Governor's Commission on Disabilities
Legislation Committee

Monday March 19, 2007 3 – 4:30 PM

John O. Pastore Center, 41 Cherry Dale Court,
Cranston, RI 02920-3049
(voice) 401-462-0100 (tty) 462-0101 (fax) 462-0106
(e-mail) disabilities@GCD.ri.gov (website) www.disabilities.ri.gov

Attendees:	Timothy Flynn (Chair); Kate McCarthy-Barnett (Vice Chair); Raymond Bandusky; Jeanne Behie; Rosemary C. Carmody; Linda Deschenes; Elaina Goldstein; Liberty Goodwin; Arthur M. Plitt; Gwendolyn Reeve; & Rev. Gerard O. Sabourin;
Excused:	Sharon Brinkworth; Paul Choquette; Deborah Garneau; William R. Inlow; Dianne Kayala; Ken Pariseau; Paula Parker; Janet Spinelli; & Michael Spoerri.

---------- Agenda Topics ----------

Call to Order and Acceptance of the Minutes	**Tim Flynn Chairperson**	**5 min.**

Introductions:

MOTION: To accept the minutes of the previous meeting as presented RB/AP passed unanimously

Action Items:	Discussion Leader:	Time:
1. Consideration of Tabled Bills		

Category: Civil Rights

Tabled for more information from air pollution chapter

07 H-5259 An Act Relating to Health and Safety - Public Safety - School Air Quality Sponsor: Rep. Moffitt Description This act would require the state department of health to conduct yearly air quality inspections in each public school building. This act would take effect upon Continued House Health, Education, & Welfare Committee

Members reviewed the other sections of the Air Pollution Chapter and decided to take no positionon the bill.

The Mental Health Advocate reported that the bill is being withdrawn.

~~07 S-0728 & 07 H-5361 Acts Relating to Mental Health, Retardation, and Hospitals - Incompetency to Stand Trial and Persons Adjudged Not Guilty By Reasons of Insanity Sponsors: Sen. McCaffrey& Rep. Almeida Description This act would amend provisions of the general laws relative to the filing of a petition setting forth that an incarcerated person is mentally ill and requires special care or treatment. Advocate shall be supported by written consent of the inmate or his/her legally designated representative and a sworn affidavit: Such a provision shall include provable facts and circumstances in support of the petition; and provide what evidence will be introduced at the hearing, as well as~~

~~mental health or other relevant treatment records of the petitioner. This act would In Committee Senate Judiciary Committee~~

Category: Health Care Services

Tabled for more information from Salve Regina

07 S-0132 & 07 H-5021 Acts Relating to Business and Professions -- Licensing of Rehabilitation Counselors Sponsors: Sen. Cote & Rep. Naughton Description This act would provide for licensing of rehabilitation counselors. The professional application of rehabilitation counseling through a systemic process that assists persons who have physical, mental, developmental, cognitive and emotional disabilities to achieve their personal, career, and independent living goals in the most integrated settings possible. The rehabilitation counseling process involves communication, goal-setting and beneficial growth or change through self-advocacy, psychological, vocational, social and behavioral interventions. This act would take effect on March 31, 2008. In Committee Senate Health and Human Services Committee

The bill was tabled again until a representative from Salve Regina University can attend.

Tabled for more information from Sponsor & RI Parent Information Network

07 H-5140 An Act Relating To Health And Safety - Maternal And Child Health Services Sponsor: Rep. Naughton Description This act would ensure that all eligible developmentally disabled infants shall be enrolled in the early intervention program from birth to age six. An evaluation plan describing outcome measures that document the program's successes and shortcomings from the previous fiscal year shall be submitted to the speaker of the house of representatives, the president of the senate, the house oversight committee, the governor and the interagency coordinating council. This plan shall include recommendations regarding modifications to the comprehensive array of educational, developmental, health and social services provided on a calendar year basis to eligible infants, children and their families as specified in an early intervention system. This act would take effect upon passage. In Committee House Finance Committee

Dawn Wardyga, from RI Parent Information Network/Family Voices explained that there is great disparity amongst the school districts on the criteria for moving from early intervention to public school at age 3. Some children are “dropped” from service when the school does not pick up the child.

MOTION: To recommend to the sponsor of 07 H-5140 An Act Relating To Health And Safety - Maternal And Child Health Services that the bill should direct the Interagency Coordinating Council conduct an in-depth study of the transition period and report back to the General Assembly by Jan. 2008. EG/AP Passed GR & RC abstain.

2. Consideration of New Bills

07 H-5504 & 07 S-0283 Acts Relating to Elections -- Conduct of Election and Voting Equipment and Supplies Sponsors: Rep. Story & Sen. Gibbs, in the House & Senate Judiciary Committees Description: This act would require every person, before they receive their ballot, to produce either one form of identification with their name, address and photograph, or two forms of identification that bear the name and address of that person. This act would take effect upon passage.

2007 H-5504

It is enacted by the General Assembly as follows:

SECTION 1. Section 17-19-24 of the General Laws in Chapter 17-19 entitled "Conduct of Election and Voting Equipment, and Supplies" is hereby amended to read as follows:

17-19-24. Procedure for voting. -- (a) Each person desiring to vote shall, before receiving his or her ballot, state his or her name and residence, including that person's street address, if he or she has any, and shall present one form of identification that bears the name, address and photograph of the person desiring to vote or two (2) different forms of identification that bear the name and address of such person to the pair of bi-partisan supervisors, who shall then announce the name and residence in a loud and distinct voice, clear and audible.

(b) A bipartisan pair shall locate the voter's name on the certified voting list for the voting district. Upon finding the voter's name on the certified voting list for the district, the voter shall sign their name on the line next to their printed name on the certified voter list, and the bipartisan pair shall initial the certified voter list in the place provided next to the voter's signature entered on the certified list of voters. The bipartisan pair shall also make a proper notation on the certified voter list that the applicant has voted in the election. If the bipartisan pair cannot locate the voter's name on the certified voting list for the voting district the bipartisan pair shall direct the voter to the clerk who shall review the certified list for the city or town and determine if the voter is registered to vote and in which voting district they are eligible to vote. The bipartisan pair of supervisors shall provide the voter with the appropriate computer ballot and security sleeve. The warden shall direct the voter to the voting booth which the voter shall use, and unless the voter needs instruction or assistance as provided in this chapter, the voter shall cast his or her vote, and if he or she desires place the voted computer ballot in a security sleeve, and shall proceed to the optical scan precinct count unit and shall personally place his or her voted ballot into the designated ballot slot on the unit, and after doing so, shall leave the enclosure at once. No voter shall remain within the voting booth longer than ten (10) minutes, and if the voter refuses to leave after the lapse of ten (10) minutes, the voter shall be removed from the voting booth by order of the warden. Except for the election officials and the election inspector, not more than two (2) voters in excess of the number of voting booths shall be permitted within the enclosed space at any time.

(c) The optical scan precinct count unit shall be programmed to return a ballot to the voter if the voter has cast votes for more persons than which he or she is entitled to cast. The warden, by reading the message given on the optical scan precinct count unit, must advise the voter of the fact that the ballot has been over-voted. The voter will be instructed by the warden to remove his or her own ballot from the optical scan precinct count unit ballot slot. The warden will then ask the voter to surrender the ballot as void and receive a new ballot. If the voter agrees, the voter will make additional marks on the ballot so as not to identify the actual votes intended by the voter for the ballot. The ballot will be marked void by the warden and deposited in the receptacle for void ballots provided at the polling place. If the voter insists on casting the over-voted ballot, he or she will be advised that all races, other than the over-voted race, will be counted by the optical scan precinct count unit, and if he or she still insists, the warden will manually override the appropriate control on the unit and allow for the ballot to be entered and counted for all races other than the over-voted race.

(d) In the event a voter incorrectly marks a ballot by indicating his or her choices other than in the spaces provided for them, the ballot will be returned to the voter. The warden, by reading the message given on the optical scan precinct count unit, must advise the voter of the fact that the ballot has been marked incorrectly. The voter will be instructed by the warden to remove his or her own ballot from the optical scan precinct unit ballot slot. The warden will then advise the voter to surrender the ballot as void and receive a new ballot. If the voter agrees, the voter will make additional marks on the ballot so as not to identify the actual votes intended by the voter for the ballot. The ballot will be marked void by the warden and deposited in the receptacle for void ballots provided at the polling place. The warden will then provide for the instruction of the voter on the correct manner of marking his or her vote and the voter will be

issued a new ballot. If the voter insists on casting the incorrectly marked ballot, the warden will manually override the appropriate control on the optical scan precinct count unit and allow for the ballot to be accepted.

SECTION 2. This act shall take effect upon passage.

MOTION: To find harmful **07 H-5504 & 07 S-0283 Acts Relating to Elections -- Conduct of Election and Voting Equipment and Supplies** RB/AP GR, RB, AP, LD. Yes – JB, RC, EG, RS – Nay and LG abstain. Tie vote, the motion did not passed.

07 H-5969 An Act Relating to Elections -- Matching Public Funds

Sponsors: Rep. Handy, Continued in the House Health, Education, & Welfare Committee

Description: This act would require captioning for the deaf and hard of hearing of television political advertisements and a written or text format of radio political advertisements available at the time of request by candidates who elect to receive matching campaign financing. This act would take effect on January 1, 2008.

07 H-5969

It is enacted by the General Assembly as follows:

SECTION 1. Sections 17-25-20 and 17-25-30 of the General Laws in Chapter 17-25 entitled "Rhode Island Campaign Contributions and Expenditures Reporting" are hereby amended to read as follows:

17-25-20. Eligibility criteria for matching public funds. -- In order to receive matching public funds under section 17-25-19, a qualifying candidate must comply with the following requirements:

(1) The candidate must sign a statement under oath, as provided for in section 17-25-19, pledging to comply with the limitations on contributions and expenditures for election purposes and with all the terms and conditions set forth in this chapter. Upon the filing of the statement, a candidate for general office shall be bound to abide by the limitations on contributions and expenditures set forth in this chapter and may not withdraw from his or her obligation to abide by these restrictions.

(2) (i) Subject to the provisions of paragraph (ii) of this subdivision, no participating candidate shall either receive or expend for election purposes more than a total of public and private funds in the sum of one million five hundred thousand dollars ($1,500,000) in an election cycle. No participating candidate for general office other than governor shall receive or expend for election purposes more than a total of public and private funds in the sum of three hundred seventy-five thousand dollars ($375,000) in an election cycle.

(ii) The limitations on contributions received from private sources, matching funds available from the state, and total permitted expenditures shall apply in the 1994 general election and, subject to appropriations by the general assembly, shall increase by a percentage to be determined by the board of elections in January of each year in which a general election involving general offices is held, beginning in 1998. In no case shall the increase exceed the total increase in the consumer price index since the month in which the previous general election involving general was held.

(3) (i) Only the first two thousand dollars ($2,000) of the aggregate private monetary contributions from a single private source within an election cycle shall be eligible for matching public funds for candidates for governor; provided, that the entire amount contributed shall be considered toward the dollar limits provided in subdivision (2) of this section.

(ii) Only the first one thousand dollars ($1,000) of the aggregate private monetary contributions from a single private source within an election cycle shall be eligible for matching public funds for candidates for lieutenant governor, secretary of state, attorney general, and general treasurer; provided, that the entire amount contributed shall be considered toward the dollar limits provided for in subdivision (2) of this section.

(iii) Any private funds lawfully contributed during the current election cycle shall be eligible for matching public funds subject to the terms and conditions of this section, and private funds donated during a preceding election cycle shall not be eligible for matching public funds.

(4) The direct costs incurred in connection with raising campaign funds on behalf of a candidate shall not be deemed to be expenditures for the purposes of the limitations on expenditures set forth in subdivision (2) of this section. Direct costs shall include costs of printing and mailing invitations to fundraising events, solicitations for contributions, costs of hosting fundraising events, and travel to those events, but shall not include any portion of the salary or wages of campaign employees, nor the cost of any radio, television, or printed advertisement. The cost of a fundraising event must be less than the amount of money realized from the gross proceeds generated by the fundraising event in order to qualify for this exclusion.

(5) If a candidate who has accepted public funds makes expenditures in excess of the permitted amounts, the candidate shall be liable for a civil assessment payable to the state in an amount equal to three (3) times the amount of excess funds expended. In addition, the candidate shall be ineligible for further participation in the public financing program during the same election cycle.

(6) In order to receive payments under this section, any independent candidate shall first meet the following additional minimum requirements:

(i) Raise an amount in qualified private contributions equal to twenty percent (20%) of the total amount eligible to be matched for election as to the office sought;

(ii) Receive private contributions from a minimum of two hundred fifty (250) individuals contributing at least twenty-five dollars ($25.00) each; and

(iii) Comply with any and all applicable nomination provisions in this title and qualify for the general election ballot pursuant to the process set forth in this title.

(7) No public funds received by any candidate pursuant to sections 17-25-19 -- 17-25-27 of this chapter and no private funds used to qualify for the public funds shall be expended by the candidate for any purpose except to pay reasonable and necessary expenses directly related to the candidate's campaign.

(8) No public funds shall be expended by the candidate, except for one or more of the following uses directly related to the campaign of the candidate:

(i) Purchase of time on radio or television stations; provided, however, the content of all television time shall include captioning for the deaf and hard of hearing and the content of all radio time must be available in a written or text format at the time of request;

(ii) Purchase of rental space on outdoor signs or billboards;

(iii) Purchase of advertising space in newspapers and regularly published magazines and periodicals;

(iv) Payment of the cost of producing the material aired or displayed on radio, television, outdoor signs or billboards, and in newspapers, regularly published magazines, and periodicals;

(v) Payment of the cost of printing and mailing campaign literature and brochures;

(vi) Purchase of signs, bumper stickers, campaign buttons, and other campaign paraphernalia;

(vii) Payment of the cost of legal and accounting expenses incurred in complying with the public financing law and regulations as required by this chapter;

(viii) Payment of the cost of telephone deposits, installation charges, and monthly billings in excess of deposits;

(ix) Payment of the costs of public opinion polls and surveys; and

(x) Payment of rent, utilities and associated expenses connected with the operation of an election headquarters or satellite election offices.

(9) Contributions received and expended by any candidate for the purpose of defraying any expense or satisfying any loan obligations incurred prior to January 1, 1991, by the candidate in furtherance of his or her candidacy in a previous election cycle, as defined in section 17-25-

3(5), shall not be counted toward any contribution or expenditure limitation in sections 17-25-18 - - 17-25-27.

(10) No candidate who has elected to receive public funds shall contribute to or loan to his or her own campaign a sum in excess of five percent (5%) of the total amount that a candidate is permitted to expend in a campaign for the office pursuant to sections 17-25-19 and 17-25-21.

17-25-30. Public financing of election campaigns -- Compliance benefits. -- Any candidate eligible to receive public funds who complies in full with all eligibility criteria for receipt of the funds shall be:

(1) Entitled to an additional benefit of free time on community antenna television to be allocated pursuant to rules determined by the administrator for the division of public utilities. During all allocated free time, the candidate shall personally appear and present the message of the advertisement; provided, however, the content of all television time shall include captioning for the deaf and hard of hearing and the content of all radio time must be available in a written or text format at the time of request;

(2) Entitled to an additional benefit of free time on any public broadcasting station operating under the jurisdiction of the Rhode Island public telecommunications authority pursuant to rules determined by the authority. During all allocated free time, the candidate shall personally appear and personally present the message of the advertisement; provided, however, the content of all television time shall include captioning for the deaf and hard of hearing and the content of all radio time must be available in a written or text format at the time of request; and

(3) Entitled to accept a contribution or contributions that in the aggregate do not exceed two thousand dollars ($2,000) from any person or political action committee within a calendar year.

SECTION 2. This act shall take effect on January 1, 2008.

MOTION: To find beneficial 07 H-5969 An Act Relating to Elections -- Matching Public Funds JB/RB passed unanimously

07 H-5857 An Act Relating to Health and Safety -- Health Care Facilities -- Handicapped Access
Sponsors: Rep. Ucci, In the House Health, Education, & Welfare Committee
Description: This act would require medical treatment facilities open to ambulatory patients to, within two years of passage of this act, provide handicapped access. This act would take effect upon passage and subject facilities would have two years to comply with the provisions thereof.

07 H-5857

It is enacted by the General Assembly as follows:

SECTION 1. Title 23 of the General Laws entitled "HEALTH AND SAFETY" is hereby amended by adding thereto the following chapter:

CHAPTER 23-82

HEALTHCARE FACILITY ACCESS ACT

23-82-1. Short title. – This chapter shall be cited and shall be known as the "Rhode Island Healthcare Facility Access Act."

23-82-2. Handicapped accessibility required. – All medical treatment facilities commonly and regularly used by ambulatory patients shall provide access for the handicapped. Facilities subject to this section shall have two (2) years from the date of passage of the act to comply.

SECTION 2. This act shall take effect upon passage and subject facilities shall have two (2) years to comply with the provisions thereof.

MOTION: To find harmful 07 H-5857 An Act Relating to Health and Safety -- Health Care Facilities -- Handicapped Access AP/JB passed unanimously

07 H-6026 & S 0037 Acts to Approve and Publish and Submit to the Electors a Proposition of Amendment to the

Constitution of the State (Initiative and Referendum)
Sponsors: Rep. Gorham Continued in the House Judiciary Committee &
Sen. Cote in the Senate Constitutional and Regulatory Issues Committee
Description: This resolution would propose an amendment to the state constitution by establishing a voter initiative process to allow voters to initiate proposed legislation which would, upon vote of the electorate, become law.

2007 -- H 6026

It is enacted by the General Assembly as follows:

RESOLVED, That a majority of all members elected to each house of the general assembly voting therefor, the following amendment to the constitution of the state be proposed to the qualified electors of the state in accordance with the provisions of Article XIV of the constitution for their approval and that it take the place of Article VI Sections 1 and 2 which are hereby amended to read as follows:

ARTICLE VI

Section 1. Constitution supreme ~~law of the state~~. -- This Constitution shall be the supreme law of the state, and any law inconsistent therewith shall be void. ~~The general assembly shall pass all laws necessary to carry this Constitution into effect.~~ The legislative power of the state shall be vested in a general assembly, consisting of a senate and a house of representatives, both to be elected by the people, but the people reserve to themselves the power to propose laws and amendments to the constitution and to enact or reject the same at a general election without the approval of the general assembly, and also reserve power at their own option to approve or reject at a general election any act, section or part of any act of the general assembly.

Section 2. ~~Power vested in general assembly – Concurrence of houses required to enact laws – Style of laws.~~ Power to enact legislation. -- Enactment and style of laws. -- Power of the general assembly. – Initiative and referendum. -- A. The legislative power, under this Constitution, and subject to the reservations set forth in Section 1 hereof, shall be vested in two houses, the one to be called the senate, the other the house of representatives; and both together the general assembly. The concurrence of the two houses shall be necessary to the enactment of laws. The style of their laws shall be, It is enacted by the general assembly as follows:

B. The people reserve the right to themselves the power to propose laws and amendments to the constitution and to adopt or reject the same. Qualified voters shall have the power through petition to enact statutes and to amend the constitution at general elections. This power shall be known as initiative and referendum. No initiative shall be permitted which shall abridge the civil rights or liberties, including those guaranteed by Article I of the Rhode Island Constitution, of any individual or group of individuals and no initiative shall be permitted which would repeal or amend this sentence. The superior court shall have original jurisdiction to hear complaints arising under this section on an expedited basis. Any individual shall have standing to bring an action at anytime to enforce this section.

C. This article does not permit the proposal of any constitutional amendment that appropriates state revenue. This article does not permit the proposal of any constitutional amendment that diminishes state revenues by the reduction or limitation of a tax or fee. This article does not permit the proposal of any constitutional amendment that affects the generation or expenditure of state revenues through the ordinary legislative budget process.

D. This article does not permit the proposal of any statute or statutory amendment that makes an appropriation or otherwise requires the expenditure of money, unless such statute or amendment also enacts a commensurate increase in revenues and/or decreases in revenue appropriations, not prohibited by the constitution; provided, however, that this requirement shall not apply to a proposal for the appropriation or expenditure of less than two hundred fifty thousand dollars ($250,000), which amount shall be adjusted annually commencing in fiscal year

2009/2010 to reflect changes in the cost-of-living as determined by the United States government. This article does not permit the proposal of any statute or any statutory amendment that diminishes state revenue, unless such statute or amendment also enacts a commensurate increase in revenues and/or decreases in revenue appropriations to accommodate the projected reduction in state revenue. Any initiative affecting the state budget must be prospective in nature and may not be effective prior to the fiscal year subsequent to the general election.

E. To be eligible to be placed on a general election ballot a statutory initiative petition shall be signed by at least a number of qualified voters equal to five percent (5%) of the total number of votes cast for the office of governor at the last preceding general election for that office, and a petition to amend the constitution shall be signed by at least a number of qualified voters equal to ten percent (10%) of the total number of votes cast for the office of governor at the last preceding general election for that office. To qualify for certification, signatures from at least twenty (20) cities and/or towns, of which four (4) must be cities, must meet the above percentage requirements.

F. For certified initiative petitions, initiative petitioners shall have two hundred ten (210) days from the date the secretary of state has date and time stamped, assigned a petition reference number, and issued the first initiative petition forms to collect and file with the local canvassing authorities the requisite number of signatures, and such signatures may be filed separately with the authorities as they are collected by the petitioners. The local canvassing authorities shall certify the authenticity of the initiative petition signatures and advise the secretary of state within thirty (30) business days of receipt of each initiative petition form.

G. (1) An initiative shall be approved by a majority of the qualified voters voting thereon. If so approved, it shall become part of the statutory law of the state or part of the constitution as the case may be and shall take effect from and after the official declaration of the vote thereon by proclamation of the state board of elections, or its successor, but in no event later than thirty (30) days after the vote has been certified unless otherwise provided in the initiative petition.

(2) The veto power of the governor shall not extend to an initiative by the voters.

(3) If any provisions of constitutional amendments and/or laws approved by the people at the same election are in conflict with each other, then the provisions which received the largest number of affirmative votes at such election shall govern; and in any other case an initiative approved by the voters shall supersede any conflicting law.

(4) The general assembly shall provide such funds as may be required to implement an approved initiative.

(5) The general assembly shall not, within four (4) years after passage, repeal or alter any such statutory initiative unless by three-fourths (3/4) vote of both houses.

(6) Unless an initiative which has a singular or exclusive impact on any city or town is approved by a majority of those voting in that city or town, said initiative shall not take effect.

H. The provisions of Article XIV of this constitution shall not be construed to deny, limit or disparage the people's right to propose or amend the constitution through initiative and referendum.

I. The general assembly shall enact implementing legislation for this section.

RESOLVED, That the said proposition of amendment shall be submitted to the electors for their approval or rejection at the next statewide general election. The voting places in the several cities and towns shall be kept open during the hours required by law for voting therein; and be it further

RESOLVED, That the secretary of state shall cause said proposition of amendment to be published as a part of this resolution in the newspapers of the state prior to the date of the said meetings of the said electors; and the said proposition shall be inserted in the warrants or notices to be issued previous to said meetings of the electors for the purpose of warning the town, ward, or district meetings, and said proposition shall be read by the town, ward or district clerks to the electors in the town, ward, or district meetings to be held as aforesaid; and be it further

RESOLVED, That the town, ward, or district meetings to be held aforesaid shall be warned, and the list of voters shall be canvassed and made up, and the said town, ward, or district meetings shall be conducted in the same manner as now provided by law for the town, ward, and district meetings for the statewide general election.

07 H-5649, 07 H-5887 & S 0036 Acts Relating to Initiative and Referendum
Sponsors: Rep. Picard, & Rep. Gorham Continued in the House Judiciary Committee & Sen. Cote in the Senate Constitutional and Regulatory Issues Committee
Description: This act would provide a detailed process by which a proponent of a voter initiative and referendum proposal would present the proposal to the secretary of state, the general assembly and the Governor. This act would take effect upon ratification of a constitutional amendment entitled "joint resolution to approve and publish, and submit to the electors a proposition of amendment to the constitution of the state"

MOTION: To find harmful **07 H-6026 & S 0037 Acts to Approve and Publish and Submit to the Electors a Proposition of Amendment to the Constitution of the State (Initiative and Referendum) and 07 H-5649, 07 H-5887 & S 0036 Acts Relating to Initiative and Referendum** RB/GR passed unanimously

07 S-0484 & H-5509 Acts Relating to Property -- Rhode Island Fair Housing Practices Act
Sponsors: Sen. Metts & Rep. Segal In the House & Senate Judiciary Committees
Description: This act would prohibit discrimination in housing against those persons who are recipients of government assistance. This act would take effect upon passage.

2007 -- H 5509

It is enacted by the General Assembly as follows:

SECTION 1. Sections 34-37-4, 34-37-4.3, 34-37-5.2, 34-37-5.4 and 34-37-9 of the General Laws in Chapter 34-37 entitled "Rhode Island Fair Housing Practices Act" are hereby amended to read as follows:

34-37-4. Unlawful housing practices. -- (a) No owner having the right to sell, rent, lease, or manage a housing accommodation as defined in section 34-37-3(11), or an agent of any of these shall, directly or indirectly, make or cause to be made any written or oral inquiry concerning the race, color, religion, sex, sexual orientation, gender identity or expression, marital status, country of ancestral origin, ~~or~~ disability, age, familial status or source of income; nor make any written or oral inquiry concerning whether a tenant or applicant, or a member of the household, is or has been, or is threatened with being, the victim of domestic abuse, or whether a tenant or applicant has obtained, or sought, or is seeking, relief from any court in the form of a restraining order for protection from domestic abuse, of any prospective purchaser, occupant, or tenant of the housing accommodation; or shall, directly or indirectly, refuse to sell, rent, lease, let, or otherwise deny to or withhold from any individual the housing accommodation because of the race, color, religion, sex, sexual orientation, gender identity or expression, marital status, country of ancestral origin, disability, age, or familial status of the individual or the race, color, religion, sex, sexual orientation, gender identity or expression, marital status, country of ancestral origin or disability, age, ~~or~~ familial status or source of income of any person with whom the individual is or may wish to be associated; or shall, or on the basis that a tenant or applicant, or a member of the household, is or has been, or is threatened with being, the victim of domestic abuse, or that the tenant or applicant has obtained, or sought, or is seeking, relief from any court in the form of a restraining order for protection from domestic abuse. Nor shall an owner having the right to sell, rent, lease, or manage a housing accommodation as defined in section 34-37-3(11), or an agent of any of these, directly or indirectly, issue any advertisement relating to the sale, rental, or lease of the housing accommodation which indicates any preference, limitation, specification, or discrimination based upon race, color, religion, sex, sexual orientation, gender identity or

expression, marital status, country of ancestral origin, disability, age, familial status, source of income, or on the basis that a tenant or applicant, or a member of the household, is or has been, or is threatened with being, the victim of domestic abuse, or that the tenant or applicant has obtained, or sought, or is seeking, relief from any court in the form of a restraining order for protection from domestic abuse, or shall, directly or indirectly, discriminate against any individual because of his or her race, color, religion, sex, sexual orientation, gender identity or expression, marital status, country of ancestral origin, disability, age, familial status, source of income, or on the basis that a tenant or applicant, or a member of the household, is or has been, or is threatened with being, the victim of domestic abuse, or that the tenant or applicant has obtained, or sought, or is seeking, relief from any court in the form of a restraining order for protection from domestic abuse, in the terms, conditions, or privileges of the sale, rental, or lease of any housing accommodation or in the furnishing of facilities or services in connection with it. Nothing in this subsection shall be construed to prohibit any oral or written inquiry as to whether the prospective purchaser or tenant is over the age of eighteen (18).

(b) No person to whom application is made for a loan or other form of financial assistance for the acquisition, construction, rehabilitation, repair, or maintenance of any housing accommodation, whether secured or unsecured shall directly or indirectly make or cause to be made any written or oral inquiry concerning the race, color, religion, sex, sexual orientation, gender identity or expression, marital status, country of ancestral origin, disability, age, familial status, source of income, or any express written or oral inquiry into whether a tenant or applicant, or a member of the household, is or has been, or is threatened with being, the victim of domestic abuse, or whether a tenant or applicant has obtained, or sought, or is seeking, relief from any court in the form of a restraining order for protection from domestic abuse, of any individual seeking the financial assistance, or of existing or prospective occupants or tenants of the housing accommodation; nor shall any person to whom the application is made in the manner provided, directly or indirectly, discriminate in the terms, conditions, or privileges relating to the obtaining or use of any financial assistance against any applicant because of the race, color, religion, sex, sexual orientation, gender identity or expression, marital status, country of ancestral origin, disability, age, familial status, source of income, or on the basis that a tenant or applicant, or a member of the household, is or has been, or is threatened with being, the victim of domestic abuse, or that the tenant or applicant has obtained, or sought, or is seeking, relief from any court in the form of a restraining order for protection from domestic abuse, of the applicant or of the existing or prospective occupants or tenants. Nothing in this subsection shall be construed to prohibit any written or oral inquiry as to whether the applicant is over the age of eighteen (18).

(c) Nothing in this section contained shall be construed in any manner to prohibit or limit the exercise of the privilege of every person and the agent of any person having the right to sell, rent, lease, or manage a housing accommodation to establish standards and preferences and set terms, conditions, limitations, or specifications in the selling, renting, leasing, or letting thereof or in the furnishing of facilities or services in connection therewith which do not discriminate on the basis of the race, color, religion, sex, sexual orientation, gender identity or expression, marital status, country of ancestral origin, disability, age, familial status, source of income, or on the basis that a tenant or applicant, or a member of the household, is or has been, or is threatened with being, the victim of domestic abuse, or that the tenant or applicant has obtained, or sought, or is seeking, relief from any court in the form of a restraining order for protection from domestic abuse, of any prospective purchaser, lessee, tenant, or occupant thereof or on the race, color, religion, sex, sexual orientation, gender identity or expression, marital status, country of ancestral origin, disability, age, or familial status, source of income, of any person with whom the prospective purchaser, lessee, tenant, or occupant is or may wish to be associated. Nothing contained in this section shall be construed in any manner to prohibit or limit the exercise of the privilege of every person and the agent of any person making loans for or offering financial assistance in the acquisition, construction, rehabilitation, repair, or maintenance of housing

accommodations to set standards and preferences, terms, conditions, limitations, or specifications for the granting of loans or financial assistance which do not discriminate on the basis of the race, color, religion, sex, sexual orientation, gender identity or expression, marital status, country of ancestral origin, disability, age, familial status, source of income, or on the basis that a tenant or applicant, or a member of the household, is or has been, or is threatened with being, the victim of domestic abuse, or that the tenant or applicant has obtained, or sought, or is seeking, relief from any court in the form of a restraining order for protection from domestic abuse, of the applicant for the loan or financial assistance or of any existing or prospective owner, lessee, tenant, or occupant of the housing accommodation.

(d) An owner may not refuse to allow a person with a disability to make, at his or her expense, reasonable modifications of existing premises occupied or to be occupied by the person if the modifications may be necessary to afford the person full enjoyment of the premises, except that, in the case of a rental, the owner may where it is reasonable to do so condition permission for a modification on the renter agreeing to restore the interior of the premises to the condition that existed before the modification, reasonable wear and tear excepted. Where it is necessary in order to ensure with reasonable certainty that funds will be available to pay for the restorations at the end of the tenancy, the landlord may negotiate as part of the restoration agreement a provision requiring that the tenant pay into an interest bearing escrow account, over a reasonable period, a reasonable amount of money not to exceed the cost of the restorations. The interest in the account shall accrue to the benefit of the tenant. The restoration deposition shall be exempt from section 34-18-19(a) but will be subject to section 34-18-19(b) -- (f).

(e) (1) An owner may not refuse to make reasonable accommodations in rules, policies, practices, or services, when those accommodations may be necessary to afford an occupant with a disability equal opportunity to use and enjoy a dwelling.

(2) Every person with a disability who has a guide dog or other personal assistive animal, or who obtains a guide dog or other personal assistive animal, shall be entitled to full and equal access to all housing accommodations provided for in this section, and shall not be required to pay extra compensation for the guide dog or other personal assistive animal, but shall be liable for any damage done to the premises by a guide dog or other personal assistive animal. For the purposes of this subsection a "personal assistive animal" is an animal specifically trained by a certified animal training program to assist a person with a disability to perform independent living tasks.

(f) Any housing accommodation of four (4) units or more constructed for first occupancy after March 13, 1991 shall be designed and constructed in such a manner that:

(1) The public use and common use portions of the dwellings are readily accessible to and usable by persons with disabilities;

(2) All the doors designed to allow passage into and within all premises within the dwellings are sufficiently wide to allow passage by persons with disabilities in wheelchairs;

(3) All premises within the dwellings contain the following features of adaptive design:

(i) Accessible route into and through the dwelling;

(ii) Light switches, electrical outlets, thermostats, and other environmental controls in accessible locations;

(iii) Reinforcements in bathroom walls to allow later installation of grab bars; and

(iv) Usable kitchens and bathrooms such that an individual in a wheelchair can maneuver about the space. To the extent that any state or local building codes, statutes or ordinances are inconsistent with this section, they are hereby repealed. The state building code standards committee is hereby directed to adopt rules and regulations consistent with this section as soon as possible, but no later than September 30, 1990.

(g) Compliance with the appropriate requirements of the State Building Code 14 "accessibility for individuals with disabilities for residential use groups" suffices to satisfy the requirements of subsection (f).

(h) As used in subsection (f), the term "housing accommodation of four (4) units or more" means:

(1) Buildings consisting of four (4) or more units if those buildings have one or more elevators; and

(2) Ground floor units in other buildings consisting of four (4) or more units;

(i) Nothing in subsection (f) shall be construed to limit any law, statute, or regulation which requires a greater degree of accessibility to persons with disabilities.

(j) Nothing in this section requires that a dwelling be made available to an individual whose tenancy would constitute a direct threat to the health or safety of other individuals or whose tenancy would result in substantial physical damage to the property of others.

(k) Nothing contained in this chapter shall be construed to prohibit an owner, lessee, sublessee, or assignee from advertising or selecting a person of the same or opposite gender to rent, lease, or share the housing unit which the owner, lessee, sublessee, or assignee will occupy with the person selected.

(l) No person shall aid, abet, incite, compel, or coerce the doing of any act declared by this section to be an unlawful housing practice, or obstruct or prevent any person from complying with the provisions of this chapter or any order issued thereunder, or attempt directly or indirectly to commit any act declared by this section to be an unlawful housing practice.

(m) No owner, person defined in section 34-37-3(12), person to whom application is made for a loan or other form of financial assistance for the acquisition, construction, rehabilitation, repair, or maintenance of any housing accommodation, whether secured or unsecured, no financial organization governed by the provisions of title 19 or any other credit granting commercial institution, or respondent under this chapter or any agent of these shall discriminate in any manner against any individual because he or she has opposed any practice forbidden by this chapter, or because he or she has made a charge, testified, or assisted in any manner in any investigation, proceeding, or hearing under this chapter.

(n) Nothing in this section shall prevent a landlord from proceeding with eviction action against a tenant who fails to comply with section 34-18-24(7)(n).

34-37-4.3. Discrimination in granting credit or loans prohibited. -- No financial organization governed by the provisions of title 19 or any other credit granting commercial institution may discriminate in the granting or extension of any form of loan or credit, or the privilege or capacity to obtain any form of loan or credit, on the basis of the applicant's sex, marital status, race or color, religion or country of ancestral origin, disability or age or familial status, sexual orientation, or gender identity or expression, or source of income and the form of loan and credit shall not be limited to those concerned with housing accommodations, and the commission shall prevent any violation hereof in the same manner as it is to prevent unlawful housing practices under the provisions of this chapter.

34-37-5.2. Discrimination in brokerage services. -- It shall be unlawful to deny any person who meets licensing and other non-discriminatory requirements which are also applied to other applicants and members access to or membership or participation in any real estate listing service, real estate brokers' organization, or other service, organization, or facility relating to the business of selling, leasing, or renting a housing accommodation, or to discriminate against him or her in the terms or conditions of the access, membership, or participation, on account of race, color, religion, sex, sexual orientation, gender identity or expression, marital status, country of ancestral origin, disability, age, ~~or~~ familial status or source of income.

34-37-5.4. Discrimination in residential real estate related transactions. -- (a) It shall be unlawful for any person or other entity whose business includes engaging in residential real estate related transactions to discriminate against any person in making available a transaction, or in the terms and conditions of the transaction, because of race, color, religion, marital status, country of ancestral origin, sex, sexual orientation, gender identity or expression, age, disability, ~~or~~ familial status or source of income.

6-25 (b) As used in this section, the term "residential real estate related transaction" means
6-26 any of the following:
6-27 (1) The making or purchasing of loans or providing other financial assistance:
6-28 (i) For purchasing, constructing, improving, repairing, or maintaining a dwelling; or
6-29 (ii) Secured by residential real estate.
6-30 (2) The selling, brokering, or appraising of residential real property.
6-31 (c) Nothing in this chapter prohibits a person engaged in the business of furnishing
6-32 appraisals of real property to take into consideration factors other than race, color, religion,
6-33 marital status, country of ancestral origin, sex, sexual orientation, gender identity or expression,
6-34 age, disability, ~~or~~ familial status or source of income.
7-1 **34-37-9. Construction. --** The provisions of this chapter shall be construed liberally for
7-2 the accomplishment of the purposes intended and any provisions of any law inconsistent with any
7-3 provisions hereof shall not apply. Nothing contained in this chapter shall be construed to repeal
7-4 any of the provisions of any law of the state prohibiting discrimination based on race or color,
7-5 religion, sex, marital status, country of ancestral origin, disability, age, ~~or~~ familial status or source
7-6 of income. Nothing contained in this chapter shall restrict the original jurisdiction of the courts to
7-7 proceed with evictions as provided in chapter 18 of this title.
7-8 SECTION 2. This act shall take effect upon passage.

MOTION: To find beneficial 07 S-0484 & H-5509 Acts Relating to Property -- Rhode Island Fair Housing Practices Act RB/LG passed unanimously

07 H-5770 & S-0442 Acts Relating to State Affairs and Government – Elderly Affairs Department
Sponsors: Rep. Singleton & Sen. June M. Gibbs, In the House Health, Education, & Welfare Committee and the Senate Finance Committee
Description: This act would include self-neglect of the elderly under the jurisdiction of the department of elderly affairs. This act would take effect upon passage.

2007 -- H 5770

It is enacted by the General Assembly as follows:
1-1 SECTION 1. Sections 42-66-4.1, 42-66-8, 42-66-8.1, 42-66-8.2, 42-66-9 and 42-66-10 of
1-2 the General Laws in Chapter 42-66 entitled "Elderly Affairs Department" are hereby amended to
1-3 read as follows:
1-4 **42-66-4.1. Definitions. --** As used in this chapter:
1-5 ~~(1) "Abandonment" means the desertion of an elderly person by a caretaker or other~~
1-6 ~~person with a duty of care, or the withdrawal of necessary assistance owed an elderly person by a~~
1-7 ~~caretaker or other person with an obligation to provide services.~~
1-8 ~~(2) "Abuse" means the subjection of an elderly person to the willful infliction of physical~~
1-9 ~~pain, or willful deprivation of services by a caretaker or other person with a duty of care for the~~
1-10 ~~elderly person. Abuse also includes neglect, abandonment, and exploitation.~~
1-11 ~~(3) "Exploitation" means an act or process of taking pecuniary advantage of an elderly~~
1-12 ~~person by use of undue influence, harassment, duress, deception, false representation or false~~
1-13 ~~pretenses.~~
1-14 ~~(4) "Long term care entry system" means a system which provides information and~~
1-15 ~~referrals relative to long term care, initial screening for services and benefits eligibility, and a~~
1-16 ~~uniform assessment program for state supported long term care.~~
1-17 ~~(5) "Neglect" means the willful refusal to provide services necessary to maintain~~
1-18 ~~physical and mental health on the part of a caretaker or other person with a duty of care.~~
2-1 (1) "Abuse" means physical abuse, sexual abuse, emotional abuse, exploitation, and/or
2-2 neglect of an elderly person.
2-3 (2) "Physical Abuse" means the willful infliction of physical pain or injury (e.g. slapping,
2-4 bruising or restraining) upon an elderly person.

(3) "Sexual Abuse" means the infliction of non-consensual sexual contact of any kind upon an elderly person. Sexual abuse includes, but is not limited to, sexual assault, rape, sexual misuse or exploitation of an elder, as well as threats of sexual abuse where the perpetrator has the intent and the capacity to carry out the threatened abuse.

(4) "Emotional Abuse" means the willful infliction of mental or emotional anguish upon an elder by threat, humiliation, intimidation or other abusive conduct, including, but not limited to, frightening or isolating the elder.

(5) "Exploitation" means the fraudulent or otherwise illegal, unauthorized or improper act or process of an individual, including a care giver or fiduciary, that uses the resources of an elder for monetary or personal benefit, profit, gain, or that results in depriving an elder of rightful access to, or use of, benefits, resources, belongings, or assets by use of undue influence, harassment, duress, deception, false representation or false pretenses.

(6) "Neglect" means the failure to provide goods or services necessary to avoid physical harm, mental anguish or mental illness to an elderly person, including, but not limited to, "abandonment" (withdrawal of necessary assistance) and denial of food or health related services.

(7) "Willful" means intentional, conscious and directed toward achieving a purpose.

(8) "Caregiver" means a person who has assumed the responsibility for the care of the elderly person as a result of a family relationship, voluntarily, by contract or by order of a court of competent jurisdiction.

(9) "Self-Neglect" means a pattern of behavior in an elderly person that directly, imminently and significantly threatens his/her own health, safety, or welfare or that directly and imminently threatens the health, safety, or welfare of proximate neighbors. Self-neglect includes but is not limited to, a refusal or inability to provide self with food, water, shelter, safety or necessary medications to the point of establishing imminent risk of any of the harm(s) described in the immediately preceding sentence.

~~(6)~~(10) "Protective services" means services and/or action intended to prevent and/or alleviate the abuse ~~or neglect~~ or self-neglect of elderly persons. Protective services may include supervision, counseling, and assistance in securing health and supportive services, safe living accommodations and legal intervention.

(11) "Elderly person" or "elder" means any person sixty (60) years of age or older.

42-66-8. ~~Abuse of elderly persons -- Duty to report. --~~ Abuse and self-neglect of elderly persons -- Duty to report. -- Any person who has reasonable cause to believe that any person sixty (60) years of age or older has been abused, ~~neglected, exploited, or abandoned~~ or is self-neglecting shall make an immediate report to the director of the department of elderly affairs or his or her designee. Any person who fails to make the report shall be punished by a fine of not more than one thousand dollars ($1,000) or shall be imprisoned for a term of not more than one year, or both.

42-66-8.1. Abuse of elderly persons -- Telephone line. -- The director shall provide, for the use of the general public, a statewide toll free, twenty-four (24) hour a day, seven (7) days a week~~, WATS~~ telephone line, to report abuse and self-neglect of the elderly.

42-66-8.2. Abuse of elderly persons -- Investigation of reports. -- (a) The director of the department shall cause the report to be investigated immediately to determine the circumstances surrounding the alleged abuse, ~~neglect, exploitation or abandonment~~ self-neglect and its cause. The investigation shall include personal contact with the ~~alleged elderly~~ elder victim named in the report. Any person required to investigate reports of abuse~~, neglect, exploitation or abandonment~~ or self-neglect may question the subjects of those reports with or without the consent of the caretaker, guardian, conservator, person possessing a power of attorney given by the subject or other person responsible for the elderly person's welfare.

(b) When deemed by the investigator or other person responsible for the investigation of the report to be in the best interests of the alleged victim, the interview of the alleged victim(s) shall take place in the absence of the caretaker, guardian, conservator, person possessing a power

of attorney given by the subject or other person responsible for the elderly person's welfare, or any other person allegedly responsible for the abuse, ~~neglect~~ self-neglect, exploitation or abandonment.

(c) In the event that any person required to investigate those reports is denied reasonable access to an ~~alleged~~ elderly ~~victim~~ subject of the report by the caretaker, guardian, conservator, person possessing a power of attorney given by the subject or other person responsible for the elderly person's welfare and the investigator determines that the best interests of the ~~alleged elderly victim~~ elder require, the investigator with the approval of the director may request the intervention of the local law enforcement agency to secure reasonable access to the ~~alleged~~ elderly ~~victim~~ subject of the report.

(d) In the event that after investigation, the department has reasonable cause to know or suspect that a person sixty (60) years of age or older has been a victim of: (1) an "assault" as defined in chapter 5 of title 11; or, (2) an "assault" as defined in chapter 37 of title 11; or, (3) an offense under chapter 10 of title 11, or has been a victim of "exploitation" as defined in this chapter, the investigator, with the approval of the director, shall immediately forward that information to the local law enforcement agency.

(e) When it is determined after investigation that protective services are necessary, the department shall develop a protective services care plan and coordinate, in conjunction with existing public and private agencies and departments, available and existing services as are needed by the person abused, ~~neglected, exploited or abandoned~~ or self-neglecting. In developing the protective services care plan, the elderly person's rights to self-determination and lifestyle preferences commensurate with his or her needs shall be of prime consideration. If the elderly person withdraws consent or refuses to accept protective services, the services shall not be provided.

42-66-9. Obstruction of provision of services. -- (a) No person shall obstruct the provision of available and existing services to a person sixty (60) years of age or older who has been abused or self-neglecting~~, neglected, exploited, or abandoned~~. For the purposes of this section, "obstruction" shall mean threats, intimidation, assaults and/or abuse, whether physical or ~~psychological~~ emotional, made with the intent to prevent or dissuade the recipient or proposed recipient from accepting, requesting, and/or receiving services available under section 42-66-8. Any person who violates the provisions of this section shall be punished by a fine of not more than five hundred dollars ($500).

(b) However, nothing in this chapter is construed to mean a person is abused~~, neglected, or in need of emergency or protective services~~ or is self-neglecting for the sole reason that person is being furnished or relies upon treatment by spiritual means through prayer alone in accordance with the tenets and practices of a church or religious denomination recognized by the laws of this state.

(c) No person shall deny access by departmental staff to a person sixty (60) years of age or older who is alleged to be a victim of abuse, ~~neglect, exploitation or abandonment~~ or who is self-neglecting, while the staff person is investigating a report made under this chapter.

42-66-10. Confidentiality of records. -- Any records of the department or other agency pertaining to a person reported to be abused~~, neglected, exploited or abandoned~~ or self-neglecting shall be confidential. The records shall not be deemed public and shall be considered records under section 38-2-2(4)(i). The director may, however, disclose to the attorney general, any local or state police officials, appropriate courts, state departments, public or private agencies, or medical personnel, pertinent information that is necessary to investigate reports of abuse~~, neglect, exploitation, or abandonment~~ or self-neglect, the coordination of needed services, the protection of the elderly victim or criminal prosecution.

SECTION 2. This act shall take effect upon passage.

Tabled to get more inform from DEA at the next meeting

07 S-0407 & H 6041 Acts Relating to Human Services - Medical Assistance (Dental)
Sponsors: Sen. Alves & Rep. Slater in the Senate & House Finance Committees
Description: This act would permit dentists who provide dental services to Medicaid-eligible residents of nursing facilities licensed to receive reimbursement for the services of at least the median of the fees paid to dentists by Blue Cross Blue Shield of Rhode Island, Delta Dental, and the rates reported by the American Dental Association for New England. It would help nursing facility residents to receive regular preventive, diagnostic cleaning and necessary basic restorative.

2007 -- S 0407

It is enacted by the General Assembly as follows:

SECTION 1. Chapter 40-8 of the General Laws entitled "Medical Assistance" is hereby amended by adding thereto the following section:

40-8-27. Expansion and enhancement of oral health care. – (a) The general assembly hereby finds and declares that the oral health of medicaid-eligible residents in nursing facilities in this state is unacceptably poor. Access to dental care statewide is insufficient for this population. Private dentists who serve medicaid residents do not receive sufficient reimbursement to cover the costs of care, and additionally face complex and often unnecessarily cumbersome claim procedures to collect reimbursement from medicaid. Nursing facility residents must receive regular preventive, diagnostic, cleaning, and basic restorative treatment as necessary.

(b) The rates to be paid each year by the state to dentists, dental hygienists, and dental assistants licensed pursuant to chapter 31.1 of title 5 who provide dental services to medicaid eligible residents of nursing facilities licensed pursuant to chapter 17 of title 23 shall be equal to or greater than the median of the rates paid to dentists, dental hygienists, and dental assistants licensed pursuant to chapter 31.1 of title 5 for similar services by: (i) Blue Cross Blue Shield of Rhode Island; (ii) Delta Dental; and (iii) the rates reported by the American Dental Association (or any successor organization) fee schedule survey for New England for the corresponding year.

(c) The department of human services shall utilize incentive programs and encourage private practice dentists participating in medicaid to accept and treat nursing facility residents as patients.

SECTION 2. This act shall take effect upon passage.

Members discussed the bill but took no position

07 H-6130 An Act Relating to Health & Safety - The Rhode Island Autism Spectrum Disorder Evaluation and Treatment Act
Sponsors: Rep. Palumbo, In the House Health, Education, & Welfare Committee
Description: This act would eliminate any waiting period for early intervention programs for autistic children. This act would take effect upon passage.

2007 -- H 6130

It is enacted by the General Assembly as follows:

SECTION 1. Chapter 23-79 of the General Laws entitled "The Rhode Island Autism Spectrum Disorder Evaluation and Treatment Act" is hereby amended by adding thereto the following section:

23-79-4. Early intervention. – Notwithstanding any provision to the contrary contained in any general or public law, rule or regulation, the general assembly hereby declares that upon confirming a diagnosis of autism, there shall be no waiting period to commence early intervention rehabilitation programs.

SECTION 2. This act shall take effect upon passage.

Members discussed the bill but took no position

2007 -- H 5738

It is enacted by the General Assembly as follows:

SECTION 1. Section 27-38.2-1 of the General Laws in Chapter 27-38.2 entitled "Insurance Coverage for Mental Illness and Substance Abuse" is hereby amended to read as follows:

27-38.2-1. Mental illness coverage. -- Every health care insurer that delivers or issues for delivery or renews in this state a contract, plan, or policy except contracts providing supplemental coverage to Medicare or other governmental programs, shall: (1) ~~p~~Provide coverage for the medical treatment of mental illness and substance abuse under the same terms and conditions as that coverage is provided for other illnesses and diseases~~.~~; and (2) Ensure that reimbursement for professional providers providing medical treatment of mental illness and substance abuse is determined using the same methodology as reimbursement for professional providers of medical services. Insurance coverage offered pursuant to this statute must include the same durational limits, amount limits, deductibles, and co-insurance factors for mental illness as for other illnesses and diseases. In no case shall professional provider reimbursement paid by a health care insurer for mental illness coverage be at a level that is not comparable to reimbursements paid by such insurer for medical services of a similar level and requiring similar expertise.

SECTION 2. This act shall take effect upon passage.

	MOTION: To find beneficial 07 H-5738 & S 0325 Acts Relating to Insurance -- Insurance Coverage For Mental Illness And Substance Abuse GW/AP passed, LG Abstain
	Items to be accomplished before the next meeting:
	S 325 Scheduled for hearing on Wednesday 3/21/07 @ Rise in Rm. 212, Senate HHS Cmte.

07 S-0593 An Act Relating to Insurance - The Rhode Island Best Rx
Sponsors: Sen. Moura, in the Senate Finance Committee
Description: This act would create the Rhode Island Best Rx Program to provide prescription drug assistance to the uninsured. This act would take effect on July 1, 2007.

2007 -- S 0593

It is enacted by the General Assembly as follows:

SECTION 1. Title 27 of the General Laws entitled "Insurance" is hereby amended by adding thereto the following chapter:

CHAPTER 20.9
THE RHODE ISLAND BEST RX PROGRAM

27-20.9-1. Legislative findings. -- It is hereby found and declared that some citizens who are uninsured are experiencing difficulty in obtaining prescription pharmaceuticals. Because appropriate use of pharmaceuticals can improve a patient's health outcome and quality of life, instead of more invasive and expensive procedures, it is essential that uninsured residents of Rhode Island have access to outpatient prescription drugs. Therefore, in an effort to promote healthy communities and to protect the public health and welfare of Rhode Island residents, the general assembly will establish a market-based prescription drug assistance program for the uninsured who are most in need of assistance.

27-20.9-2. Definitions. -- As used in this chapter:

(1) "Director" means the director of the Rhode Island department of human services.

(2) "Designated PBM" means the entity designated under section 27-20.9-6 for a given year.

(3) "Outpatient prescription drug" means a prescription drug that is prescribed for self-administration by a patient that is dispensed by a participating pharmacy.

(4) "Participating manufacturer" means an entity that distributes generic or branded pharmaceuticals and that enters into an agreement under section 27-20.9-5 to participate in the

Rhode Island Best Rx program.

(5) "Participating pharmacy" means an establishment located in the United States that has a valid state license or registration to dispense prescription drugs to residents of Rhode Island and that is registered to participate in the Rhode Island Best Rx program.

(6) "Rx program participant" means an individual determined eligible for the Rhode Island Rx program who has attested to meeting the eligibility requirements in accordance with Section 8, and has been issued a Rhode Island Best Rx program enrollment card.

(7) "State employee health plan" means a health benefits program paid for in whole or in part by the state for employees of Rhode Island, active and/or retired, that is authorized to negotiate prescription drug discounts separately and independently from other state programs.

27-20.9-3. Enrollment cards. -- A participant in the Rhode Island Best Rx program established pursuant to this chapter shall receive a Rhode Island Best Rx program enrollment card to be presented to participating pharmacies to receive discounts provided by the Rhode Island Best Rx program on the participant's purchases of outpatient prescription drugs.

27-20.9-4. Rx program fund. -- There is hereby created in the state treasury the "Rhode Island Best Rx Program Fund." The fund shall consist of rebates paid by manufactures pursuant to agreements entered into under section 27-20.9-5, funds appropriated to the program, and any gifts or grants to the program as provided in section 27-20.9-8, and investment earnings. Investment earnings of the fund shall be credited to the fund. The director shall use money in the fund to reimburse a participating pharmacy the amount of the manufacturer's discount off the ingredient cost for an outpatient prescription drug that the participating pharmacy passes through to a Rhode Island Best Rx program participant pursuant to section 4, and for bona fide administrative costs of the program.

27-20.9-5. Program established. -- (a) There is hereby established a discount drug program known as the "Rhode Island Best Rx program" to provide eligible uninsured persons with access to discounts on outpatient prescription drugs from participating pharmaceutical companies and pharmacists through a state-sponsored discount card program. The program provides participants discounts on prescriptions comparable to or better, than the average discounts available to state employees established through agreements with participating pharmacists and manufacturers under this section, or at a manufacturer's option, an agreement to coordinate enrollment in a pharmaceutical manufacturer's prescription drug assistance program for the uninsured. In no case shall the state be obligated to reimburse for rebates in excess of the amount received from the manufacturer.

(b) The entire rebate or discount on a drug offered by the Rhode Island Best Rx program by a participating pharmaceutical manufacturer must be received by the Rx program participant. The enrollee will receive the lowest price available, whether it is the Best RX price, the patient assistance program price, or any special discounts offered by the pharmacy.

(c) Subject to subsection 27-20.9-5(e), the manufacturer of a specific drug product may enter into an agreement with the director to offer any of the following to the Rhode Island Best Rx program participants with respect to such drug;

(1) A rebate that is comparable to the average rebate payable on the product by the manufacturer on prescriptions paid for under plans that provide benefits to public employees and retirees in Rhode Island; or

(2) A discount/rebate different specified by the manufacturer; or

(3) The prescription assistance program the manufacturer offers for such drug to eligible Rhode Island Best Rx program participants.

(d) Subject to subsection 27-20.9-5(e), participating pharmacies may enter into an agreement with the director to provide the Rhode Island Best Rx program participants the discount provided in section 27-20.9-11, and may offer program participants further discounts on their dispensing fees and on the amount they mark up their purchase price for prescription drugs by charging a price lower than their usual and customary price.

(e) The director shall adopt rules to implement the Rhode Island Best Rx program. The rules shall provide for all of the following:

(1) Simplified eligibility determination procedures for the Rhode Island Best Rx program, including methodology for documenting applicants' attestation of income, disability, and coverage status, as appropriate to eligibility groups for which application is being made, and for coordinating any arrangements that may be provided pursuant to subsection 27-20.9-5(c)(3).

(2) Claim forms and processes to be used by a participating pharmacy to obtain reimbursement for the ingredient cost discount provided to the Rhode Island Best Rx program participants as agreed to by the drug's manufacturer.

(3) Subject to section 27-20.9-7, the dispensing fee payable to participating pharmacies shall be two dollars and fifty cents ($2.50), except as may be provided pursuant to an agreement under subsection 27-20.9-5(d) or pursuant to subsection 27-20.9-5(f). The advisory council established in section 27-20.19-17 of this act shall review annually the appropriateness of the dispensing fee.

(4) An annual process for determining the discount price to be charged the Rhode Island Best Rx program participants for the drug, except as may be provided pursuant to subdivision 27-20.9-5(c)(3) which shall be equal to the ingredient cost cap minus the manufacturer discount, established as follows:

(i) The ingredient cost cap for purposes of this section shall not be more than two percent (2%) greater than the rate the designated PBM most commonly uses to reimburse retail pharmacies in the state of Rhode Island, as verified in section 27-20.9-6. The director shall establish on an annual basis the formula or other methodology used to determine the ingredient cost cap for brand and generic drugs for purposes of this section.

(ii) The manufacturer discount to be subtracted from the ingredient cost cap for purposes of this section shall be the amount for the drug as agreed by the manufacturer pursuant to subdivision 27-20.9-6(1)(2). The director shall use the information provided pursuant to section 27-20.9-6 in its negotiation with the manufacturer of such drugs to attempt to improve the benefits available to Best Rx enrollees.

(5) A process for considering whether the administrative fee may be lower than one dollar ($1.00) per prescription, which shall be determined by the director no less frequently than annually.

(6) Arrangements for implementing an agreement entered into under subsection 27-20.9-5(c), including a schedule for participating manufacturers to pay rebates to the director.

(7) Arrangements for verifying with the designated PBM the adequacy of the rebates and ingredient cost rates established pursuant to this section.

(f) Subject to available funds, the director is authorized to contract with a third-party for administration of all or part of the program. The director is authorized to consider arrangements to include a mail service pharmacy option for program participants; provided, that no dispensing fee shall be charged for mail service prescriptions; and provided, that the discount price charged participants pursuant to section 27-20.9-11 is limited by mail service usual and customary prices. The availability of mail service, if any, shall be limited to prescriptions for a drug that the individual already has used for a minimum of three (3) months.

27-20.9-6. Designated PBM. – All contracts with the state for pharmacy benefit management services shall ensure that the contracting entity, as a condition of receiving the contract, shall agree to provide price consultation and verification services to the Best Rx program, as provided in this section. Once each year, the director shall designate a pharmacy benefit manager that it believes manages pharmacy benefits for the greatest number of Rhode Island residents, or is otherwise appropriate for providing verification services to Best Rx to serve as the Designated PBM.

(a) Once each year, the director to shall consult with the Designated PBM concerning proposed updated ingredient cost formula used in the Best Rx program, using the best

information available to the director.

(1) For single source drugs, the director shall submit the formula it uses to the Designated PBM who shall certify whether or not the formula results in a pharmacy rate that is no more than two percent (2%) higher than the rate most commonly used by the Designated PBM to reimburse retail pharmacies.

(2) For generic drugs, the director shall compute the average per unit payment rate for the top fifty (50) generic drugs and submits the list of drugs and the average payment as a percentage discount off the average AWP for such drugs to the Designated PBM, which shall certify whether or not it is more than two percent (2%) higher than the Designated PBM's average per unit payment amount for the same fifty (50) generic drugs expressed as a percentage discount off the average AWP for such drugs.

(b) No more frequently than once each year, the director shall identify a sample of no more than twenty percent (20%) of the top fifty (50) drugs most-used by Best Rx enrollees for which it has obtained a rebate agreement with a manufacturer.

(1) The director shall submit the rebate amount it obtained for each such drug to the Designated PBM for verification. The Designated PBM shall certify to the director for each such drug, whether the rebate obtained by the director is at least as large as the rebate negotiated by the Designated PBM with the manufacturer for plans which do not use closed formularies, or if lower, the Best Rx rebate is no more than two percent (2%) lower.

(2) The Designated PBM shall inform the director what percentage of the sample drugs were subject to a rebate that met this criterion.

(c) The Designated PBM shall certify its responses to the director under this section, signed by an officer of the PBM. If at any time, the director has a reasonable basis to believe that the Designated PBM is not acting in good faith in certifying the rebate levels or providing ingredient cost information, the director may confirm the validity of its rebate levels and ingredient cost formulas by requesting the Designated PBM to provide for an audit, the relevant contracts of the Designated PBM by a third party auditor satisfactory to the director.

27-20.9-7. Program review. -- The permanent joint committee on health care oversight established by the provisions of section 40-8.4-14 of the state of Rhode Island general laws shall review the Rhode Island Best Rx program on an annual basis to ensure it is meeting the goals of the program, including consideration of the appropriateness of the dispensing fee and the administrative fee charged participants, and any necessary revisions thereto. To the extent that funds are available in the Rhode Island Best Rx program fund, the permanent joint committee on health care oversight shall consider options for enhancing the assistance to participants, including consideration of the appropriateness of paying the dispensing fee, administrative fee, and some additional portion of the drug cost for the neediest participants out of program funds. For purposes of this review the permanent joint committee on health care oversight shall receive, and be guided by, the report of the advisory council established pursuant to section 27-20.9-17.

27-20.9-8. Appropriations. -- The director shall use available state general funds to administer this program and to undertake outreach efforts to publicize the Rhode Island Best Rx program. There is hereby authorized an appropriation of general funds for start up and administration of the program. The director is authorized to accept grants and gifts for deposit into the Rhode Island Best Rx program fund for the exclusive use of the program.

27-20.9-9. Eligibility. -- An individual who is a resident of this state is eligible to participate in the Rhode Island Best Rx program if any of the following is true at the commencement of the program year:

(a) The individual is over sixty (60) years of age;

(b) The individual is receiving Supplemental Security Disability Income on account of total disability; or

(c) The individual or household has an annual income of two hundred and fifty percent (250%) of the federal poverty level or less, which shall include all sources of income including

but not limited to wages, salaries, interest, and dividends; and

(1) the individual is not eligible and for the four (4) months prior to the application has not been eligible for outpatient prescription drug coverage under a health benefits program paid for in whole or in part by an employer, Medicaid, Medicare, or another state or federal health plan or pharmaceutical assistance program that uses state or federal funds to pay part or all of the individual's prescription drug costs. The four (4) month period shall not apply with respect to an individual if:

(A) the health plan for which he or she has been eligible is terminated because of bankruptcy of the sponsor or if pension benefits are required to be cut in a plan being managed under ERISA protection;

(B) the individual has exhausted eligibility for Medicaid benefits;

(C) the individual has coverage for prescription drugs through a non-government program that is subject to an annual cap on expenditures, and in the judgment of the department based on information attested to in the application, is likely to have annual expenditures for prescription drugs in excess of the annual cap. An individual is eligible for the program pursuant to this paragraph only after prescription expenditures in the program year have exceeded the insurance cap that is the basis for eligibility; or

(D) the individual is laid-off as a result of a plant or company closing or significant layoff.

27-20.9-10. Enrollment. – Eligible programs. -- (a) An individual seeking to participate in the Rhode Island Best Rx program shall apply to the director on an annual basis, providing an attestation of income, disability, and/or coverage status as appropriate to the eligibility category for which application is made. False attestations shall be subject to the provisions of section 40-8-9 of the Rhode Island general laws.

(b) Before enrolling the individual in the Rhode Island Best Rx program, the director shall determine whether the individual is eligible to be enrolled in the Rhode Island Medicaid program or any other state funded program offering prescription drug coverage, or is eligible for subsidies to pay for coverage under the Medicare part D drug benefit;

(c) The department shall ensure that the Rhode Island Best Rx program is the payer of last resort. No program funds pursuant to section 27-20.9-4 shall be expended where a government or private payer has paid for a prescription.

27-20.9-11. Fee. -- Subject to manufacturer arrangements under subdivision 27-20.9-5(c)(3) and to any action taken pursuant to section 27-20.9-7, the amount payable to participating pharmacies by the Rhode Island Best Rx program participants for a prescription shall be no greater than the dispensing fee established under section 27-20.9-5 plus the discount price for the drug established under section 27-20.9-5, plus an administrative fee of no more than one dollar ($1.00) per prescription, or if lower, the pharmacy's usual and customary charge for the drug.

27-20.9-12. Claim submission. -- (a) A participating pharmacy that charges a Rhode Island Best Rx program participant a discount price for a prescription drug shall submit a claim to the director verifying the quantity of each prescription drug dispensed to Rhode Island Best Rx program participants by the participating pharmacy. The participating pharmacy shall use the claim form or process established under section 27-20.9-5.

(b) Using claims submitted by a participating pharmacy under section 27-20.9-12, the director shall reimburse a participating pharmacy the amount of the rebate a manufacturer has agreed to pay for the prescription drug pursuant to a rebate agreement entered into under section 27-20.9-5 for each prescription drug the participating pharmacy has provided to a Rhode Island Best Rx program participant at the discount price pursuant to section 27-20.9-11. The director shall make the reimbursements and payments on a monthly basis.

27-20.9-13. Information confidential. -- (a) The information disclosed by the director to the Designated PBM is confidential, trade secret information. The Designated PBM shall not disclose it to anyone other than the director, and it may not be used by the Designated PBM for

any purpose other than is required by this statute. All copies of such information shall be returned or destroyed at the conclusion of the verification process.

(b) Notwithstanding any other provision of law, information disclosed by manufacturers and by the Designated PBM under this chapter is confidential and shall not be disclosed by the director or a state agency (or contractor therewith) in a form which discloses the identity of a specific manufacturer, prices charged for drugs by such manufacturer or wholesaler, or the payment methodologies or rebates of the Designated PBM, except:

(1) when the director determines it to be necessary to carry out this chapter; or

(2) to permit the attorney general to review the information provided.

All information provided by the Designated PBM, pharmaceutical manufacturers and pharmacists under this chapter shall be deemed a trade secret under chapter 6-41 of the general laws and shall not be disclosed by the director or any other person pursuant to federal or state trade secrets law.

(c) Information on claims submitted by participating pharmacies under section 27-20.9-12 includes confidential patient information that shall be protected as provided under the privacy regulations under the Health Insurance Portability and Accountability Act.

27-20.9-14. Program rebates and audits. -- Each manufacturer that sells outpatient prescription drugs, whether branded or generic, may voluntarily enter into an agreement with the director as provided in subsection 27-20.9-5(c).

(a) Where such an agreement provides for rebates, the director shall report to each manufacturer in the standard reporting format established by the director, information on the total number of units of each dosage form and strength and package size of each outpatient prescription drug dispensed to the Rhode Island Best Rx program participants by participating pharmacies after the implementation date of the Rhode Island Best Rx program.

(b) Rebate payments shall be due to the director not later than thirty (30) days after the quarterly invoice is received by the participating manufacturer.

(c) The director shall permit a participating manufacturer to audit the information provided (or required to be provided) under subsection 27-20.9-14(a), including reasonable requests to audit participating pharmacies as may be appropriate to resolve disputes regarding utilization data submitted for rebate payment. The director shall ensure that any adjustments are made to reflect manufacturer and pharmacy agreements with the Rhode Island Best Rx program.

(d) The department may audit participating pharmacies to ensure the participating manufacturer's discounts are appropriately passed on to the Rhode Island Best Rx program participants. Audit reports shall be released to the legislature and to the public once a year.

27-20.9-15. Duration of coverage. -- The Rhode Island Best Rx program shall cover a prescription drug for at least one year if the prescription drug is included in an agreement entered into under section 27-20.9-5.

27-20.9-16. Manufacturer participation. -- Participation in the program by a manufacturer is voluntary.

(a) Failure of a manufacturer to participate in the Rhode Island Best Rx program will not result in prior authorization of drugs in the Medicaid program that would not otherwise be subject to prior authorization but for the failure of the manufacturer to participate in the Rhode Island Best Rx program.

(b) A state employee health plan or any other state funded prescription drug program may not place a manufacturer's product on the prior authorization list or otherwise penalize or restrict access to any of the manufacturer's product(s) in response to a manufacturer's failing to enter into a rebate agreement under section 27-20.9-5.

(c) The program may not include the purchase of prescription drugs imported from jurisdictions outside of the United States.

27-20.9-17. Advisory Council. – (a) There is hereby established the Rhode Island Best Rx Program Advisory Council. The council shall advise the permanent joint committee on health care oversight on the Rhode Island Best Rx program. With the approval of a majority of the

council's appointed members, the council may initiate studies to determine whether there are more effective way to administer the program and provide the permanent joint committee on health care oversight with suggestions for improvements. The council shall pay particular attention to the dispensing fee and the administrative fee, with the objective of ensuring an efficient program that offers the best value to program participants. The department, at its option, may take notice of the recommendations and deliberations of the advisory council in exercising its authority to operate the program.

(b) The advisory council shall have the following composition:

(1) A representative of organized labor appointed by the president of the Rhode Island AFL-CIO;

(2) A representative of the Alliance for Retired Americans appointed by the executive director;

(3) A representative of the American Association of Retired Persons appointed by the executive director;

(4) A representative of retail pharmacists licensed and operating in the state of Rhode Island, as appointed by the Rhode Island Pharmacists Association;

(5) Three representatives of the research-based pharmaceutical manufacturers;

(6) The speaker of the house or his or her designee; and

(7) The president of the senate or his or her designee.

(c) The speaker of the house or his or her designee, and the president of the senate or his or her designee, shall co-chair the advisory council, and the council shall meet at the call of the chair, but no less frequently than once per year.

(d) Council members in subsection (1) through (4) herein shall be appointed as above and shall serve such terms as may be designated by their respective constituencies and shall receive no compensation for their service.

(e) The director or designated representative of the department shall be a non-voting ex-officio member of the advisory council.

(f) A quorum for consideration of business is no fewer than five (5) voting members present. Recommendations and report of the council shall be adopted by a two-thirds (2/3) majority, and no minority reports shall be authorized.

27-20.9-18. Rx Clearinghouse. -- There is hereby established and Rx Clearinghouse which shall be operated by the director. The Rx Clearinghouse shall serve as a central repository of registration and application information for all public and private prescription drug benefits not associated with a particular health plan or insurer, including, but not limited to, drug manufacturer patient assistance program, prescription drug discount card programs, the Rhode Island Rx Benefits Program, SCHIP, Medicare, and Medicaid.

(a) The Clearinghouse shall assist Rhode Island residents in identifying benefits for which they may be eligible.

(b) Information disclosed by private entities, including, but not limited to, drug manufacturers, during coordination and implementation of the Rx Clearinghouse shall be kept confidential, except as the director determines is necessary to carry out the Clearinghouse. All information received by the state or its contractors from a private entity for coordination under the Rx Clearinghouse shall be exempt from disclosure.

(c) All individual identifying information relating to any patient or consumer pursuant to the Rx Clearinghouse shall be kept confidential by the director, other state entities, and program administrators for drug manufacturer's programs. The director shall obtain any authorization from the patients or consumers necessary to assure uses of the information for the purpose of administering the Rx Clearinghouse and making any referrals to manufacturer programs.

27-20.9-19. Severability. -- If any provision of this chapter is declared unconstitutional or the applicability of this chapter to any person or circumstances is held invalid, the constitutionality of the remainder of the chapter and the applicability of it to other persons and

11-2 circumstances shall not be affected by that invalidity.
11-3 SECTION 2. This act shall take effect on July 1, 2007.

MOTION: To find beneficial 07 S-0593 An Act Relating to Insurance - The Rhode Island Best Rx GR/ no second.

07 H-6040 & S 0589 Acts Relating to State Affairs and Government (Provider Index)
Sponsors: Rep. Slater & Sen. Alves, In the House & Senate Finance Committees
Description: This act would provide certain private community based organizations a contractual adjustment for fiscal year 2008 based on the Consumer Price Index. Services provided by the above named organizations to which the Index will be applied, include: (1) Home health services, which are supplied by licensed home care providers and home nursing care providers, to include direct nursing services in the home by an RN or LPN, homemaker services, nursing assistant services, respiratory therapy or other therapeutic services.(2) Children's residential programs contracted with the state to provide residential services for youth, for whom the rates are set by the department of children, youth and families.(3) Mental health treatment and substance abuse treatment and prevention services provided by community-based organizations, under license with, or overseen by the department of children, youth and families or the department of mental health, retardation and hospitals for children and adults, but not to include youth diversion, CASSP or Project HOPE services.(4) Organizations providing vocational, residential, rehabilitation and evaluation services to persons with developmental disabilities, but not including early intervention services.(5) Services of Adult Day Health Centers, as licensed by the department of elderly affairs, which provide a safe, medically supervised environment and therapeutic day services to disabled adults, frail elders and victims of Alzheimer's Disease or related disorders. Services include, but are not limited to, multidisciplinary care planning and case management, nursing assessments and services, personal care services, nutritional services and therapeutic activities and socialization. This act would take effect on July 1, 2007.

07 H-6040

It is enacted by the General Assembly as follows:
1-1 SECTION 1. For fiscal year 2008, private community-based health and human service
1-2 organizations, that are represented by the Provider Index Coalition, and partner with the state
1-3 pursuant to contracts for the services specified below, and where the rates for such organizations
1-4 are established by the state, shall receive a cost-of-living adjustment in such contracts and
1-5 agreements equivalent to the percentage prescribed by the Consumer Price Index (CPI). The
1-6 funding received is to cover direct labor compensation and benefits.
1-7 SECTION 2. Services provided by the above named organizations to which the Index
1-8 will be applied, include:
1-9 (1) Home health services, which are supplied by licensed home care providers and home
1-10 nursing care providers, to include direct nursing services in the home by an RN or LPN,
1-11 homemaker services, nursing assistant services, respiratory therapy or other therapeutic services.
1-12 (2) Children's residential programs contracted with the state to provide residential
1-13 services for youth, for whom the rates are set by the department of children, youth and families.
1-14 (3) Mental health treatment and substance abuse treatment and prevention services
1-15 provided by community-based organizations, under license with, or overseen by the department
1-16 of children, youth and families or the department of mental health, retardation and hospitals for
1-17 children and adults, but not to include youth diversion, CASSP or Project HOPE services.
1-18 (4) Organizations providing vocational, residential, rehabilitation and evaluation services
1-19 to persons with developmental disabilities, but not including early intervention services.
2-1 (5) Services of Adult Day Health Centers, as licensed by the department of elderly
2-2 affairs, which provide a safe, medically supervised environment and therapeutic day services to
2-3 disabled adults, frail elders and victims of Alzheimer's Disease or related disorders. Services

2-4 include, but are not limited to, multidisciplinary care planning and case management, nursing
2-5 assessments and services, personal care services, nutritional services and therapeutic activities
2-6 and socialization.
2-7 SECTION 3. This act shall take effect on July 1, 2007.

Members discussed the bill but took no position

07 H-5723 & 07 S 0572 Acts Relating to Housing Resources - Neighborhood Opportunities Program
Sponsors: Rep. Fox & Sen. Pichardo in the House & Senate Finance Committee
Description: This act would establish and fund the neighborhood opportunities program to address the housing and revitalization needs of the state's deteriorating neighborhoods. The housing and revitalization needs of the state's deteriorating neighborhoods. The neighborhood opportunities program shall provide financial assistance to implement the following three components: (a) The family affordable housing program, to produce an additional supply of housing units at rents affordable to families working at or near minimum wage;
(b) The permanent supportive housing program, the purpose of which shall be to produce additional housing for disabled individuals to be coupled with services and case management to stabilize homeless individuals in permanent housing at affordable rents for persons receiving supplemental social security income (SSI); and
(c) The neighborhood revitalization program, the purpose of which shall be to provide grants to local communities for renovation, demolition, and homeownership opportunities in neighborhoods designated for revitalization. This act would take effect upon passage.

2007 -- H 5723

It is enacted by the General Assembly as follows:
1-1 SECTION 1. Section 42-128-8 of the General Laws in Chapter 42-128 entitled "Rhode
1-2 Island Housing Resources Act of 1998" is hereby amended to read as follows:
1-3 **42-128-8. Powers and duties. --** In order to provide housing opportunities for all Rhode
1-4 Islanders, to maintain the quality of housing in Rhode Island, and to coordinate and make
1-5 effective the housing responsibilities of the agencies and subdivisions of the state, the
1-6 commission shall have the following powers and duties:
1-7 (1) Policy, planning and coordination of state housing functions. - The commission shall
1-8 have the power and duty:
1-9 (i) To prepare and adopt the state's plans for housing, provided however that this
1-10 provision shall not be interpreted to contravene the prerogative of the state planning council to
1-11 adopt a state guide plan for housing.
1-12 (ii) To prepare, adopt, and issue the state's housing policy.
1-13 (iii) To conduct research on and make reports regarding housing issues in the state.
1-14 (iv) To advise the governor and general assembly on housing issues and to coordinate
1-15 housing activities among government agencies and agencies created by state law or providing
1-16 housing services under government programs.
1-17 (2) Establish, implement, and monitor state performance measures and guidelines for
1-18 housing programs. - The commission shall have the power and the duty:
2-1 (i) To promulgate performance measures and guidelines for housing programs conducted
2-2 under state law.
2-3 (ii) To monitor and evaluate housing responsibilities established by state law, and to
2-4 establish a process for annual reporting on the outcomes of the programs and investments of the
2-5 state in housing for low and moderate income people.
2-6 (iii) To hear and resolve disputes pertaining to housing issues.
2-7 (3) Administer the programs pertaining to housing resources that may be assigned by
2-8 state law. - The commission shall have the power and duty to administer programs for housing,

2-9 housing services, and community development, including, but not limited to, programs pertaining
2-10 to:
2-11 (i) Abandoned properties and the remediation of blighting conditions.
2-12 (ii) Lead abatement and to manage a lead hazard abatement program in cooperation with
2-13 the Rhode Island Housing and Mortgage Finance Corporation.
2-14 (iii) Services for the homeless.
2-15 (iv) Rental assistance.
2-16 (v) Community development.
2-17 (vi) Outreach, education and technical assistance services.
2-18 (vii) Assistance, including financial support, to non-profit organizations and community
2-19 development corporations.
2-20 (viii) Tax credits that assist in the provision of housing or foster community development
2-21 or that result in support to non-profit organizations performing functions to accomplish the
2-22 purposes of this chapter.
2-23 (ix) The neighborhood opportunities program, the purpose of which shall be to address
2-24 the housing and revitalization needs of the state's deteriorating neighborhoods. The neighborhood
2-25 opportunities program shall provide financial assistance to implement the following three
2-26 components:
2-27 (a) The family affordable housing program, the purpose of which shall be to produce an
2-28 additional supply of housing units at rents affordable to families working at or near minimum
2-29 wage. State funding will leverage other resources for the production of housing, to create mixed
2-30 income housing, and to revitalize neighborhoods through the rehabilitation of existing
2-31 substandard units.
2-32 (b) The permanent supportive housing program, the purpose of which shall be to produce
2-33 additional housing for disabled individuals to be coupled with services and case management to
2-34 stabilize homeless individuals in permanent housing at affordable rents for persons receiving
3-1 supplemental social security income (SSI).
3-2 (c) The neighborhood revitalization program, the purpose of which shall be to provide
3-3 grants to local communities for renovation, demolition, and homeownership opportunities in
3-4 neighborhoods designated for revitalization.
3-5 Section 2. There is hereby appropriated out of any money in the treasury not otherwise
3-6 appropriated for the fiscal year 2007-2008, the sum of seven million, five hundred thousand
3-7 dollars ($7,500,000) for the purpose of carrying out the provisions of this act, and the state
3-8 controller is hereby authorized to draw his orders upon the general treasurer for the payment of
3-9 said sum, or so much thereof as may be from time to time required, upon receipt by him of
3-10 properly authenticated vouchers.
3-11 SECTION 3. This act shall take effect upon passage.

MOTION: To find beneficial if amended to include funding for accessible home modifications 07 H-5723 & 07 S 0572 Acts Relating to Housing Resources - Neighborhood Opportunities Program EG/GR Passed unanimously

07 H- 5451 An Act Relating to Education -- School Committees And Superintendents
Sponsor: Rep. Loughlin, In the House Finance Committee
This act would allow city and town councils to seek waivers of any state law or regulation related to education, including, but not limited to, regulations governing the education of children with disabilities, in order to reduce school budget increases to specified levels. This act would take effect upon passage.

07 H 5451

It is enacted by the General Assembly as follows:

SECTION 1. Section 16-2-21.4 of the General Laws in Chapter 16-2 entitled "School Committees and Superintendents" is hereby amended to read as follows:

16-2-21.4. School budgets -- Compliance with certain requirements. -- (a) Notwithstanding any provision of the general or public laws to the contrary, whenever a city, town, or regional school committee determines that its budget is insufficient to comply with the provisions of section 16-2-21, 16-7-23, or 16-7-24, the city, town, or regional school committee shall adhere to the appropriated budget or the provisions of section 16-2-23 in the absence of an appropriated budget. The chairperson of the city, town, or regional school committee, in accordance with the provisions of section 16-2-9, shall be required to petition the commissioner, in writing, to seek alternatives for the district to comply with state regulations and/or provide waivers to state regulations and, in particular, those which are more restrictive than federal regulations that allow the school committee to operate with a balanced budget. Waivers which affect the health and safety of students and staff or which violate the provisions of chapter 24 of this title shall not be granted. The commissioner must consider alternatives for districts to comply with regulations and/or provide waivers to regulations in order that the school committee may operate with a balanced budget within the previously authorized appropriation. In the petition to the commissioner, the school committee shall be required to identify the alternatives to meet regulations and/or identify the waivers it seeks in order to provide the commissioner with the revised budget which allows it to have a balanced budget within the previously authorized appropriation. The commissioner shall respond within fifteen (15) calendar days from the date of the written petition from the school committee. If the commissioner does not approve of the alternatives to meet regulations or the waivers from regulations which are sought by the school committee, or if the commissioner does not approve of the modified expenditure plan submitted by the school committee, then: (1) within ten (10) days of receiving the commissioner's response, the school committee may submit a written request to the city or town council for the council of the municipality to decide whether to increase the appropriation for schools to meet expenditures. The decision to increase any appropriations shall be conducted pursuant to the local charter or the public law controlling the approval of appropriations within the municipality; or (2) in a regional school district, the chairperson of the school committee may, within ten (10) days of receiving the commissioner's response, submit a written request to the chief elected official of each of the municipalities to request that the city or town council in each of their respective towns meet to decide whether or not to increase the appropriation for schools to meet expenditures. The decision to increase any appropriations shall be conducted pursuant to the local charter or the public law controlling the approval of appropriations within the municipality.

(b) In the event of a negative vote by the appropriating authority, the school committee shall have the right to seek additional appropriations by bringing an action in the superior court for the county of Providence and shall be required to demonstrate that the school committee lacks the ability to adequately run the schools for that school year with a balanced budget within the previously authorized appropriation or in accordance with sections 16-2-21, 16-2-23, 16-7-23, and 16-7-24. In no event shall any court order obtained by the school committee have force and effect for any period longer than the fiscal year for which the litigation is brought. Any action filed pursuant to this section shall be set down for a hearing at the earliest possible time and shall be given precedence over all matters except older matters of the same character. The court shall

2-25 render its decision within thirty (30) days of the close of the hearings. Upon the bringing of an
2-26 action in the superior court by the school committee to increase appropriations, the chief
2-27 executive officer of the municipality, or in the case of a regional school district the chief elected
2-28 officials from each of the member municipalities, shall cause to have a financial and program
2-29 audit of the school department conducted by the auditor general, the bureau of audits, or a
2-30 certified public accounting firm qualified in program audits. The results of the audit shall be made
2-31 public upon completion and paid for by the school committee to the state or private certified
2-32 public accounting firm.
2-33 (c) Notwithstanding any other provisions to the contrary, in the event a school budget
2-34 increases by more than three percent (3%) over the prior fiscal year, a governing school
3-1 committee may seek a waiver, from the commissioner, of any state law or regulation related to
3-2 education, including, but not limited to, regulations governing the education of children with
3-3 disabilities, to the extent permitted by federal law so as to reduce the school budget increase to no
3-4 more than three percent (3%).
3-5 (d) Notwithstanding any other provisions to the contrary, in the event a school budget
3-6 increases by more than five and one-half percent (5.5%) over the prior fiscal year, a governing
3-7 school committee may seek a waiver, from the commissioner, of any state law or regulation
3-8 related to education, including, but not limited to, regulations governing the education of children
3-9 with disabilities, to the extent permitted by federal law and the commissioner shall grant the
3-10 waiver so as to reduce the school budget increase to no more than five and one-half percent
3-11 (5.5%).
3-12 SECTION 2. This act shall take effect upon passage.

MOTION: To find harmful 07 H- 5451 An Act Relating to Education -- School Committees And Superintendents AP/LG passed unanoumly

07 H-5500 & S0361 A Resolution to Creating a Special Legislative Commission to Make a Comprehensive Study of the Impact of Mandates on Rhode Island's School

Sponsors: Rep. Church in the House Health, Education, & Welfare Committee &
Sen. Tassoni in the Senate Constitutional & Regulatory Issues

Description: This resolution would create an eleven member special legislative commission whose purpose it would be to make a comprehensive study of the impact of mandates on Rhode Island's school district's and who would report back to the general assembly no later than January 8, 2008 and whose life would expire on March 8, 2008.

2007 -- H 5500

1-1 RESOLVED, That a special legislative commission be and the same is hereby created
1-2 consisting of eleven (11) members: three (3) of whom shall be members of the House of
1-3 Representatives, not more than two (2) from the same political party, to be appointed by the
1-4 Speaker of the House; three (3) of whom shall be members of the Senate, not more than two (2)
1-5 from the same political party, to be appointed by the President of the Senate; two (2) of whom
1-6 shall be from the Rhode Island Department of Education, to be appointed by the Commissioner of
1-7 Elementary and Secondary Education; one of whom shall be the Superintendent of an Urban Core
1-8 Rhode Island school district, to be appointed by the President of the Rhode Island School
1-9 Superintendents' Association; one of whom shall be the Superintendent of an Urban Fringe Rhode
1-10 Island school district, to be appointed by the President of the Rhode Island School
1-11 Superintendents' Association; and one of whom shall be the Superintendent of a Suburb/Rural
1-12 Rhode Island school district, to be appointed by the President of the Rhode Island School
1-13 Superintendents' Association.
1-14 In lieu of any appointment of a member of the legislature to a permanent advisory
1-15 commission, a legislative study commission, or any commission created by a General Assembly
1-16 resolution, the appointing authority may appoint a member of the general public to serve in lieu

of a legislator, provided that the majority leader or the minority leader of the political party which is entitled to the appointment consents to the appointment of the member of the general public.

The purpose of said commission shall be to make a comprehensive study of the impact of mandates on Rhode Island's School Districts.

Forthwith upon passage of this resolution, the members of the commission shall meet at the call of the Speaker of the House and organize and shall select, from among the legislators, a chairperson. Vacancies in said commission shall be filled in like manner as the original appointment.

The membership of said commission shall receive no compensation for their services.

All departments and agencies of the state shall furnish such advice and information, documentary and otherwise, to said commission and its agents as is deemed necessary or desirable by the commission to facilitate the purposes of this resolution.

The Joint Committee on Legislative Services is hereby authorized and directed to provide suitable quarters for said commission; and be it further

RESOLVED, That the commission shall report its findings and recommendations to the General Assembly no later than January 8, 2008 and said commission shall expire on March 8, 2008.

MOTION: To find harmful 07 H-5500 & S0361 A Resolution to Creating a Special Legislative Commission to Make a Comprehensive Study of the Impact of Mandates on Rhode Island's School JB/LG passed EG abstain

07 H-5762 An Act Relating to Health And Safety -- Cancer Patients -Transportation Services
Sponsors: Rep. Giannini, In the House Health, Education, & Welfare Committee
Description: This act would require the director of health to provide transportation services to indigent cancer patients for the purpose of receiving treatment. This act would take effect upon passage.

2007 -- H 5762

It is enacted by the General Assembly as follows:

SECTION 1. Section 23-12-3 of the General Laws in Chapter 23-12 entitled "Cancer" is hereby amended to read as follows:

23-12-3. Aid to indigent patients – (a) The state director of health is authorized and directed to make rules and regulations specifying to what extent and on what terms and conditions indigent cancer patients of this state may receive financial aid for the diagnosis and treatment of cancer in any approved hospital in this state. The director of health is authorized to furnish aid to indigent cancer patients of this state who are citizens of this state and who through no fault of their own are financially unable to provide proper treatment for themselves; to the extent of and within the available funds as the state director of health shall deem proper. The state director of health shall have the power in his or her discretion to administer such aid in any manner which in his or her judgment will afford the greater benefit to cancer patients throughout the state, and shall have the power, to the extent of and within the available funds which may be provided by the general assembly.

(b) The director is hereby authorized and directed to provide transportation services for indigent cancer patients who require transportation in order to receive treatment. The director shall promulgate rules and regulations to establish eligibility criteria for the transportation program. The general assembly shall make an annual appropriation of a sum sufficient to carry out the purposes of this subsection.

SECTION 2. This act shall take effect upon passage.

Members discussed the bill but took no position

3. Consideration of Amended versions of Bills

Discussion: no bills were discussed

Questions on Report: (mailed with the agenda)	20 min.

Report on Commission's Legislative Package Status

The Commission Position: Commission; Supports these bills

Continued

Last Action on: 2/13/2007 Next Action on:
07 H-5371 AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS -- HANDICAPPED ACCESSIBLE TAXICABS Sponsor: Rep. Coderre House Corporations Committee Identical to S 0553 Sponsor: Sen. Walaska Senate Corporations Committee Last Action on: 3/13/2007

Description: This act would require taxicab companies to maintain at least two percent (2%) but no less than one wheelchair accessible taxicabs purchased or leased after January 1, 2008. This act would also allow for certain tax credits to said companies in reaching this goal. This act would take effect on January 1, 2008.

Last Action on: 3/7/2007 Next Action on:
07 H-5290 AN ACT RELATING TO COURTS AND CIVIL PROCEDURE - PROCEDURE GENERALLY GOVERNMENTAL TORT LIABILITY - DEPARTMENT OF ATTORNEY GENERAL Sponsor: Rep. Mumford House Judiciary Committee Identical to 07 S-0330 Sponsor: Sen. Lenihan in Senate Judiciary Committee (no hearing yet)

Description: This act would require that the Rhode Island attorney general provide a legal defense to members of the state board and commissions when sued for acts performed within the scope of state service. This act shall take effect upon passage.

Total of GCD Bills Commission; Supports these bills - Continued: 3

In Committee

Last Action on: 1/23/2007 Next Action on:
07 S-0086 AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT - DEPARTMENT OF HUMAN SERVICES Sponsor: Sen. Blais Senate Finance Committee Identical to H 5191 Sponsor: Rep. McNamara House Finance Committee

Description: This act would require the department of human services may utilize up to ten percent (10%) of the sums appropriated for the traumatic brain injury program for the purpose of administering the program. Services including, but not limited to: case management; cognitive rehabilitation; transitional living; structured day programs; assistive technology services; devices and equipment; transportation; housing; neuropsychological evaluations; behavioral health treatment; substance abuse treatment; respite; and other services and/or assistance as deemed appropriate by the commission for individuals with traumatic brain injury to accomplish a successful re-entry and maintenance in the community. This act shall take effect upon passage.

Last Action on: 1/24/2007 Next Action on:
07 S-0127 AN ACT RELATING TO HUMAN SERVICES -- HEALTH CARE FOR ELDERLY AND DISABLED RESIDENTS ACT Sponsor: Sen. Ciccone Senate Finance Committee

Description: This act would raise the income eligibility for categorically needy medical assistance beneficiaries, for individuals with disabilities to qualify for Medicare, from 100% to 185% of the federal poverty level. This act shall take effect upon passage.

07 S-0128 AN ACT RELATING TO EDUCATION - SCHOOL AND MUNICIPAL PLAYGROUND SAFETY Sponsor: Sen. Senator Leo R. Blais Senate Finance Committee

Description: This act would provide grants to cities and towns for projects undertaken specifically to comply with the department of education and department of health's joint health and environment recreational facility safety regulations and/or to provide access for people with disabilities. This act would take effect upon passage.

07 S-0142 AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- OPEN MEETINGS Sponsor: Sen. Ciccone Senate Judiciary

Description: This act would authorize the use of electronic communication or telephone communications as a reasonable accommodation for a member of a public body who has a disability and would not otherwise be able to participate. This act would take effect upon passage.

Last Action on: 2/6/2007 Next Action on:
07 H-5313 AN ACT RELATING TO HEALTH AND SAFETY -- HEALTH PROFESSIONAL LOAN REPAYMENT PROGRAM Sponsor: Rep. Ginaitt House Finance Committee Identical to S0597 Sponsor: Sen. Sosnowski Senate Finance Committee

Description: This act would expand the health professional loan repayment program to include physical therapists, psychiatric social workers and pharmacists. This act would take effect on July 1, 2007.

Last Action on: 2/7/2007 Next Action on:
07 S-0266 AN ACT RELATING TO TOWNS AND CITIES -- ZONING ORDINANCES Sponsor: Sen. Levesque Senate Housing and Municipal Government Committee

Description: This act would permit an accessory family dwelling within a single family residence for the sole use of one or more members of the family of the occupant who is a person with a disability or is over the age of sixty-five (65). This act would take effect upon passage.

Last Action on: 2/15/2007 Next Action on:

Total of GCD Bills Commission; Supports these bills - In Committee: 8
Total of GCD Bills Commission; Supports these bills - 11

The Legislation Committee's Position: Committee finds these bills Harmful

In Committee

Last Action on: 1/23/2007 Next Action on:

07 S-0088 AN ACT RELATING TO INSURANCE Sponsor: Sen. Blais in the Senate Health and Human Services Committee Identical to H 5553 Sponsor Rep. Mernard Continued in House Corporations Committee

Description: The act would verify that the purpose of this chapter is to provide for independent review of mandated health benefits. This chapter requires that all proposals or an amendment to a proposal for mandated benefits, mandated health insurance coverage, and mandated offerings of health benefits be accompanied by independently certified documentation with regard to the proposals' social impact, medical efficacy and financial impact. This act shall take effect on January 1, 2008.

Last Action on: 1/31/2007 Next Action on:

07 H-5267 AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- DISABLED VETERANS Sponsor: Rep. Carter House Veterans Affairs Committee Identical to S-0307 Sponsor: Sen. Felag Identical to H 5267 Senate Constitutional and Regulatory Issues Committee

Description: This act would extend to veterans who have a "Disabled Veteran" license plate with all the rights and privileges of handicapped persons without display the disability parking privilege placard. This act would take effect upon passage.

Last Action on: 2/7/2007 Next Action on:

Total of GCD Bills Legislation Committee finds these bills Harmful - In Committee: 4

Scheduled for hearing and/or consideration

Last Action on: 1/30/2007 Next Action on: **3/21/2007**

07 H-5242 AN ACT RELATING TO EDUCATION - SCHOOL COMMITTEES AND SUPERINTENDENTS Sponsor: Rep. Rose House Health, Education, & Welfare Committee

Description: This act would allow school committees to seek relief from state directives that are unfunded and which exceed federal limits and guidelines by bringing an action in the Rhode Island Superior Court. This act would take effect upon passage.

Total of GCD Bills Legislation Committee finds this bill Harmful - Scheduled for hearing and/or consideration: 1

Total of GCD Bills the Legislation Committee finds this bill Harmful - 5

The Legislation Committee's Position: Committee finds this bill Beneficial if amended

In Committee

Last Action on: 1/31/2007 Next Action on:

07 S-0166 AN ACT RELATING TO HEALTH AND SAFETY -- BREAST CANCER ACT Sponsor: Sen. Pichardo Senate Finance Committee Identical to H 5350 Sponsor: Rep. Naughton House Finance Committee

Description: This act would provide $250,000 for mammographies for women aged 40-49 who are eligible to use the Rhode Island women's cancer screening program. This act would take effect on July 1, 2007.

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

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

The Legislation Committee's Position: Committee finds these bills Beneficial

Continued

Last Action on: 1/31/2007 Next Action on:

07 H-5200 AN ACT RELATING TO INSURANCE -- ORTHOTIC AND PROSTHETIC SERVICES Sponsor: Rep. Giannini House Corporations Committee Identical to S0062 Sponsor: Sen. Ciccone is in the Senate Health and Human Services Committee (no hearing yet)

Description: This act would require that every individual or group health insurance contract, plan or policy delivered, issued for delivery or renewed in this state on or after January 1, 2006, which provides medical coverage that includes coverage for physician services in a physician's office and every policy, which provides major medical or similar comprehensive type coverage shall provide coverage for benefits for orthotic and prosthetic devices that equal those benefits provided for under federal laws for health insurance for the aged and disabled. Covered benefits for orthotic or prosthetic devices shall be limited to the most appropriate model that adequately meets the medical needs of the patient as determined by the insured's treating physician. The repair and replacement of orthotic or prosthetic devices also shall be covered subject to co-payments and deductibles, unless necessitated by misuse or loss. This act shall take effect upon passage.

Last Action on: 2/7/2007 Next Action on:

07 H-5178 AN ACT RELATING TO HEALTH AND SAFETY OF PUPILS Sponsor: Rep. Lewiss House Health, Education, & Welfare Committee

Description: This act would require that all elementary and secondary schools, whether public, private, parochial, or charter, must use Environmentally - sensitive cleaning and maintenance products which minimize the adverse impacts on children's health, safety and the environment. The commissioner of education shall disseminate to all elementary and secondary schools guidelines and specifications for the purchase and use of environmentally-sensitive cleaning and maintenance products in elementary and secondary schools. The commissioner of education, in consultation with the director of the department of environmental management, shall also prepare and disseminate to all elementary and secondary schools a sample list of environmentally-sensitive cleaning and maintenance products that meet these guidelines or specifications. All elementary and secondary schools shall follow these guidelines, specifications and sample list when purchasing cleaning and maintenance products for use in their facilities. The commissioner of education shall provide assistance and guidance to elementary and secondary schools in carrying out the requirements of this section. Elementary and secondary schools shall notify their personnel of the availability of the guidelines, specifications and sample list; provided, nothing in this section shall preclude an elementary or secondary school from depleting existing cleaning and maintenance supplies purchased prior to the effective date of this section. This act shall take effect upon passage.

Last Action on: 2/14/2007 Next Action on:
07 H-5203 AN ACT RELATING TO COURTS AND CIVIL PROCEDURE - SOVEREIGN IMMUNITY Sponsor: Rep. Donald J. Lally House Finance Committee Identical to S 193 Sponsor: Sen. McCaffrey Identical to H 5203 Senate Judiciary Committee (no hearing yet)
Description: This act would clarify that a cause of action exists against the state of Rhode Island by state employees and other parties seeking to enforce rights with respect to certain federal statutes, including those which address fair labor standards, discrimination, family and medical leave and patent protection. The United States Congress has indicated its intent and federal statutes will be applicable to the states. This act would take effect on July 1, 2007 and would apply to causes of action arising on or after that date.

Last Action on: 3/14/2007 Next Action on:
07 H-5294 AN ACT RELATING TO LABOR AND LABOR RELATIONS -- EQUAL OPPORTUNITY AND AFFIRMATIVE ACTION Sponsor: Rep. Almeida House Labor Committee
Description: This act would delete references in the Rhode Island general laws which exempt the legislative branch of state government from compliance with provisions of equal opportunity and affirmative action. This act would take effect upon passage.

Total of GCD Bills Committee finds these bills Beneficial - Continued: 4

In Committee

Last Action on: 1/31/2007 Next Action on:
07 S-0186 AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS -- RHODE ISLAND PUBLIC TRANSIT AUTHORITY Sponsor: Sen. Raptakis Senate Judiciary Committee
Description: This act would require all RIde buses to be installed with passenger security cameras and would require that all new drivers of RIde buses have a BCI criminal records check. This act would take effect upon passage.

Total of GCD Bills Committee finds these bills Beneficial - 7

	The report was accepted as presented		
	Actions that need to be taken:		
A	Scheduled for hearing on Wednesday 3/21/2007 at the Rise in Rm 135 House HEW Cmte. 07 H-5242 An Act Relating to Education - School Committees and Superintendents Sponsor: Rep. Rose		
	Description: This act would allow school committees to seek relief from state directives that are unfunded and which exceed federal limits and guidelines by bringing an action in the Rhode Island Superior Court. This act would take effect upon passage.		
Announcements and Scheduling of Meetings		Chairperson	5 min.
Liberty Goodwin announced that the State House is now using "green cleaning" products and DoA will be added to the pilot programs.			
Next meeting will be on:	Monday April 16th	Starting at: 3 PM	
Adjournment:	Chairperson adjourned the meeting at 4:50 pm.		

Other Information

Resource persons:	Bob Cooper, Committee Staff, Dawn Wardyka from RI Parent Information Network/Family Voices