2005

05 S-0672 STATE AFFAIRS AND GOVERNMENT -- DEPARTMENT OF HUMAN SERVICES Sen. Roberts

Thursday, February 17, 2005

05 H-5735 EDUCATION -- HEALTH AND SAFETY OF PUPILS Rep. Caprio

05 H-5790 PHARMACEUTICAL ASSISTANCE TO THE ELDERLY Rep. Crowley Similar to S 236

Tuesday, March 01, 2005

05 H-6044 PUBLIC UTILITIES AND CARRIERS -- RHODE ISLAND PUBLIC TRANSIT AUTHORITY Rep. Handy

05 H-6052 FOOD AND DRUGS -- THE RHODE ISLAND MEDICAL MARIJUANA ACT Rep. Slater Identical to S 0710

Wednesday, March 30, 2005

05 S-0377 MEMORIALIZING CONGRESS TO OPPOSE PRIVATIZATION OF SOCIAL SECURITY Sen. Goodwin Identical to H 5364

Tuesday, April 26, 2005

05 S-0815 HUMAN SERVICES -- ALL-INCLUSIVE CARE FOR THE ELDERLY Sen. Alves Identical to H 5827

Total of GCD Bills finds this bill Beneficial - In Committee: 15

Recommend Passage

Tuesday, April 26, 2005

05 H-5827 HUMAN SERVICES -- CARE FOR THE ELDERLY Rep. Costantino Identical to S 815

Total of GCD Bills finds this bill Beneficial - Recommend Passage: 1

Resolution Adopted

Wednesday, April 13, 2005

05 H-5022 CREATING A SPECIAL HOUSE COMMISSION TO UNDERTAKE A COMPREHENSIVE STUDY OF THE VETERANS HOME IN BRISTOL AND DEVELOP A MASTER PLAN FOR THE OVERALL FUTURE DIRECTION OF THE FACILITY Rep. Carter

Total of GCD Bills finds this bill Beneficial - Resolution Adopted: 1

Transferred

Thursday, April 28, 2005

05 H-5186 EQUAL OPPORTUNITY AND AFFIRMATIVE ACTION Rep. Almeida

Wednesday, May 04, 2005

05 S-0683 as Amended LABOR AND LABOR RELATIONS Sen. Breene Identical to H 5848

05 H-5364 MEMORIALIZING CONGRESS TO OPPOSE PRIVATIZATION OF SOCIAL SECURITY Rep. Moura Identical to S 377

Total of GCD Bills finds this bill Beneficial - Transferred: 3

Continued

Tuesday, March 08, 2005

05 H-5544 RELATING TO ASSAULTS Rep. Naughton Identical to S 439

Tuesday, April 05, 2005

05 S-0236 STATE AFFAIRS AND GOVERNMENT - - PHARMACEUTICAL ASSISTANCE TO THE ELDERLY Sen. Perry Similar to H 5790

Total of GCD Bills finds this bill Beneficial if amended - Continued: 2

In Committee

Thursday, January 20, 2005

05 S-0122 SCHOOL AND MUNICIPAL PLAYGROUND SAFETY Sen. Blais

Wednesday, February 02, 2005

05 S-0183 HEALTH AND SAFETY- STEM CELL RESEARCH Sen. Perry Identical to H 6047

05 S-0202 PUBLIC OFFICERS AND EMPLOYEES -- SALARIES AND TRAVELING EXPENSES

Sen. Gibbs

05 H-5291 HUMAN SERVICES -- PUBLIC ASSISTANCE ACT Rep. Slater

Tuesday, February 15, 2005

05 H-5562 INSURANCE COVERAGE -- CANCER EXAMINATIONS AND TESTS Rep.

McNamara

Wednesday, March 16, 2005

05 H-6047 HEALTH AND SAFETY- STEM CELL RESEARCH Rep. Ajello Identical to S 183

Wednesday, March 30, 2005

05 S-0439 ASSAULTS Sen. McCaffrey Identical to H 5544

Total of GCD Bills finds this bill Beneficial if amended - In Committee: 7

Recommend Passage

Tuesday, March 08, 2005

05 S-0022 DOMESTIC RELATIONS -- CHILD SUPPORT ENFORCEMENT Sen. Bates

Total of GCD Bills finds this bill Beneficial if amended - Recommend Passage: 1

Continued

Wednesday, March 02, 2005

05 H-5723 PARKING PRIVILEGES Rep. Lewiss

Tuesday, March 15, 2005

05 H-6127 TO APPROVE AND PUBLISH, AND SUBMIT TO THE ELECTORS A PROPOSITION OF AMENDMENT TO THE CONSTITUTION OF THE STATE (INITIATIVE AND REFERENDUM)

Rep. Gorham Identical to H 5243 & S 124, Related to S 0125 & H 5245

Wednesday, March 23, 2005

05 H-5020 HEALTH AND SAFETY Rep. Faria

05 H-5243 PROPOSITION OF AMENDMENT TO THE CONSTITUTION OF THE STATE (INITIATIVE AND REFERENDUM) Rep. Picard Identical to H 6127 & S 0124, Related to H 5245 & S 0125

05 H-5245 INITIATIVE AND REFERENDUM Rep. Picard Identical to S 0125, Related to H 5243, H 6127 & S 0124

Wednesday, April 06, 2005

05 S-0124 APPROVE AND PUBLISH AND SUBMIT TO THE ELECTORS A PROPOSITION OF AMENDMENT TO THE CONSTITUTION OF THE STATE (INITIATIVE AND REFERENDUM)

Sen. Cote Identical to H 5243 & 6127, Related to S 0125 & H 5245

05 S-0125 INITIATIVE AND REFERENDUM Sen. Cote Identical to H 5245, Related to S 0124, H 5243 & H 6127

Wednesday, April 13, 2005

05 S-0841 INSURANCE Sen. Connors Similar to S 0078, H 5233, & H 5763

Thursday, April 14, 2005

05 H-5111 STATE AFFAIRS AND GOVERNMENT -- LEAD HAZARD MITIGATION Rep. McHugh Similar to H 5112, H 5235

05 H-5112 STATE AFFAIRS AND GOVERNMENT -- LEAD HAZARD MITIGATION Rep. McHugh Similar to H 5111, H 5235
05 H-5235 STATE AFFAIRS AND GOVERNMENT -- LEAD HAZARD MITIGATION Rep. Lewiss Similar to H 5111, H 5112
05 H-5763 INSURANCE Rep. Church Similar to S 0078, S 841, & H 5233
05 H-5880 STATE AFFAIRS AND GOVERNMENT -- LEAD HAZARD MITIGATION Rep. McManus

Total of GCD Bills finds this bill Harmful - Continued: 13

In Committee

Thursday, January 13, 2005

05 H-5063 TOWNS AND CITIES Rep. Kilmartin Similar to S 0172

Tuesday, January 18, 2005

05 S-0078 INSURANCE Sen. Blais Similar to S 841, H 5233, & H 5763

Wednesday, February 02, 2005

05 S-0172 STATE EDUCATION -- MANDATES Sen. Blais Similar to H 5063

Thursday, February 17, 2005

05 H-5701 PUBLIC RECORDS -- ACCESS Rep. Dennigan Similar to H 5702

05 H-5702 PUBLIC RECORDS Rep. Dennigan Similar to H 5701

Wednesday, April 06, 2005

05 H-5863 ELECTIONS -- MAIL BALLOTS Rep. Slater

Total of GCD Bills finds this bill Harmful - In Committee: 6

Recommend No Passage

Thursday, April 14, 2005

05 H-5233 MANDATED BENEFITS REVIEW ACT Rep. Menard Similar to S 0078, S 841, & H 5763

Total of GCD Bills finds this bill Harmful - Recommend No Passage: 1

Transferred

Tuesday, April 26, 2005

05 S-0928 PARKING FACILITIES AND PRIVILEGES Sen. Ciccone

Thursday, April 28, 2005

05 H-6369 LEAD HAZARD REDUCTION Rep. Lima

Total of GCD Bills finds this bill Harmful - Transferred: 2

In Committee

Thursday, February 17, 2005

05 H-5686 THE DEPARTMENT OF ADMINISTRATION Rep. Dennigan

Total of GCD Bills finds this bill Harmful unless amended - In Committee: 1

Recommend Passage

Wednesday, May 04, 2005

05 S-0423 Sub A INSURANCE -- EARLY INTERVENTION SERVICES Sen. Cote Identical to H 5228

Total of GCD Bills finds this bill Harmful unless amended - Recommend Passage: 1

Recommitted

Thursday, April 28, 2005

05 S-0588 COURTS - SUPREME COURT JUSTICES Sen. McCaffrey Identical to H 5344

Total of GCD Bills finds this bill Harmful unless amended - Recommitted: 1

Transferred

Wednesday, May 04, 2005

05 H-5228 Sub A INSURANCE -- EARLY INTERVENTION SERVICES Rep. Naughton Identical to S 423

05 H-5344 COURTS AND CIVIL PROCEDURE - COURTS - JUSTICES OF SUPREME, SUPERIOR, AND FAMILY COURTS Rep. Flaherty Identical to S 588

Total of GCD Bills finds this bill Harmful unless amended - Transferred: 2

3:20 PM Review of Tabled Bills

Bob Cooper

Discussion: Members discussed the following bill, tabled at the last meeting

Category: Health Care Services Tabled for more information from Sponsor

05 H-5760 Title: INSURANCE (Continued in House Corporations Committee)

Sponsors: Rep. Dennigan & Reps. Anguilla, Almeida, and Williams

This act would create the High-Risk Health Insurance Pool Act that would provide coverage for:

(a) Any individual person who is and continues to be a resident of Rhode Island and a citizen of the United States shall be eligible for coverage from the Pool if evidence is provided of:

(1) a notice of rejection or refusal to issue substantially similar insurance for health reasons by two insurers, provided that at least two insurers offer individual health insurance coverage in the state. If only one insurer offers individual market health insurance coverage in the state, then one rejection shall be sufficient. A rejection or refusal by an insurer offering only stop-loss, excess loss, or re-insurance coverage with respect to the applicant shall not be sufficient evidence under this subsection;

(2) a refusal by two (2) insurers to issue insurance except at a rate exceeding the Pool rate, provided that at least two (2) insurers offer individual health insurance coverage in the state. If only one insurer offers individual market health insurance coverage in the state, then one quote that exceeds the Pool rate shall be sufficient;

(3) a diagnosis of the individual with one of the medical or health conditions listed by the board in accordance with this chapter. A person diagnosed with one or more of these conditions shall be eligible for a Pool coverage without applying for health insurance coverage;

(4) for persons eligible due to eligibility under federal HIPAA law, the maintenance of health insurance coverage for the previous eighteen (18) months with no gap in coverage greater than sixty-three (63) days of which the most recent coverage was through an employer sponsored plan; or

(5) for persons eligible as a result of certification for federal trade adjustment assistance or for pension benefit guarantee corporation assistance, as provided by the federal Trade Adjustment Assistance Reform Act of 2002, as amended, coverage with no pre-existing conditions limitation for individuals with three (3) months of prior creditable coverage with a break in coverage of no more than sixty-three (63) days.

(b) Each dependent of a person who is eligible for coverage from the Pool shall also be eligible for coverage from the Pool. In the instance of a child who is primary insured, resident family members shall also be eligible for coverage.

(c) A person may maintain Pool coverage for the period of time the person is satisfying a pre-existing waiting period under another health insurance policy or insurance arrangement intended to replace the Pool policy.

(d) A person is not eligible for coverage from the Pool if the person:

(1) has in effect on the date Pool coverage takes effect health insurance coverage from an insurer or insurance arrangement;

(2) is eligible for other health care benefits at the time application is made to the Pool, including COBRA continuation except:

- (a) coverage, including COBRA continuation, other continuation or conversion coverage, maintained for the period of time the person is satisfying any pre-existing condition waiting period under a Pool policy; or
- (b) employer group coverage conditioned by any limitation described herein; or
- (c) individual coverage conditioned by any limitation described herein.
- (3) has terminated coverage in the Pool within twelve (12) months of the date that application is made to the Pool, unless the person demonstrates a good faith reason for the termination;
- (4) is confined in a county jail or imprisoned in a state prison;
- (5) has premiums that are paid for or reimbursed by any third-party payer or under any government sponsored program or by any government agency or health care provider, except as an otherwise qualifying full-time employee, or dependent thereof, of a government agency or health care provider; or if the individual receives premium payment assistance through the federal health insurance tax credit established by the federal Trade Adjustment Assistance Reform Act of 2002.
- (6) has had prior coverage with the Pool terminated for nonpayment of premiums or fraud.
- (e) Pool pre-existing condition requirements are waived for the following individuals:
 - (1) Individuals for whom, as of the date on which the individual seeks plan coverage, the aggregate of the periods of creditable coverage is eighteen (18) or more months, and whose most recent prior creditable coverage was under group health insurance coverage by a health insurance issuer, a group health plan, a governmental plan, or a church plan (or health insurance coverage offered in connection with any such plans) or any other type of creditable coverage that may be required by the federal Health Insurance Portability and Accountability Act of 1996, as it may be amended, or the regulations under that Act;
 - (2) Individuals who are eligible for federal trade adjustment assistance or for pension benefit guarantee corporation assistance, as provided by the federal Trade Adjustment Assistance Reform Act of 2002, as amended, provided that as of the date on which the individual was certified as eligible for federal trade adjustment assistance, the individual had at least (3) three months of prior creditable coverage with no longer than a sixty-three (63) day break in coverage as established by the federal Trade Adjustment Assistance Reform Act of 2002, as it may be amended or the regulations under that Act.

The committee took no position.

3:30 PM Review of New Bills

Tim Flynn, Vice Chair.

Category: Health Care Services

committee review requested by Jeanne

05 H-5729 Sub A Title: CREATING A SPECIAL LEGISLATIVE COMMISSION TO STUDY PROHIBITING THE USE OF THIMEROSAL IN IMMUNIZATIONS

Sponsors: Rep. Jackson & Reps. Sullivan, Gallison, Church, and Rice

This act would prohibit the use of thimerosal in vaccines and immunizations.

This act would take effect upon passage.

The substitute would create a five (5) member special House commission whose purpose it would be to make a comprehensive study of prohibiting the use of Thimerosal in immunizations, and who would report back to the House of representatives no later than May 2, 2006 and whose life would expire on July 2, 2006.

MOTION: To find beneficial if amended to 05 H-5729 Sub A Relating to CREATING A SPECIAL LEGISLATIVE COMMISSION TO STUDY PROHIBITING THE USE OF THIMEROSAL IN IMMUNIZATIONS BI/ motion died for lack of a second

05 H-5896 Sub A Title: CAUSES OF ACTION -- GOOD SAMARITAN IMMUNITY FROM

LIABILITY

Sponsors: Rep. Petrarca & Reps. T Brien, Giannini, Williams, and Corvese
House Calendar Recommend 5/5/2005

This act would expand the Good Samaritan Immunity from liability to doctors at nonprofit hospital service corporations or performing health screening services.

This act would take effect upon passage.

The substitute would expand the Good Samaritan Immunity from liability to also include duly licensed nurse practitioners at nonprofit hospital service corporations or performing health screening services.

The Committee took no position

Category: Life Safety & Health / Disability Prevention

committee review requested by Bob

05 H-5068 Title: TOBACCO SALES Sponsors: Rep. Kilmartin & Reps. Handy, Dennigan, & Church
Description: This act would increase the penalty for the use of tobacco by minors to not more than seventy-five dollars (\$75) and/or up to twenty (20) hours of community service.

This act would take effect upon passage.

MOTION: To find beneficial H-5068 Relating to TOBACCO SALES BI/PC passed, RB abstained

05 S-0109 Title: CRIMINAL OFFENSES – CHILDREN Sponsors: Sen. Raptakis & Sens. Sheehan, & Polisena

This act would increase the penalty for the use of tobacco by minors to not more than seventy-five dollars (\$75) and/or up to twenty (20) hours of community service.

This act would take effect upon passage

MOTION: To find beneficial S-0109 Relating to CRIMINAL OFFENSES – CHILDREN BI/KMcCB passed, RB abstained

05 S-1045 Title: CIGARETTE TAX - SMOKELESS TOBACCO Sponsors: Rep. Leo R. Blais
Description: This act would provide that notwithstanding the 30% tax rate on cigars the tax shall not exceed \$.50 per cigar from July 1, 2005 to June 30, 2007.

This act would take effect upon passage and would be effective from July 1, 2005 through June 30, 2007.

The Committee took no position

05 H-5314 Title: HEALTH AND SAFETY – PUBLIC HEALTH AND WORKPLACE SAFETY ACT

Sponsors: Rep. Laroche & Reps. T Brien, Faria, Menard, and Winfield Description: This act would exempt from the provisions of this chapter any bar where the service of food is merely incidental to the service of alcoholic beverages and said service of food constitutes less than ten percent (10%) of its gross revenue.

This act would take effect upon passage.

MOTION: To find harmful H-5314 Relating to HEALTH AND SAFETY -- PUBLIC HEALTH AND WORKPLACE SAFETY ACT BI/PC passed, RB abstained

committee review requested by Jeanne

05 H-5366 Title: APPROPRIATION OF \$100,000 TO THE CHILD ABUSE AND NEGLECT PREVENTION PROJECT

Sponsors: Rep. Dennigan & Reps. Church, Anguilla, and Slater
This act would authorize the appropriation of the sum of \$100,000 for the Child Abuse and Neglect Prevention Project.
This act would take effect upon passage.

The Committee took no position

Category: Transportation

committee review requested by OSCIL

05 H-6441 Title: MOTOR AND OTHER VEHICLES – STOPPING, STANDING AND PARKING RESTRICTIONS

Sponsors: Rep. Naughton & Reps. Slater, Diaz, Carter, and Melo Requested by the Ocean State Center for Independent Living

Description: This act would prohibit parking upon any crosshatched access aisle adjacent to disability parking spaces.

This act would take effect upon passage.

MOTION: To find beneficial H-6441 Relating to MOTOR AND OTHER VEHICLES -- STOPPING, STANDING AND PARKING RESTRICTIONS AP/PC passed unanimously

4:00 PM Review of Amended Bills

Tim Flynn

05 H-5734 as Amended Title: HUMAN SERVICES -- HEALTH CARE FOR ELDERLY AND DISABLED RESIDENTS ACT (In House Finance Committee)

Sponsors: Rep. Naughton & Reps. Ajello, McNamara, E Coderre, and Dennigan Requested by the Governor's Commission on Disabilities, Introduced on 2/17/2005

This act would establish a managed health care program for adults with disabilities residents.

This act would take effect upon passage.

Supports this bill

Amendment corrects an error in drafting clarifying

05 H-5742 Sub A Title: HEALTH INSURANCE COVERAGE -- MANDATED HEARING AID COVERAGE (on House Calendar)

Sponsors: Rep. Jacquard & Reps. Lewiss, and Schadone , Introduced on 2/17/2005

This act would provide that health insurance coverage will provide for persons who are hard of hearing age of eighteen (18) or older with coverage that provides for twenty percent (20%) of the cost or four hundred dollars (\$400) whichever is smaller, per ear, every three (3) years, in every health insurance contract, plan or policy issued or renewed on or after January 1, 2006.

This act would take effect upon passage.

Finds this bill Beneficial

The substitute replaces the existing law that requires health insurance coverage for children under age 18 with hearing aid coverage for one thousand dollars (\$1,000), per ear, every three (3) years, with coverage, regardless of age for twenty percent (20%) of the cost or four hundred dollars (\$400) whichever is smaller, per ear, every three (3) years, in every health insurance contract, plan or policy issued or renewed on or after January 1, 2006.

The Committee didn't change is position that the bill is beneficial

05 S-0423 Sub A Title: INSURANCE -- EARLY INTERVENTION SERVICES (Passed Senate)

Sponsors: Sen. Cote & Sen. Paiva-Weed, J Montalbano, Perry, and Badeau , Introduced on 2/10/2005

05 H-5228 Sub A Title: INSURANCE -- EARLY INTERVENTION SERVICES (in Senate HHS

Cmte.)

Sponsors: Rep. Naughton & Reps. Costantino, and Slater , Introduced on 2/1/2005

This act would provide that a deductible and coinsurance factor may be applied to early intervention services covered by high deductible health plans issued in conjunction with health savings accounts established pursuant to section 223 of the Internal Revenue Code.

This act would take effect upon passage.

Finds this bill Harmful unless amended

The substitute includes a five (5) year sunset provision and a reporting requirement for the Health Insurance Commissioner. The terms "high deductible health plan" and "health savings account" shall have the same meaning as those terms have in section 223 of the federal Internal Revenue Code of 1986.

MOTION: To retain the position that the bills are harmful unless the substitute version has addressed the concerns of Family Voices. **05 S-0423 Sub A & 05 H-5228 Sub A Relating to INSURANCE -- EARLY INTERVENTION SERVICES AP/LD** passed unanimously

4:25 PM Other Business

Jeanne asked about the status of the Health Care Provider Index legislation, Bob wasn't able to find the bill. Jeanne will check on the bill's number before the next meeting.

Observers:	Christine Botts, GCD
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Adjourned at:	4:10 PM
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