Description of graphic: RI State Seal an anchor in gold behind a blue wheelchair logo. Just below is a blue banner with the state motto "Hope". All are in the center of a ring of 8 blue stars, in groups of 2 separated by the logos for Braille, hearing aids, low vision and amplified phone.

Governor's Commission on Disabilities
Legislation Committee
Monday June 14, 2010 3–4:30 PM

John O. Pastore Center, 41 Cherry Dale Court,
Cranston, RI 02920-3049
(voice) 401-462-0100 (fax) 462-0106 (tty) via RI Relay 711
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Minutes

Attendees:	Linda Ward (Chair.); William R. Inlow (Vice Chair.); Jeanne Behie; Sharon Brinkworth; Julie DeRosa; Linda Deschenes; Timothy Flynn; Laura Jones; Paula Parker; Gwendolyn Reeve; Msgr. Gerard O. Sabourin; Sarah Everhart Skeels; & Theresa Thoelke
Absent:	Ray Bandusky; Rebecca Boss; Deborah Buffi; Rosemary C. Carmody; Elaina Goldstein; Liberty Goodwin; Maureen Maigret; Kate McCarthy-Barnett; Jean Lawlor; & Arthur M. Plitt
Guests:	Anthony Robinson (House Policy Office)
Staff:	Bob Cooper

	Agenda Topics	Moderator/Leader	Time
Clock graphic	**Call to Order and Acceptance of the Minutes**	**Linda Ward, Chairperson**	**3:00**
	Chair calls the meeting to order at 3:05 PM		
MOTION: To accept the minutes of the previous meeting as presented BI/JD passed unanimously			

	Action Items:		
law graphic	Commission's Legislative Package	Bob Cooper, Executive Secretary	3:05
	Purpose/Goal: To report on the status of legislation and revise the Committee's position on bills those that have been revised.		

Budget

Commission Neutral now that it has been amended
Incorporated into Budget Act 1
Transmitted to Governor 1
Commission Neutral now that it has been amended 2
Commission Opposes
Indefinitely Postponed 1
Commission Opposes 1

Commission Opposes unless amended
Incorporated into Budget Act 1
Commission Opposes unless amended 1
Commission Supports if amended
Indefinitely Postponed 1
Commission Supports if amended 1
No Position taken
No Position taken 16

Budget 21 bills reviewed, took positions on 5, favorable outcome on 4 = 80%

Civil Rights

Commission Supports
Passed in Concurrence 2
Commission Supports 2
Commission Supports if amended
Held for Further Study, Continued, or Heard 1
Commission Supports if amended 1
Committee finds this bill Beneficial
Passed in Concurrence 4
Held for Further Study, Continued, or Heard 5
Committee finds this bill Beneficial 9
Committee finds this bill Beneficial if amended
Held for Further Study, Continued, or Heard 1
Committee finds this bill Beneficial if amended 1
Committee finds this bill Harmful
Held for Further Study, Continued, or Heard 2
Committee finds this bill Harmful 2
No Position taken
No Position taken 12

Civil Rights 27 reviewed, took positions on 15, favorable outcome on 10 = 67%

Disability Prevention

Committee finds this bill Beneficial
Passed in Concurrence 1
Recommend Passage 1
Held for Further Study, Continued, or Heard 3
Referred to Committee 1
Committee finds this bill Beneficial 6
Committee finds this bill Beneficial if amended
Transmitted to Governor 2
Passed in Concurrence 2
Held for Further Study, Continued, or Heard 1
Referred to Committee 1
Committee finds this bill Beneficial if amended 6
Committee finds this bill Harmful
Held for Further Study, Continued, or Heard 1
Committee finds this bill Harmful 1
No Position taken
No Position taken 80

Disability Prevention 93 reviewed, took positions on 13, favorable outcome on 4= 31%

Employment

No Position taken

Employment 2 reviewed, took positions on 0

Health Insurance

Committee finds this bill Beneficial
Held for Further Study, Continued, or Heard 3
Committee finds this bill Beneficial 3
Committee finds this bill Harmful
Referred to Committee 1
Committee finds this bill Harmful 1
No Position taken
No Position taken 53

Health Insurance 57 reviewed, took positions on 4, favorable outcome on 1 = 25%

Committee finds this bill Beneficial if amended
Held for Further Study, Continued, or Heard 1
Committee finds this bill Beneficial if amended 1
Committee finds this bill Harmful
Referred to Committee 1
Committee finds this bill Harmful 1
No Position taken
No Position taken 7

Housing 9 reviewed, took positions on 2, favorable outcome on 2 =100%

Human Services

Commission Supports if amended
Held for Further Study, Continued, or Heard 2
Commission Supports if amended 2
Committee finds this bill Beneficial
Passed in Concurrence 2
Referred to Committee 1
Committee finds this bill Beneficial 3
Committee finds this bill Beneficial if amended
Recommitted 1
Held for Further Study, Continued, or Heard 1
Committee finds this bill Beneficial if amended 2
Committee finds this bill Harmful
Passed in Concurrence 1
Committee finds this bill Harmful 1
Committee finds this bill Harmful unless amended
Held for Further Study, Continued, or Heard 2
Committee finds this bill Harmful unless amended
No Position taken
No Position taken 18

Human Services 28 reviewed, took positions on 10, favorable outcome on 8 = 80%

Medicaid

Commission Recommends Held for Further Study
Transmitted to Governor 1
Commission Recommends Held for Further Study
Commission Supports
Transmitted to Governor 1
Commission Supports 1
Committee finds this bill Beneficial
Held for Further Study, Continued, or Heard 1
Committee finds this bill Beneficial 1
No Position taken
Transmitted to Governor 2
No Position taken 2

Medicaid 5 reviewed, took positions on 2, favorable outcome on 1 = 50%

Professional Standards

Committee finds this bill Beneficial
Postponed by sponsor 1
Committee finds this bill Beneficial 1
Committee finds this bill Beneficial if amended
Held for Further Study, Continued, or Heard 1
Committee finds this bill Beneficial if amended 1
Committee finds this bill Harmful
Passed in Concurrence 1
Referred to Committee 1
Committee finds this bill Harmful 2
No Position taken

Special Education

Committee finds this bill Beneficial
Referred to Committee 1
Committee finds this bill Beneficial 1
Committee finds this bill Harmful
Referred to Committee 1
Committee finds this bill Harmful 1
No Position taken
No Position taken 20

Special Education 22 reviewed, took positions on 2, favorable outcome on 1 = 50%

No Position taken 83 **Professional Standards 87 reviewed, took positions on 5, favorable outcome on 2 = 40%**	
Transportation *Commission Supports* Passed in Concurrence 2 *Commission Supports 2* *Committee finds this bill Beneficial if amended* Held for Further Study, Continued, or Heard 1 *Committee finds this bill Beneficial if amended 1* *Committee finds this bill Harmful* Referred to Committee 1 *Committee finds this bill Harmful 1* *No Position taken* *No Position taken 8* **Transportation 12 reviewed, took positions on 4, favorable outcome on 4 = 100%**	**Grand Total** **Grand Total 363 reviewed,** **Took positions on 62,** **Favorable outcome on 37** **Rate of Success 60%**

Discussion: For bills the Commission, rather than the Legislation Committee, supported or opposed and were NOT amended – a letter will automatically go to the Governor recommending he sign those the Commission supported and veto those that the Commission opposed.

Are there any bills that the Legislation Committee found beneficial or harmful are going to the Governor, and the Commission should recommend he sign or veto?

Legislation Passed In Concurrence

Civil Rights

Commission Supports

10 S 2133 **Sub A as Amended** and H 7300 **Sub A** ACTS RELATING TO HIGHWAYS-ACCESSIBLE CROSSWALKS
This act would require the installation of curb cuts and/or ramps at both ends of any pedestrian crosswalk. This act would take effect upon passage.
The Substitute as Amended would also require all privately developed sidewalks and pedestrian crosswalks that will be turned over to cities and towns (by the developer) to also meet state standards.
Introduced by: Sen. Tassoni & Sens. Lanzi, Cote Requested by the Governor's Commission on Disabilities
Sent House Letter 6/8/2010 Testimony Sent Senate Letter 2/24/2010 Testimony 3/23/2010
Introduced by: Rep. Kennedy & Reps. Naughton, Lima, Lally, Martin Requested by the Governor's Commission on Disabilities
Sent House Letter 2/24/2010 Testimony 2/25/2010 Sent Senate Letter Testimony 3/24/2010

1-1 SECTION 1. Section 24-7-1 of the General Laws in Chapter 24-7 entitled "Sidewalks" is
1-2 hereby amended to read as follows:
1-3 **24-7-1. Power of towns to establish and regulate sidewalks. --** (a) The town council of
1-4 any town shall have the power to order sidewalks, including curbing of stone or other material,
1-5 made and laid in and upon the streets and highways of the town, and may make ordinances and
1-6 regulations relative to the altering or repairing thereof, to the use, maintenance, care, and cleaning
1-7 of the sidewalks, to removing ice and snow therefrom, to the removal of posts, steps, and other
1-8 obstructions therein, and to the maintenance and removal of awnings, signs, and other structures
1-9 projecting over the sidewalks; provided, that the ordinances and regulations shall not be contrary
1-10 to the laws of this state.
1-11 (b) The construction of sidewalks and curbs **to be owned by all cities and towns** and the
1-12 maintenance of all sidewalks and curbs **owned by all cities and towns**, shall be in compliance
1-13 with all state regulations promulgated by the director of transportation pursuant to subsection 42-
1-14 13-1(b).
1-15 SECTION 2. Section 42-13-1 of the General Laws in Chapter 42-13 entitled "Department
1-16 of Transportation" is hereby amended to read as follows:
1-17 **42-13-1. Establishment -- Head of departments -- Powers. --** (a) There shall be a
1-18 department of transportation. The head of the department shall be the director of transportation,
1-19 appointed by the governor with the advice and consent of the senate, who shall carry out the
2-1 provisions of this chapter and, except as otherwise provided by this title, the provisions of
2-2 chapters 2 and 4 of title 1; chapters 8 and 10 of title 24; chapter 13 of title 31; chapter 12 of title
2-3 37; and of all other general laws heretofore carried out by the director of public works and the
2-4 department of public works, the Rhode Island turnpike and bridge authority, and the council on
2-5 highway safety. The director shall also be responsible for preparation of short-range plans, project

plans, and implementation programs for transportation; for port and waterways facilities where the principal purpose is transportation and management of port properties, warehouses, and state piers which function primarily as transportation facilities; and for maintaining an adequate level of rail passenger and freight services, including the administration of any financial or technical assistance which may be made available to operators of railroad transportation facilities; provided, however, that all contracts for the construction, reconstruction, maintenance, and repairs of all public roads and bridges, public buildings and all other properties of the state government, and the purchase of all equipment, materials, and supplies used in accordance therewith shall be negotiated by the purchasing agent in the department of administration.

(b) The director shall adopt and promulgate state regulations which will set standards for future state, city and town construction and maintenance of sidewalks and curbs, in a manner which will make the use of the sidewalks more easily accessible to people who are disabled. Said standards shall require the installation of curb cuts and/or ramps at both ends of any new pedestrian crosswalk.

The director shall adopt and promulgate a procedure to process all claims pursuant to section 24-8-35, for damages to motor vehicles caused by potholes on state highways and in all instances have the final determination as to the merits of each claim.

(c) The director shall promulgate and adopt regulations which will prohibit any contractors who have been convicted of fraud, bid-rigging, or a violation of any state or federal antitrust law from bidding on any construction projects administered by the department for a period of five (5) years from the date of any of the above convictions.

SECTION 3. This act shall take effect upon passage.

☑ voting check off graphic

MOTION: To recommend to the Executive Committee that they should request the Governor sign 10 S 2133 Sub A as Amended and H 7300 Sub A ACTS RELATING TO HIGHWAYS-ACCESSIBLE CROSSWALKS GR/JD passed, PP & LD abstained

Committee finds this bill Beneficial

10 S 2055 and H 7044 ACTS RELATING TO STATE AFFAIRS AND GOVERNMENT -- STATE POLICE
This act would make the definitions of disability, sexual orientation, gender identity and expression the same as set forth in Rhode Island general laws section 11-24-2.1. This act would take effect upon passage.
Introduced by: Sen. Miller & Sens. Perry, Connors, Sosnowski, Lynch
Sent House Letter Testimony Sent Senate Letter 2/24/2010 Testimony
Introduced by: Rep. Ajello & Reps. Ferri, Segal, Walsh, Handy
Sent House Letter 2/24/2010 Testimony Sent Senate Letter Testimony

SECTION 1. Section 42-28-46 of the General Laws in Chapter 42-28 entitled "State Police" is hereby amended to read as follows:

42-28-46. Development of system monitoring crimes motivated by bigotry and bias. -

- (a) For the purposes of this section, the following words shall have the following meanings:

(1) "Police department" -- means all state, municipal and campus police departments within the state of Rhode Island;

(2) "Hate crime" -- means any crime motivated by bigotry and bias, including, but not limited to threatened, attempted, or completed acts that appear after investigation to have been motivated by racial, religious, ethnic, sexual orientation, gender, gender identity or expression or disability prejudice. For the purposes of this chapter, the definitions of disability, sexual orientation and gender identity or expression shall be defined as set forth in Rhode Island general laws section 11-24-2.1;

(3) "Hate crime data" -- means information, incident reports, records and statistics relating to hate crimes, collected by the state police unit pursuant to this section;

(4) "Incident report" -- means account of any individual occurrence of hate crime received or collected by the crime reporting unit pursuant to this section.

(b) The state police shall, by January 1, 1994, develop a system monitoring the occurrence of crimes committed in the state which the evidence of the offense demonstrates was motivated by racial, religious, ethnic bigotry, or bias on any other matter defined as a "hate crime" herein. All police departments within the state shall report monthly the occurrence of such crimes to the state police. The state police shall maintain a permanent record of these offenses categorized by community of occurrence, type of offense, target of offense, and such other information as the department deems relevant. The department shall develop a plan for the collection, analysis, and dissemination of the data regarding such crimes and shall promulgate regulations relating to the collection of hate crime data, as defined in this section, which are

2-7 submitted by law enforcement agencies, individuals, state and local human rights commissions,
2-8 and anti-discrimination advocacy organizations.
2-9 (c) The state police shall compile and distribute to each police department a listing of all
2-10 criminal offenses and penalties for those actions defined as "hate crimes" herein. Notice of the
2-11 provision of these sections shall be primarily posted at each police station.
2-12 SECTION 2. This act shall take effect upon passage.

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MOTION: To recommend to the Executive Committee that they should request the Governor sign 10 S 2055 and H 7044 ACTS RELATING TO STATE AFFAIRS AND GOVERNMENT -- STATE POLICE passed, GR/BI passed PP & LD abstained

10 H 7490 **As Amended** and S 2323 **Sub A** ACTS RELATING TO STATE AFFAIRS AND GOVERNMENT - CRIMINAL PROCEDURE SENTENCE AND EXECUTION - HATE CRIMES
This act would include crimes against homeless persons within the definition of "hate crimes" for the purposes of reporting and monitoring by the state police. This act would take effect upon passage.
The Floor Amendment would add a clause that "[t]his section shall not be construed to increase or enhance the penalties against the perpetrators of hate crimes as defined in this section, unless provided for by any other section of law."
Introduced by: Rep. Segal & Reps. Ferri, Williams, Slater, Diaz
Sent House Letter 3/16/2010 Testimony Sent Senate Letter Testimony
Introduced by Sen. Metts & Sens. Pichardo, Jabour, Perry, Crowley
Sent House Letter 3/16/2010 Testimony Sent Senate Letter Testimony

1-1 SECTION 1. Section 42-28-46 of the General Laws in Chapter 42-28 entitled "State
1-2 Police" is hereby amended to read as follows:
1-3 **42-28-46. Development of system monitoring crimes motivated by bigotry and bias. -**
1-4 **-** (a) For the purposes of this section, the following words shall have the following meanings:
1-5 (1) "Police department" -- means all state, municipal and campus police departments
1-6 within the state of Rhode Island;
1-7 (2) "Hate crime" -- means any crime motivated by bigotry and bias, including, but not
1-8 limited to threatened, attempted, or completed acts that appear after investigation to have been
1-9 motivated by racial, religious, ethnic, sexual orientation, gender or disability prejudice or
1-10 motivated by prejudice against a person who is homeless or is perceived to be homeless;
1-11 (3) "Hate crime data" -- means information, incident reports, records and statistics
1-12 relating to hate crimes, collected by the state police unit pursuant to this section;
1-13 (4) "Incident report" -- means account of any individual occurrence of hate crime
1-14 received or collected by the crime reporting unit pursuant to this section.
1-15 (b) The state police shall, by January 1, 1994, develop a system monitoring the
1-16 occurrence of crimes committed in the state which the evidence of the offense demonstrates was
1-17 motivated by racial, religious, ethnic bigotry, or bias on any other matter defined as a "hate
1-18 crime" herein. All police departments within the state shall report monthly the occurrence of such
2-1 crimes to the state police. The state police shall maintain a permanent record of these offenses
2-2 categorized by community of occurrence, type of offense, target of offense, and such other
2-3 information as the department deems relevant. The department shall develop a plan for the
2-4 collection, analysis, and dissemination of the data regarding such crimes and shall promulgate
2-5 regulations relating to the collection of hate crime data, as defined in this section, which are
2-6 submitted by law enforcement agencies, individuals, state and local human rights commissions,
2-7 and anti-discrimination advocacy organizations.
2-8 (c) The state police shall compile and distribute to each police department a listing of all
2-9 criminal offenses and penalties for those actions defined as "hate crimes" herein. Notice of the
2-10 provision of these sections shall be primarily posted at each police station.
2-11 **(d) This section shall not be construed to increase or enhance the penalties against the**
2-12 **perpetrators of hate crimes as defined in this section, unless provided for by any other section of**
2-13 **law.**
2-14 SECTION 2. This act shall take effect upon passage.

voting check off graphic

MOTION: To recommend to the Executive Committee that they should request the Governor sign 10 H 7490 As Amended and S 2323 Sub A ACTS RELATING TO STATE AFFAIRS AND GOVERNMENT - CRIMINAL PROCEDURE SENTENCE AND EXECUTION - HATE CRIMES BI/MS passed, JB, PP & LD abstained

Disability Prevention

Committee finds this bill Beneficial

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

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

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

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

Sent House Letter 2/24/2010 Testimony Sent Senate Letter Testimony

SECTION 1. Section 31-27-2 of the General Laws in Chapter 31-27 entitled "Motor Vehicle Offenses" is hereby amended to read as follows:

31-27-2. Driving under influence of liquor or drugs. -- (a) Whoever drives or otherwise operates any vehicle in the state while under the influence of any intoxicating liquor, drugs, toluene, or any controlled substance as defined in chapter 28 of title 21, or any combination of these, shall be guilty of a misdemeanor except as provided in subdivision (d)(3) and shall be punished as provided in subsection (d) of this section.

(b) (1) Any person charged under subsection (a) of this section whose blood alcohol concentration is eight one-hundredths of one percent (.08%) or more by weight as shown by a chemical analysis of a blood, breath, or urine sample shall be guilty of violating subsection (a) of this section. This provision shall not preclude a conviction based on other admissible evidence. Proof of guilt under this section may also be based on evidence that the person charged was under the influence of intoxicating liquor, drugs, toluene, or any controlled substance defined in chapter 28 of title 21, or any combination of these, to a degree which rendered the person incapable of safely operating a vehicle. The fact that any person charged with violating this section is or has been legally entitled to use alcohol or a drug shall not constitute a defense against any charge of violating this section.

(2) Whoever drives or otherwise operates any vehicle in the state with a blood presence of any scheduled controlled substance as defined within chapter 28 of title 21, as shown by analysis of a blood or urine sample, shall be guilty of a misdemeanor and shall be punished as provided in subsection (d) of this section.

(c) In any criminal prosecution for a violation of subsection (a) of this section, evidence as to the amount of intoxicating liquor, toluene, or any controlled substance as defined in chapter 28 of title 21, or any combination of these, in the defendant's blood at the time alleged as shown by a chemical analysis of the defendant's breath, blood, or urine or other bodily substance shall be admissible and competent, provided that evidence is presented that the following conditions have been complied with:

(1) The defendant has consented to the taking of the test upon which the analysis is made. Evidence that the defendant had refused to submit to the test shall not be admissible unless the defendant elects to testify.

(2) A true copy of the report of the test result was mailed within seventy-two (72) hours of the taking of the test to the person submitting to a breath test.

(3) Any person submitting to a chemical test of blood, urine, or other body fluids shall have a true copy of the report of the test result mailed to him or her within thirty (30) days following the taking of the test.

(4) The test was performed according to methods and with equipment approved by the director of the department of health of the state of Rhode Island and by an authorized individual.

(5) Equipment used for the conduct of the tests by means of breath analysis had been tested for accuracy within thirty (30) days preceding the test by personnel qualified as hereinbefore provided, and breathalyzer operators shall be qualified and certified by the department of health within three hundred sixty-five (365) days of the test.

(6) The person arrested and charged with operating a motor vehicle while under the influence of intoxicating liquor, toluene, or any controlled substance as defined in chapter 28 of title 21, or, any combination of these in violation of subsection (a) of this section was afforded the opportunity to have an additional chemical test. The officer arresting or so charging the person shall have informed the person of this right and afforded him or her a reasonable opportunity to

exercise this right, and a notation to this effect is made in the official records of the case in the police department. Refusal to permit an additional chemical test shall render incompetent and inadmissible in evidence the original report.

(d) (1) (i) Every person found to have violated subdivision (b)(1) of this section shall be sentenced as follows: for a first violation whose blood alcohol concentration is eight one-hundredths of one percent (.08%) but less than one-tenth of one percent (.1%) by weight or who has a blood presence of any scheduled controlled substance as defined in subdivision (b)(2) shall be subject to a fine of not less than one hundred dollars ($100) nor more than three hundred dollars ($300), shall be required to perform ten (10) to sixty (60) hours of public community restitution, and/or shall be imprisoned for up to one year. The sentence may be served in any unit of the adult correctional institutions in the discretion of the sentencing judge and/or shall be required to attend a special course on driving while intoxicated or under the influence of a controlled substance, and his or her driver's license shall be suspended for thirty (30) days up to one hundred eighty (180) days.

(ii) Every person convicted of a first violation whose blood alcohol concentration is one-tenth of one percent (.1%) by weight or above but less than fifteen hundredths of one percent (.15%) or whose blood alcohol concentration is unknown shall be subject to a fine of not less than one hundred ($100) dollars nor more than four hundred dollars ($400) and shall be required to perform ten (10) to sixty (60) hours of public community restitution and/or shall be imprisoned for up to one year. The sentence may be served in any unit of the adult correctional institutions in the discretion of the sentencing judge. The person's driving license shall be suspended for a period of three (3) months to twelve (12) months. The sentencing judge shall require attendance at a special course on driving while intoxicated or under the influence of a controlled substance and/or alcoholic or drug treatment for the individual.

(iii) Every person convicted of a first offense whose blood alcohol concentration is fifteen hundredths of one percent (.15%) or above, or who is under the influence of a drug, toluene, or any controlled substance as defined in subdivision (b)(1) shall be subject to a fine of five hundred dollars ($500) and shall be required to perform twenty (20) to sixty (60) hours of public community restitution and/or shall be imprisoned for up to one year. The sentence may be served in any unit of the adult correctional institutions in the discretion of the sentencing judge. The person's driving license shall be suspended for a period of three (3) months to eighteen (18) months. The sentencing judge shall require attendance at a special course on driving while intoxicated or under the influence of a controlled substance and/or alcohol or drug treatment for the individual.

(2) (i) Every person convicted of a second violation within a five (5) year period with a blood alcohol concentration of eight one-hundredths of one percent (.08%) or above but less than fifteen hundredths of one percent (.15%) or whose blood alcohol concentration is unknown or who has a blood presence of any controlled substance as defined in subdivision (b)(2), and every person convicted of a second violation within a five (5) year period regardless of whether the prior violation and subsequent conviction was a violation and subsequent conviction under this statute or under the driving under the influence of liquor or drugs statute of any other state, shall be subject to a mandatory fine of four hundred dollars ($400). The person's driving license shall be suspended for a period of one year to two (2) years, and the individual shall be sentenced to not less than ten (10) days nor more than one year in jail. The sentence may be served in any unit of the adult correctional institutions in the discretion of the sentencing judge; however, not less than forty-eight (48) hours of imprisonment shall be served consecutively. The sentencing judge shall require alcohol or drug treatment for the individual, and may prohibit that person from operating a motor vehicle that is not equipped with an ignition interlock system for a period of one year to two (2) years following the completion of the sentence as provided in section 31-27-2.8.

(ii) Every person convicted of a second violation within a five (5) year period whose blood alcohol concentration is fifteen hundredths of one percent (.15%) or above by weight as shown by a chemical analysis of a blood, breath, or urine sample or who is under the influence of a drug, toluene, or any controlled substance as defined in subdivision (b)(1) shall be subject to mandatory imprisonment of not less than six (6) months nor more than one year, a mandatory fine of not less than one thousand dollars ($1,000) and a mandatory license suspension for a period of two (2) years from the date of completion of the sentence imposed under this subsection.

(3) (i) Every person convicted of a third or subsequent violation within a five (5) year period with a blood alcohol concentration of eight one-hundredths of one percent (.08%) or above but less than fifteen hundredths of one percent (.15%) or whose blood alcohol concentration is unknown or who has a blood presence of any scheduled controlled substance as defined in subdivision (b)(2) regardless of whether any prior violation and subsequent conviction was a

4-23 violation and subsequent conviction under this statute or under the driving under the influence of
4-24 liquor or drugs statute of any other state, shall be guilty of a felony and be subject to a mandatory
4-25 fine of four hundred ($400) dollars. The person's driving license shall be suspended for a period
4-26 of two (2) years to three (3) years, and the individual shall be sentenced to not less than one year
4-27 and not more than three (3) years in jail. The sentence may be served in any unit of the adult
4-28 correctional institutions in the discretion of the sentencing judge; however, not less than forty-
4-29 eight (48) hours of imprisonment shall be served consecutively. The sentencing judge shall
4-30 require alcohol or drug treatment for the individual, and may prohibit that person from operating
4-31 a motor vehicle that is not equipped with an ignition interlock system for a period of two (2) years
4-32 following the completion of the sentence as provided in section 31-27-2.8.
4-33 (ii) Every person convicted of a third or subsequent violation within a five (5) year
4-34 period whose blood alcohol concentration is fifteen hundredths of one percent (.15%) above by
5-1 weight as shown by a chemical analysis of a blood, breath, or urine sample or who is under the
5-2 influence of a drug, toluene or any controlled substance as defined in subdivision (b)(1) shall be
5-3 subject to mandatory imprisonment of not less than three (3) years nor more than five (5) years, a
5-4 mandatory fine of not less than one thousand dollars ($1,000) nor more than five thousand dollars
5-5 ($5,000) and a mandatory license suspension for a period of three (3) years from the date of
5-6 completion of the sentence imposed under this subsection.
5-7 (iii) In addition to the foregoing penalties, every person convicted of a third or
5-8 subsequent violation within a five (5) year period regardless of whether any prior violation and
5-9 subsequent conviction was a violation and subsequent conviction under this statute or under the
5-10 driving under the influence of liquor or drugs statute of any other state shall be subject, in the
5-11 discretion of the sentencing judge, to having the vehicle owned and operated by the violator
5-12 seized and sold by the state of Rhode Island, with all funds obtained by the sale to be transferred
5-13 to the general fund.
5-14 (4) Whoever drives or otherwise operates any vehicle in the state while under the
5-15 influence of any intoxicating liquor, drugs, toluene, or any controlled substance as defined in
5-16 chapter 28 of title 21, or any combination of these, when his or her license to operate is
5-17 suspended, revoked or cancelled for operating under the influence of a narcotic drug or
5-18 intoxicating liquor shall be guilty of a felony punishable by imprisonment for not more than three
5-19 (3) years and by a fine or not more than three thousand dollars ($3,000). The court shall require
5-20 alcohol and/or drug treatment for the individual; provided, the penalties provided for in
5-21 subdivision 31-27-2(d)(4) shall not apply to an individual who has surrendered his or her license,
5-22 and served the court ordered period of suspension, but who, for any reason, has not had their
5-23 license reinstated after the period of suspension, revocation, or suspension has expired; provided,
5-24 further the individual shall be subject to the provisions of paragraphs 31-27-2(d)(2)(i) or (ii) or
5-25 31-27-22(d)(3)(i), (ii), or (iii) regarding subsequent offenses, and any other applicable provision
5-26 of section 31-27-2.
5-27 ~~(4)~~(5) (i) For purposes of determining the period of license suspension, a prior violation
5-28 shall constitute any charge brought and sustained under the provisions of this section or section
5-29 31-27-2.1.
5-30 (ii) Any person over the age of eighteen (18) who is convicted under this section for
5-31 operating a motor vehicle while under the influence of alcohol, other drugs, or a combination of
5-32 these, while a child under the age of thirteen (13) years was present as a passenger in the motor
5-33 vehicle when the offense was committed may be sentenced to a term of imprisonment of not more
5-34 than one year and further shall not be entitled to the benefit of suspension or deferment of this
6-1 sentence. The sentence imposed under this section may be served in any unit of the adult
6-2 correctional institutions in the discretion of the sentencing judge.
6-3 ~~(5)~~(6) (i) Any person convicted of a violation under this section shall pay a highway
6-4 assessment fine of five hundred dollars ($500) which shall be deposited into the general fund. The
6-5 assessment provided for by this subsection shall be collected from a violator before any other
6-6 fines authorized by this section.
6-7 (ii) Any person convicted of a violation under this section shall be assessed a fee. The
6-8 fee shall be as follows:
6-9 FISCAL YEAR FISCAL YEAR FISCAL YEAR
6-10 1993-1995 1996-1999 2000-2010
6-11 $147 $173 $86
6-12 ~~(6)~~(7) (i) If the person convicted of violating this section is under the age of eighteen (18)
6-13 years, for the first violation he or she shall be required to perform ten (10) to sixty (60) hours of
6-14 public community restitution, and the juvenile's driving license shall be suspended for a period of
6-15 six (6) months, and may be suspended for a period up to eighteen (18) months. The sentencing
6-16 judge shall also require attendance at a special course on driving while intoxicated or under the

influence of a controlled substance and alcohol or drug education and/or treatment for the juvenile. The juvenile may also be required to pay a highway assessment fine of no more than five hundred dollars ($500), and the assessment imposed shall be deposited into the general fund.

(ii) If the person convicted of violating this section is under the age of eighteen (18) years, for a second or subsequent violation regardless of whether any prior violation and subsequent conviction was a violation and subsequent under this statute or under the driving under the influence of liquor or drugs statute of any other state, he or she shall be subject to a mandatory suspension of his or her driving license until such time as he or she is twenty-one (21) years of age and may, in the discretion of the sentencing judge, also be sentenced to the Rhode Island training school for a period of not more than one year and/or a fine of not more than five hundred dollars ($500).

~~(7)~~(8) Any person convicted of a violation under this section may undergo a clinical assessment at a facility approved by the department of mental health retardation and hospitals ~~health~~. Should this clinical assessment determine problems of alcohol, drug abuse, or psychological problems associated with alcoholic or drug abuse, this person shall be referred to the T.A.S.C. (treatment alternatives to street crime) program for treatment placement, case management, and monitoring.

(e) Percent by weight of alcohol in the blood shall be based upon milligrams of alcohol per one hundred (100) cubic centimeters of blood.

(f) (1) There is established an alcohol and drug safety unit within the division of motor vehicles to administer an alcohol safety action program. The program shall provide for placement and follow-up for persons who are required to pay the highway safety assessment. The alcohol and drug safety action program will be administered in conjunction with alcohol and drug programs within the department of health.

(2) Persons convicted under the provisions of this chapter shall be required to attend a special course on driving while intoxicated or under the influence of a controlled substance, and/or participate in an alcohol or drug treatment program. The course shall take into consideration any language barrier which may exist as to any person ordered to attend, and shall provide for instruction reasonably calculated to communicate the purposes of the course in accordance with the requirements of the subsection. Any costs reasonably incurred in connection with the provision of this accommodation shall be borne by the person being retrained. A copy of any violation under this section shall be forwarded by the court to the alcohol and drug safety unit. In the event that persons convicted under the provisions of this chapter fail to attend and complete the above course or treatment program, as ordered by the judge, then the person may be brought before the court, and after a hearing as to why the order of the court was not followed, may be sentenced to jail for a period not exceeding one year.

(3) The alcohol and drug safety action program within the division of motor vehicles shall be funded by general revenue appropriations.

(g) The director of the health department of the state of Rhode Island is empowered to make and file with the secretary of state regulations which prescribe the techniques and methods of chemical analysis of the person's body fluids or breath, and the qualifications and certification of individuals authorized to administer this testing and analysis.

(h) Jurisdiction for misdemeanor violations of this section shall be with the district court for persons eighteen (18) years of age or older and to the family court for persons under the age of eighteen (18) years. The courts shall have full authority to impose any sentence authorized and to order the suspension of any license for violations of this section. All trials in the district court and family court of violations of the section shall be scheduled within thirty (30) days of the arraignment date. No continuance or postponement shall be granted except for good cause shown. Any continuances that are necessary shall be granted for the shortest practicable time. Trials in superior court are not required to be scheduled within thirty (30) days of the arraignment date.

(i) No fines, suspensions, assessments, alcohol or drug treatment programs, course on driving while intoxicated or under the influence of a controlled substance, public community restitution, or jail provided for under this section can be suspended.

(j) An order to attend a special course on driving while intoxicated that shall be administered in cooperation with a college or university accredited by the state, shall include a provision to pay a reasonable tuition for the course in an amount not less than twenty-five dollars ($25.00), and a fee of one hundred seventy-five dollars ($175), which fee shall be deposited into the general fund.

(k) For the purposes of this section, any test of a sample of blood, breath, or urine for the presence of alcohol, which relies in whole or in part upon the principle of infrared light absorption is considered a chemical test.

(l) If any provision of this section or the application of any provision shall for any reason

8-11 be judged invalid, such a judgment shall not affect, impair, or invalidate the remainder of the
8-12 section, but shall be confined in this effect to the provision or application directly involved in the
8-13 controversy giving rise to the judgment.
8-14 SECTION 2. Section 31-11-18.1 of the General Laws in Chapter 31-11 entitled
8-15 "Suspension or Revocation of Licenses - Violations" is hereby amended to read as follows:
8-16 **31-11-18.1. Driving after denial, revocation, or suspension for certain violations. --**
8-17 (a) Any person who drives a motor vehicle on any highway of this state who never applied for a
8-18 license or who drives after his or her application for a license has been refused, or after his or her
8-19 license has expired or who otherwise drives without a license or at a time when his or her license
8-20 to operate is suspended, revoked, or cancelled, for: (1) operating under the influence of a narcotic
8-21 drug or intoxicating liquor; (2) refusing to submit to a chemical test; reckless driving; (3)
8-22 manslaughter from the operation of a motor vehicle or operating so as to endanger resulting in
8-23 death; or (4) three (3) moving violations within a one-year period; shall be guilty of a
8-24 misdemeanor for the first and second offenses and shall be deemed guilty of a felony for the third
8-25 or subsequent offenses.
8-26 (b) The division of motor vehicles upon receiving a record of the conviction of any
8-27 person upon a charge of driving a motor vehicle while the license of the person was suspended,
8-28 for reasons set forth in this section shall suspend the person's license or deny the person's
8-29 application for any length of time that it shall deem proper but in no case less than an additional
8-30 three (3) months. Upon receiving a record of conviction of a second violation of driving a motor
8-31 vehicle while the license of that person was suspended for reasons set forth in this section, the
8-32 division of motor vehicles shall suspend the person's license or deny the person's application for
8-33 any length of time that it shall deem proper but in no case less than an additional six (6) months.
8-34 Any subsequent conviction shall result in license revocation. Upon receiving a record of the
9-1 conviction of any person upon a charge of driving after his or her application for a license had
9-2 been refused, or after his or her license had been revoked or cancelled for reasons set forth in this
9-3 section, the division of motor vehicles shall not issue a new license for an additional period of one
9-4 year from and after the date the person would otherwise have been entitled to apply for a new
9-5 license.
9-6 (c) (1) Upon a first conviction under this section a mandatory fine of five hundred dollars
9-7 ($500) shall be imposed, and if the person was driving after his or her application for a license
9-8 had been refused, or at a time when his or her license to operate was suspended, revoked, or
9-9 cancelled for operating under the influence of a controlled substance or intoxicating liquor, or his
9-10 or her refusal to submit to a chemical test, reckless driving, manslaughter from the operation of a
9-11 motor vehicle, or operation so as to endanger, death resulting, the person shall be imprisoned for
9-12 a minimum of ten (10) days.
9-13 (2) A mandatory fine of five hundred dollars ($500) for a second conviction under this
9-14 section within a five (5) year period shall be imposed, and if the person was driving after his or
9-15 her application for a license had been refused, or at a time when his or her license to operate was
9-16 suspended, revoked, or cancelled for operating under the influence of a controlled substance or
9-17 intoxicating liquor or his or her refusal to submit to a chemical test, reckless driving,
9-18 manslaughter from the operation of a motor vehicle, or operation so as to endanger, death
9-19 resulting, the person shall be imprisoned for a minimum of six (6) months to one year.
9-20 (3) For any subsequent conviction within a five (5) year period, a fine of one thousand
9-21 dollars ($1,000) shall be imposed and the person may be imprisoned for up to one year or be
9-22 required to participate in a public service program designated and approved by the court. If the
9-23 person was driving after his or her application for a license had been refused or at a time when his
9-24 or her license to operate was suspended, revoked, or cancelled for: (i) operating under the
9-25 influence of a controlled substance or intoxicating liquor; (ii) his or her refusal to submit to a
9-26 chemical test; (iii) reckless driving; (iv) manslaughter from the operation of a motor vehicle; or
9-27 (v) operating so as to endanger, death resulting; the person shall be imprisoned for a minimum of
9-28 one year. Jurisdiction for violations of this section is given to the district court and the court shall
9-29 have full authority to impose any sentence authorized for violations of this section.
9-30 (d) No fines, suspensions, treatment, or jail provided for under this section can be
9-31 suspended.
9-32 SECTION 3. This act shall take effect upon passage.

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MOTION: To recommend to the Executive Committee that they should request the Governor sign 10 H 7118 Sub A AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- SUSPENSION OR REVOCATION OF LICENSES BI/LJ passed, SB, PP & LD abstained

Committee finds this bill Beneficial if amended

10 H 7352 **Sub A as Amended** and S 2773 ACTS RELATING TO ALCOHOLIC BEVERAGES - RETAIL LICENSES

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

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

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

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

Sent House Letter 3/16/2010 Testimony Sent Senate Letter Testimony

Introduced by Sen. Doyle

Sent House Letter Testimony Sent Senate Letter Testimony

The Legislative Committee recommended that "All alcohol servers should complete the certified training prior to employment, not just those employed in the City of Pawtucket."

1-1 SECTION 1. Section 3-7-6.1 of the General Laws in Chapter 3-7 entitled "Retail
1-2 Licenses" is hereby amended to read as follows:
1-3 **3-7-6.1. Renewal of Class B, Class C, Class D, Class J, Class N and Class P licenses. -**
1-4 - (a) The holder of a Class B, Class C, Class D, Class J, Class N or Class P license who applies
1-5 before October 1, in any licensing period, for a license of the same class for the next succeeding
1-6 licensing period shall, prior to filing said application, demonstrate that he or she has complied
1-7 with the Alcohol Server Training Regulations, as promulgated by the department of business
1-8 regulation, as set forth in subsection (b) of this section.
1-9 (b) The department of business regulation shall promulgate rules and regulations
1-10 requiring that all licenses issued pursuant to this section meet the following minimum Alcohol
1-11 Server Training requirements:
1-12 (1) All persons who sell or serve alcoholic beverages, anyone serving in a supervisory
1-13 capacity over those who sell or serve alcoholic beverages, anyone whose job description entails
1-14 the checking of identification for the purchase of alcoholic beverages and valet parking staff shall
1-15 receive Alcohol Server Training as set forth herein.
1-16 (2) Any eligible employee of a licensee shall be required to complete certified training
1-17 within sixty (60) days of the commencement of his or her employment and must attain a
1-18 minimum score of seventy-five percent (75%). Provided, however, that the city of Pawtucket may
1-19 require eligible employees to complete the certified training program, prior to employment within
2-1 the city. Individuals certified by an alcohol server training program prior to December 31, 2005
2-2 are exempt from the certification requirements herein, not to exceed three (3) years.
2-3 (3) Licensees shall require servers to be recertified every three (3) years.
2-4 (4) As a condition of license renewal, and as part of the license renewal application, each
2-5 licensee must submit to their municipality information verifying that all persons listed under
2-6 subsection (b)(1) above and employed by the licensee for more than sixty (60) days in the past
2-7 year have completed a certified program within the last three (3) years.
2-8 (5) All persons identified under subsection (b) above must have their valid server permits
2-9 on the premises when engaged in the sale or service of alcoholic beverages.
2-10 (6) Individuals who have been issued a server permit in another jurisdiction by an
2-11 approved Rhode Island alcohol server training program shall be determined to be in compliance
2-12 with this section subject to the three (3) year limitation contained herein.
2-13 (c) Only alcohol server training programs that meet the following criteria as determined
2-14 by the department of mental health, retardation and hospitals may be eligible for certification:
2-15 (1) Training is provided in all basic information relevant to servers, including, but not
2-16 limited to:
2-17 (i) The physiological effects of alcohol;
2-18 (ii) Alcohol's association with social problems;
2-19 (iii) Coverage of legal requirements related to alcohol service;
2-20 (iv) How to identify patrons who are impaired; and
2-21 (v) Techniques in refusing service to intoxicated patrons.
2-22 (2) Training is provided in more than one medium including, but not limited to, video,
2-23 training manual, and/or role playing related to refusal of service to intoxicated drinkers.
2-24 (3) Training in preventing sales to underage drinkers, including training in detection of
2-25 fraudulent identification;
2-26 (4) Training shall entail no less than two (2) hours, and no greater than four (4) hours in

duration, with no absentee certification.

(d) Notwithstanding the criteria established under subsection 3-7-6.1(c), an Internet or computer-based alcohol server training program shall be eligible for certification if the following criteria are met:

(1) Training in all basic information, as outlined in subdivision 3-7-6.1(c)(1), is included in the program;

(2) Training in preventing sales to underage drinkers, including training in detection of fraudulent identification is included in the program; and

(3) Training program is designed to periodically verify that a trainee has reviewed and obtained a working knowledge of information presented through the Internet or computer training program.

(e) (1) Testing procedures, test content, and grading procedures shall be approved by the department of mental health, retardation and hospitals to insure testing integrity and consistency with program requirements contained in subsection (c) herein. The department of mental health, retardation and hospitals is authorized to audit, in a method it shall determine, any approved server training program.

(2) Training programs, pursuant to rules and regulations promulgated by the department of mental health, retardation and hospitals, shall be recertified every three (3) years.

(3) Server permits shall be issued by the server training programs in a form approved by the department of mental health, retardation and hospitals. Said permits shall include, at a minimum, the name of the server, the date of issuance, and the name of the server training program.

(f) The department of business regulation shall promulgate and enforce rules and regulations for non-compliance as follows:

(1) Graduated penalties for licensees for violations within a three (3) year period beginning with an initial written warning for violations within a three (3) year period for a first violation, a written warning for a second (2nd) violation, a fine not to exceed two hundred fifty dollars ($250) for a third (3rd) violation or noncompliance, and a license suspension for subsequent violations.

(2) For violations within a three (3) year period, graduated penalties for training programs beginning with an initial written warning, a written warning for a second (2nd) violation, and a suspension and/or decertification for a third (3rd) violation or for repeated noncompliance. The department of mental health, retardation and hospitals may forward complaints of violations to the department of business regulation.

(3) For violations within a three (3) year period, graduated penalties for servers beginning with an initial written warning, a written warning for a second (2nd) violation, and a loss of server training certification for a third (3rd) violation or noncompliance.

(4) Failure to have a valid server permit on their person shall not constitute a violation, provided, proof of a valid permit is provided within ten (10) days thereof.

(g) In order to provide for uniformity, any enactment by any government body relating to alcohol server training programs pertaining to Class B, Class C, Class D, Class J, Class N and P licenses, as provided for herein shall be by statute as enacted by the general assembly.

(h) The respective departments shall promulgate said regulations no later than October 1, 2005. The department of mental health, retardation and hospitals shall review and certify eligible alcohol server training programs no later than January 1, 2006. The department of mental health, retardation and hospitals shall notify applicants of any deficiencies not later than December 1, 2005. All licensees shall be in compliance with said regulations within ninety (90) days of January 1, 2006, or be subject to the penalties set forth herein.

SECTION 2. This act shall take effect upon passage.

☑ No action taken

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Professional Standards

Committee finds this bill Harmful

10 H 7331 **As Amended** and S 2425 ACTS RELATING TO HEALTH AND SAFETY - LICENSING OF HEALTH CARE FACILITIES

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

The Amendment would implement a moratorium on the issuance of new initial licenses for hospice providers, home nursing care providers, and home care providers for one year beginning on January 1, 2011. Applications submitted on or before December 31, 2010 would not be subject to the moratorium.

Introduced by: Rep. McNamara

Sent Governor's Letter
Sent House Letter 3/16/2010 Testimony Sent Senate Letter Testimony
Introduced by Sen. Perry & Sens. Goodwin, Levesque C, Pichardo, Metts
Sent House Letter Testimony Sent Senate Letter Testimony

The Legislation Committee's reason; "As the state rebalances its Medicaid long term care system we will need more not fewer, home and community based service providers."

SECTION 1. Chapter 23-17 of the General Laws entitled "Licensing of Health Care Facilities" is hereby amended by adding thereto the following section:

23-17-44.1. Moratorium on new initial licenses for hospice providers – Home nursing providers and home care providers. – (a) **For one year beginning January 1, 2011,** the licensing agency shall not issue any new initial licenses for hospice providers, home nursing providers, or home care providers; **provided, however, that any application for a new license submitted to the licensing agency on or before December 31, 2010 shall not be subject to this section.**

(b) The moratorium contained herein shall not foreclose the issuance of a license for hospice providers, home nursing care providers, or home care providers as a result of a change in effective control of the ownership of any currently licensed hospice provider, home nursing care provider, or home care provider.

SECTION 2. This act shall take effect upon passage.

☑ voting check off graphic

PMOTION: To recommend to the Executive Committee that they should request the Governor veto 10 H 7331 As Amended and S 2425 Sub A ACTS RELATING TO HEALTH AND SAFETY - LICENSING OF HEALTH CARE FACILITIES GR/JB passed, PP & LD abstained

Human Services
Committee finds this bill Beneficial

10 S 2783 and H 7378 ACTS RELATING TO STATE AFFAIRS AND GOVERNMENT -- DEPARTMENT OF MENTAL HEALTH, RETARDATION AND HOSPITALS -- NEW TITLE
This act would change the name and any reference to the department of mental health, retardation and hospitals to the department of behavioral healthcare, developmental disabilities and hospitals. This act would take effect upon passage.
Introduced by: Sen. Perry & Sens. Walaska, Miller, Goodwin, Tassoni
Sent House Letter Testimony Sent Senate Letter 5/11/2010 Testimony
Introduced by: Rep. Ferri & Reps. Ajello, Messier, McNamara, Naughton
Sent House Letter 2/24/2010 Testimony Sent Senate Letter 5/11/2010 Testimony

SECTION 1. The title of Title 40.1 of the General Laws entitled "Department of Mental Health, Retardation, and Hospitals" is hereby amended to read as follows:

~~**TITLE 40.1**~~
~~**DEPARTMENT OF MENTAL HEALTH, RETARDATION, AND HOSPITALS**~~
TITLE 40.1
DEPARTMENT OF BEHAVIORAL HEALTHCARE, DEVELOPMENTAL DISABILITIES AND HOSPITALS

SECTION 2. Chapter 40.1-1 of the General Laws entitled "Department of Mental Health, Retardation, and Hospitals" is hereby amended by adding thereto the following section:

40.1-1-3.1. New title for department. – Wherever in the general or public laws, or any rule or regulation, any reference to the "department of mental health, retardation and hospitals" or to "department" shall appear, it shall be deemed to mean and shall mean "the department of behavioral healthcare, developmental disabilities and hospitals."

SECTION 3. This act shall take effect upon passage.

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MOTION: To recommend to the Executive Committee that they should request the Governor sign 10 S 2783 and H 7378 ACTS RELATING TO STATE AFFAIRS AND GOVERNMENT -- DEPARTMENT OF MENTAL HEALTH, RETARDATION AND HOSPITALS -- NEW

Status of the Remainder of the Legislative Package:

Commission Supports

Transmitted to Governor

Governor must be signed or vetoed by 6/12/2010

10 H 7397 Article 19 RELATING TO CHILDREN'S HEALTH ACCOUNT
Rep. Watson Requested by the Governor

Commission Supports if amended

Held for Further Study, Continued, or Heard

House Finance Committee

10 H 7369 AN ACT RELATING TO CRIMINAL OFFENSES - ADULT CRISIS INTERVENTION - CENTER AND PROTECTIVE SERVICES Rep. Naughton Requested by the Governor's Commission on Disabilities

Senate Finance Committee

10 S 2189 AN ACT RELATING TO PUBLIC PROPERTY AND WORKS -- MINORITY BUSINESS ENTERPRISE
Sen. Metts

Senate Health and Human Services Committee

10 S 2206 AN ACT RELATING TO CRIMINAL OFFENSES-ADULT CRISIS INTERVENTION-CENTER AND PROTECTIVE SERVICES Sen. McCaffrey Requested by the Governor's Commission on Disabilities

Indefinitely Postponed

House Finance Committee

10 H 7397 Article 29 GBA 01 Governor's Amendment RELATING TO GOVERNMENT RESTRUCTURING
Rep. Watson Requested by the Governor

Commission Opposes

Indefinitely Postponed

House Finance Committee

10 H 7397 Article 31 RELATING TO RITE CARE PROGRAM Rep. Watson Requested by the Governor

Commission Opposes unless amended

Incorporated into Budget Act

Senate Desk

10 H 7105 Article 19 (formerly GBA 09 & H 7397 Article 21) Sub A RELATING TO MEDICAID REFORM ACT
Requested by the Governor

Commission Neutral now that it has been amended

Incorporated into Budget Act

Senate Desk

10 H 7105 Article 04 GBA Sub A RELATING TO DIVISION OF FEES AND FINES Rep. Watson Requested by the Governor

Transmitted to Governor

Governor must be signed or vetoed by 6/12/2010

10 H 7397 Article 09 (formerly 7397 Article 25 GBA 07) Sub A as Amended RELATING TO REVENUES
Rep. Watson Requested by the Governor

Legislation Committee finds this bill Beneficial

Held for Further Study, Continued, or Heard

House Corporations Committee

10 H 7361 AN ACT RELATING TO INSURANCE -- INSURANCE COVERAGE FOR MENTAL ILLNESS AND SUBSTANCE ABUSE Rep. Ajello
10 H 7701 AN ACT RELATING TO INSURANCE--HEARING AIDS Rep. Handy

House Health, Education, & Welfare Committee

10 H 7315 AN ACT RELATING TO HEALTH AND SAFETY Rep. Palumbo
10 H 7752 AN ACT RELATING TO EDUCATION - CAPTIONING OF ELECTRONIC VIDEO MATERIALS
Rep. Handy

10 H 8074 AN ACT RELATING TO HUMAN SERVICES -- MEDICAL ASSISTANCE--PRESCRIPTION DRUGS Rep. Rice M

House Judiciary Committee

10 H 7085 AN ACT RELATING TO MOTOR AND OTHER VEHICLES--CHILD RESTRAINTS Rep. Gablinske

10 H 7111 AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- MOTOR VEHICLE OFFENSES Rep. Marcello

10 H 7786 AN ACT RELATING TO PUBLIC PROPERTY AND WORKS - ACCESSIBLE ELECTRONIC AND INFORMATION TECHNOLOGY Rep. Handy

Senate Health and Human Services Committee

10 S 2202 AN ACT RELATING TO INSURANCE--HEARING AIDS Sen. Walaska

Senate Judiciary Committee

10 S 2065 AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- MOTOR VEHICLE OFFENSES Sen. Raptakis

10 S 2149 AN ACT RELATING TO PROPERTY -- RHODE ISLAND FAIR HOUSING PRACTICES ACT Sen. Metts

10 S 2707 AN ACT RELATING TO ELECTIONS - MAIL BALLOTS Sen. Lynch

Postponed by sponsor

House Health, Education, & Welfare Committee

10 H 7921 AN ACT RELATING TO HEALTH AND SAFETY - PRICE DIFFERENTIALS Rep. Trillo

Recommend Passage

House Calendar

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

Referred to Committee

House Finance Committee

10 H 7068 AN ACT RELATING TO EDUCATION -- STATE REIMBURSEMENT Rep. Carter

Senate Finance Committee

10 S 2122 AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT - DEPARTMENT OF HUMAN SERVICES Sen. Blais

10 S 2829 AN ACT RELATING TO EDUCATION -- FOUNDATION LEVEL SCHOOL SUPPORT Sen. Metts

Legislation Committee finds this bill Beneficial if amended

Held for Further Study, Continued, or Heard

House Finance Committee

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

10 H 7451 AN ACT RELATING TO HUMAN SERVICES - INTERPRETER SERVICES Rep. Coderre

House Health, Education, & Welfare Committee

10 H 7512 AN ACT RELATING TO HEALTH AND SAFETY Rep. Shallcross

10 H 7949 AN ACT RELATING TO HEALTH AND SAFETY – SCHOOLS Rep. Palumbo

House Judiciary Committee

10 H 7279 AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- PARKING FACILITIES AND PRIVILEGES Rep. Baldelli-Hunt

10 H 7953 AN ACT RELATING TO ELECTIONS -- MAIL BALLOTS Rep. San Bento By Request

Referred to Committee

Senate Finance Committee

10 S 2121 AN ACT RELATING TO EDUCATION - SCHOOL AND MUNICIPAL PLAYGROUND SAFETY Sen. Blais

Transmitted to Governor

Governor must be signed or vetoed by 6/12/2010

10 S 2034 Sub A as Amended AN ACT RELATING TO EDUCATION Sen. Felag

10 H 7036 Sub A as Amended AN ACT RELATING TO EDUCATION Rep. Gallison

Legislation Committee finds these bills Harmful

Held for Further Study, Continued, or Heard

House Health, Education, & Welfare Committee

10 H 7931 AN ACT RELATING TO EDUCATION -- HEALTH AND SAFETY OF PUPILS Rep. Silva

House Judiciary Committee

10 H 7388 AN ACT RELATING TO ELECTIONS - VOTER IDENTIFICATION Rep. Brien

Senate Judiciary Committee

10 S 2141 AN ACT RELATING TO ELECTIONS Sen. Blais

Referred to Committee

House Finance Committee

10 H 7897 AN ACT RELATING TO EDUCATION Rep. Carter

House Judiciary Committee

10 H 7950 AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- DEPARTMENT OF HUMAN SERVICES Rep. Shallcross

Senate Finance Committee

10 S 2113 AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- MOTOR FUEL TAX Sen. Felag

Senate Health and Human Services Committee

10 S 2747 AN ACT RELATING TO INSURANCE -- HEALTH CARE--FREEDOM OF CHOICE Sen. Blais

Senate Housing and Municipal Government Committee

10 S 2292 AN ACT RELATING TO TOWNS AND CITIES -- LOW AND MODERATE INCOME HOUSING Sen. Sheehan By Request

Committee finds this bill Harmful unless amended

Held for Further Study, Continued, or Heard

House Finance Committee

10 H 7408 AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT - OFFICE OF HEALTH AND HUMAN SERVICES Rep. Costantino

Senate Corporations Committee

10 S 2396 AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS -- TERMINATION OF SERVICE Sen. Metts

Commission Recommends Held for Further Study

Transmitted to Governor

Governor must be signed or vetoed by 6/12/2010

10 H 7397 Article 21 (Merged with H 7105 Article 19) Sub A RELATING TO MEDICAID REFORM ACT Rep. Watson Requested by the Governor

Discussion: Lessons Learned: What worked, what didn't, and what should we do differently next year?

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MOTION: To recommend to the Executive Committee that they should request the Governor sign 10 H 7498 Sub A and S 2674 Sub A ACTS RELATING TO PUBLIC UTILITIES AND CARRIERS - WHEELCHAIR ACCESSIBLE TRANSPORTATION and require periodic status reports on the implementation

passed, PP & LD abstained

new graphic

Consideration of Bills Passed in Concurrence	Bob Cooper	3:15

Purpose/Goal: To provide for the Executive Committee a list of legislative recommendations for the Governor (sign or veto).

Discussion: Are there any bills, that no position had been taken earlier

that are going to the Governor, and the Commission should recommend he sign or veto?

Legislation Passed In Concurrence That the Commission has Not Taken a Position

Civil Rights

10 S 2834 As Amended and H 8172 as Amended AN ACT RELATING TO FOOD AND DRUGS -- MEDICAL MARIJUANA ACT
This act would exempt information contained in applications and supporting information under the medical marijuana act from provisions of the Rhode Island access to public information act. This act did not have an "effect date" section.
The First Floor Amendment adds an effective date "Section 2. This act shall take effect upon passage."
The Second Floor Amendment allows public disclosure by the written authorization of the cardholder.
The 3rd Floor Amendment removes the provision allowing public disclosure by the written authorization of the cardholder.
Introduced by: Sen. Perry
Introduced by: Rep. Slater

10 H 7865 Sub A as Amended AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- CONFIDENTIALITY OF HEALTH CARE COMMUNICATIONS AND INFORMATION ACT -- HEALTH CARE COMMUNICATIONS AND INFORMATION
This act would allow for the release or transfer of confidential health care information of a parent or guardian of a child who is the suspected victim of physical, psychological or sexual abuse and/or neglect. This act would take effect upon passage.
The Substitute would authorize disclosures to the minimum amount of information necessary to accomplish the intended purpose of the release of information.
The Floor Amendment replaces "and/or" after the words "parent or guardian of said child" in the phrase "to appropriate law enforcement personnel or appropriate child protective agencies if the patient is a minor child who or the parent or guardian of said child and/or the health care provider believes, after providing health care services to the patient, to have been that the child is or has been physically , or psychologically or sexually abused and/or neglected as reportable pursuant to section 40-11-3;"
Introduced by: Rep. McNamara

Disability Prevention

10 S 2179 AN ACT RELATING TO HEALTH AND SAFETY--MERCURY REDUCTION AND EDUCATION ACT
This act would amend certain provisions relative to lamps which are exempt from the sale restrictions on mercury-added products.
This act would take effect upon passage.
Introduced by: Sen. Devall & Sen. Ruggerio, Tassoni

10 S 2353 Sub A as Amended and H 7199 Sub A ACTS RELATING TO HEALTH AND SAFETY - MERCURY REDUCTION AND EDUCATION ACT
This act would revise the mercury reduction and education act in order to require thermostat manufacturers to submit plans for the collection and disposal of mercury thermostats. This act would take effect upon passage, and would sunset under certain circumstances.
The Substitute as Amended corrects grammatical errors, adds definitions for "contractor", "qualified contractor", and "Local government collections". It also has the program commence on February 1, 2011, rather than April 1, 2011, and changes elements within the program.
Introduced by: Sen. Ruggerio & Sens. Sosnowski, Jabour, Felag, Miller
Introduced by: Rep. Malik & Reps. McNamara, Gablinske, Walsh

10 S 2636 As Amended AN ACT RELATING TO MOTOR AND OTHER VEHICLES--MOTOR VEHICLE OFFENSES
This act would repeal the enhancement of penalties for subsequent offenses of driving under the influence, death resulting and driving under the influence resulting in serious bodily injury, and would replace the enhancement of penalties with an amended single range of penalties that include longer sentences and higher fines. This act would also create a new criminal offense of "driving under the influence resulting in personal injury." The act would make a defendant's refusal to submit to a chemical test admissible in the underlying trial whether or not a defendant elects to testify. This act would take effect upon passage.
The Floor Amendment would retain the current language "Evidence that the defendant had refused to submit to the test shall not be admissible unless the defendant elects to testify." It adds "Whoever drives or otherwise operates any vehicle in the state while under the influence of any intoxicating liquor, drugs, toluene, or any controlled substance as defined in chapter 28 of title 21, or any combination of these, when his or her license to operate is suspended, revoked or cancelled for operating under the influence of a narcotic drug or intoxicating liquor shall be guilty of a felony punishable by imprisonment for not more than three (3) years and by a fine or not more than three thousand dollars ($3,000). The court shall require alcohol and/or drug treatment for the individual; provided, the penalties provided for in subdivision 31-27-2(d)(4) shall not apply to an individual who has surrendered his or her license, and served the court ordered period of suspension, but who, for any reason, has not had their license reinstated after the period of suspension, revocation, or suspension has expired; provided, further the individual shall be subject to the provisions of

paragraphs 31-27-2(d)(2)(i) or (ii) or 31-27-22(d)(3)(i), (ii), or (iii) regarding subsequent offenses, and any other applicable provision of section 31-27-2." The amendment no longer amends sections 31-27-2.2. Driving under the influence of liquor or drugs, resulting in death, 31-27-2.6. Driving under the influence of liquor or drugs, resulting in serious bodily injury, or 31-27-2.10. Driving under the influence of liquor or drugs, resulting in personal injury. Instead It amends section 31-11-18.1. Driving after denial, revocation, or suspension for certain violations.
Introduced by: Sen. Sosnowski & Sens. Maselli, Algiere, McCaffrey Requested by the Attorney General

10 S 2265 Sub B and H 7418 Sub A ACTS RELATING TO EDUCATION--HEALTH EDUCATION CURRICULUM
This act would require that the department of elementary and secondary education develop a Lyme disease awareness and prevention course for public school students and all health education classes include instruction on Lyme disease prevention and treatment. This act would take effect upon passage.
The Substitute A would only require that the department of elementary and secondary education in collaboration with the department of health make Lyme disease awareness and prevention resources available for all public school students in the state.
The Substitute B would revise the legislative findings.
Introduced by: Sen. Dipalma & Sens. Tassoni, Maselli, DeVall
Introduced by: Rep. Jackson & Reps. Gallison, Martin, Rice A, Edwards

10 H 7423 AN ACT RELATING TO ALCOHOLIC BEVERAGES
This act would make it illegal or unlawful for any person to purchase alcohol or sell alcohol to minors with certain exceptions. This act would take effect upon passage.
Introduced by: Rep. Caprio & Reps. Pacheco, Naughton, Gemma, Gablinske

Health Insurance

10 S 2547 and H 8198 ACTS RELATING TO INSURANCE-EXTENDED MEDICAL LEAVE
This act would make group health insurance coverage available for employees on extended medical leave. An employee who has been employed on a full-time basis for at least 3 months and goes on extended medical leave would remain in the group coverage for 18 months from the date the employee was placed on extended medical. An employer may continue to contribute to the cost of the plan benefits for an employee on extended medical leave or may require an employee on extended medical leave to pay up to 100% of the cost of the plan benefits. This act would take effect upon passage.
Introduced by: Sen. DeVall & Sen. Crowley
Introduced by Rep. Kennedy

10 H 7550 and S 2994 ACTS RELATING TO HEALTH AND SAFETY--HEALTH CARE QUALITY PROGRAM
This act would define consumer information as meaning, but not limited to, providing written guidelines to every individual before and during their hospitalization for the purpose of preventing hospital-acquired infections. In emergency hospitalizations, the written guidelines would be required to be provided within a reasonable period of time. This act would take effect upon passage.
Introduced by: Rep. Naughton & Reps. Ferri, Messier, McNamara, San Bento

10 H 7606 Sub A and S 2632 Sub A ACTS RELATING TO INSURANCE - DISCOUNT MEDICAL PLANS
This act would establish standards for discount medical plan organizations protect consumers from unfair and deceptive marketing practices and facilitate consumer understanding of discount medical plan organizations. This act would take effect upon passage.
The Substitute would definition of “Health care professional” by deleting pharmacists. The discount medical plan's a surety bond would be reduced from $100,000 to $50,000.
Introduced by: Rep. Kennedy & Reps. San Bento, Marcello, Pacheco, Carter By Request
Introduced by: Sen. Sheehan & Sens. Perry, Pichardo, Crowley, Raptakis

10 H 7654 Sub A and S 2417 Sub A ACTS RELATING TO HEALTH AND SAFETY -- DISTRESSED ESSENTIAL COMMUNITY HOSPITALS
This act would allocate a quarter percent (.25%) of the taxes on the premiums of health insurers to assisting a distressed essential community hospital. This act would take effect upon passage.
The Substitute would, with certain exceptions, provide a sale and use tax exemption for the Landmark Medical Center in Woonsocket, Rhode Island. The act would also designate Landmark Medical Center as a rural hospital.
Introduced by: Rep. Fierro & Reps. Baldelli-Hunt, Brien, Newberry, Pacheco
Introduced by: Sen. Picard & Sens. Tassoni, Connors, Cote

10 H 7853 AN ACT RELATING TO HEALTH AND SAFETY-UTILIZATION OF UNUSED PRESCRIPTION DRUGS ACT
This act would re-establish the pilot program to re-distribute unused prescription drugs. This act would take effect upon passage.
Introduced by: Rep. Sullivan & Reps. Winfield, Fierro, Guthrie and JP O'Neill

Professional Standards

10 S 2632 Sub A and H 7606 Sub A ACTS RELATING TO INSURANCE-DISCOUNT MEDICAL PLANS
This act would establish standards for discount medical plan organizations protect consumers from unfair and deceptive marketing practices and facilitate consumer understanding of discount medical plan organizations. This act would take effect upon passage.
The Substitute would definition of “Health care professional” by deleting pharmacists. The discount medical plan's a surety bond would be reduced from $100,000 to $50,000.
Introduced by: Sen. Sheehan & Sens. Perry, Pichardo, Crowley, Raptakis

Introduced by: Rep. Kennedy & Reps. San Bento, Marcello, Pacheco, Carter

10 S 2806 Sub A and 10 H 7450 Sub A ACTS RELATING TO HEALTH AND SAFETY - SEXUALLY TRANSMITTED DISEASES

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

The Substitute would only permit physicians, physician assistants and nurse practitioners to prescribe prescription drugs to a patient's sexual partner or partners for the treatment of a sexually transmitted chlamydia or gonorrhea infection, and would limit civil and criminal liability for such acts.

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

Introduced by: Rep. Ferri & Reps. Segal, Rice M, Naughton, McNamara

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

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

This act would take effect upon passage.

The Substitute makes grammatical changes.

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

10 S 2130 Sub A and H 7273 Sub A as Amended ACTS RELATING TO BUSINESSES AND PROFESSIONS -- RADIOLOGIC TECHNOLOGISTS LICENSING

This act would repeal the existing radiologic technology licensing act and adopt a revised radiologic technology licensing act. This revised act would allow the director of health to appropriately license radiologic technologists in accordance with current standards of practice established by national professional associations which examine, register, certify or approve individuals and education programs relating to operators of sources of radiation. This act would take effect upon passage.

The Substitute removed from the criteria for membership on the board of radiologic technology having to be "of good moral character". Also the penalties for violation of the radiologic technology licensing act would change from a misdemeanor to a civil fine of $300 or more.

Introduced by: Sen. Gallo & Sen. Fogarty

Introduced by: Rep. Pollard

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

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

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

Introduced by: Sen. Blais Requested by the Department of Corrections

10 S 2346 and H 7133 ACTS RELATING TO STATE AFFAIRS AND GOVERNMENT - DEPARTMENT OF CHILDREN, YOUTH, AND FAMILIES

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

Introduced by Sen. Lanzi and Sens. DiPalma, Jabour

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

10 S 2220 Sub A as Amended AN ACT RELATING TO BUSINESSES AND PROFESSIONS--CONFIDENTIALITY OF HEALTH CARE COMMUNICATIONS AND INFORMATION ACT--HEALTH CARE COMMUNICATIONS AND INFORMATION

This act would require the health care provider of a child who has been sexually abused to report the abuse to the appropriate law enforcement entity. This act would take effect upon passage.

The Substitute would add "Such disclosures shall be limited to the minimum amount of information necessary to accomplish the intended purpose of the release of information".

Introduced by: Sen. Perry & Sens. Goodwin, Sosnowski, Gallo

10 H 7165 Sub A AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- LICENSING OF GENETIC COUNSELORS

This act would provide a statutory framework for the licensing and regulations of genetic counselors. The “practice of genetic counseling”, means a communication process, conducted by one or more appropriately trained individuals that may include:

(i) Estimating the likelihood of occurrence or recurrence of a birth defect or of any potentially inherited or genetically influenced condition.

(ii) Helping the individual, family, health care provider or public to: appreciate the medical, psychological and social implications of a disorder, including its features, variability, usual course and management options; select the most appropriate, accurate and cost effective methods of diagnosis; and understand genetic or prenatal tests, coordinate testing for inherited disorders, interpret complex genetic test results; and
(iii) Facilitating an individual's or family's: exploration of the perception of risk and burden associated with the disorder; decision making regarding testing or medical interventions; and adjustment and adaptation to the condition or their genetic risk. This act would take effect upon passage.
The substitute does not include a board of licensing of genetic counselors, instead the department of health was regulate and license genetic counselors. The requirement that applicants for license must be "Of good moral character" was deleted.
Introduced by: Rep. Naughton & Reps. Rice M, Kennedy, Coderre

10 H 7907 Sub A and S 2995 ACTS RELATING TO HEALTH AND SAFETY -- HEALTH CARE SERVICES--UTILIZATION REVIEW ACT
This act would repeal the sunset provision of the Health Care Services - Utilization Review Act regarding the statutory variances the department of health is allowed to issue. This act would take effect upon passage.
The Substitute would extend the date for the repeal of the act that allows the department of health to issue statutory variances from one or more of the specific requirements of the Health Care Services Utilization Review Act; from July 1, 2011 to July 1, 2015.
Introduced by: Rep. Kilmartin

10 H 8068 Sub A and S 2429 Sub A AN ACT RELATING TO HEALTH AND SAFETY -- ASSISTED LIVING RESIDENCE LICENSING ACT
This act would allow a new assisted living resident to receive daily therapy services and/or limited skilled nursing care services for up to 45 days subject to an extension; provided, that the resident is under the care of a licensed hospice agency and, provided further, that assisted living residence assumes responsibility for ensuring that the care is received. This act would take effect upon passage.
The Substitute changes the effective date from "upon passage" to July 1, 2010.
Introduced by: Rep. Kilmartin
Introduced by: Sen. DiPalma & Sens. Tassoni, Lanzi, Pichardo, Jabour

Housing

10 S 2774 Sub A AN ACT RELATING TO TOWNS AND CITIES - LOW AND MODERATE INCOME HOUSING
This act would extend the reporting date of the "Housing Act of 2004 Implementation Oversight Commission from February 15, 2010 to February 15, 2011 and the expiration date from March 31, 2010 to March 31, 2011. This act would take effect upon passage and would be retroactive to March 1, 2010.
The Substitute deletes the requirement for the Commission to submit annual reports.
Introduced by: Sen. Tassoni

10 H 7405 Sub A AN ACT RELATING TO HEALTH AND SAFETY--RIGHTS OF NURSING HOME PATIENTS
This act would require a nursing home to reimburse any money that has been prepaid by a deceased patient to the nursing home to the estate of the deceased patient within thirty (30) days of the date of death of the patient. This act would take effect upon passage.
The Substitute would require a nursing home to reimburse any money that has been prepaid by a deceased patient to the nursing home to the estate of the deceased patient within 90 days of the date of death of the patient; provided that if the payment is required to be paid to the deceased patients' estate, then the payment would not be due until 60 days after the nursing home has been notified that the estate has been filed. This act would take effect upon passage.
Introduced by: Rep. Naughton & Reps. Coderre E, Rice M, Kennedy

Human Services

10 S 2495 AN ACT RELATING TO HUMAN SERVICES-PUBLIC ASSISTANCE ACT
This act would amend the title and meaning of section 40-6-8 by changing references from "food stamp program" to the supplemental nutrition assistance program or "SNAP." This act would take effect upon passage.
Introduced by: Sen. Levesque C

10 H 7875 AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT--DEPARTMENT OF CHILDREN, YOUTH AND FAMILIES -- FOSTER PARENTS' BILL OF RIGHTS
This act would provide for a statement of rights for foster parents to assist them in the performance of their duties, including the timely sharing of available appropriate information on a foster child with the foster parent, where the information could reasonably be expected to impact the care provided to the child and/or the health and safety of the child and/or a foster family member. This act would take effect upon passage.
Introduced by: Rep. Shallcross Smith & Reps. Carnevale, Diaz, Brien, O`Neill JP

Special Education

10 S 2266 AN ACT RELATING TO EDUCATION -- COOPERATIVE SERVICE AMONG SCHOOL DISTRICTS

This act would define the mission of the educational collaboratives in this state, to include, but not be limited to, measures concerning: (1) Teacher training programs and staff development; (2) Special education programs and diagnostic services required by law or regulation and related functions; (3) Programs for the gifted and talented; (4) Programs for students who are at risk of suspension or expulsion; (5) Development of shared instructional services; (6) Act as regional or statewide administrative unit, or enabling unit, or as a participant of a joint purchasing agreement or agreements established pursuant to section 16-2-9.2, for such functions as transportation, cooperative purchasing of food, and other noninstructional support services, such as the purchasing of oil, gas, electricity, health care contracts, supplies, payroll and other business operations, as may be appropriate; (7) Any other consolidation of services and purchasing that achieves efficiencies and cost savings. This act would take effect on December 31, 2010.
Introduced by: Sen. Felag & Sen. DiPalma

☑ voting check off graphic

No action was taken on any of the bills

meeting graphic

Public Forums

Monday July 26, 2010 2 - 4 pm
Middletown Public Library's Community Room, 700 West Main Road, Middletown
Hosted by Looking Upwards

Monday July 26, 2010 4 - 6 pm
RI Department of Administration's 2nd floor Conference Room A, One Capitol Hill, Providence
Hosted by the RI Department of Health's Office of Special Healthcare Needs

Tuesday July 27, 2010 2 - 4 pm
Barrington Public Library's Gallery Room, 281 County Road, Barrington
Hosted by the RI Statewide Independent Living Council

Wednesday July 28, 2010 4 - 6 pm
Warwick Public Library's Community Room, 600 Sandy Lane, Warwick
Hosted by the Ocean State Center for Independent Living

Wednesday July 28, 2010 4 - 6 pm
Independent Square - 25 West Independence Way, Kingston
Hosted by the RI Parent Information Network

Thursday July 29, 2010 10 am - Noon
Cumberland Public Library's Hayden Meeting Center, 1464 Diamond Hill Road, Cumberland
National Multiple Sclerosis Society, RI Chapter

Purpose/Goal: To Recruit volunteers to take the lead on public forum activities

Discussion: Members felt we could reduce the cost of advertising by only listing the co-sponsoring agencies and not also the name of the agencies' CEOs. Members are going to send it other organizations that should be asked to co-sponsor and a contact person at each.

Announcer graphic	**Announcements**	**Linda Ward**	4:20
calendar graphic	**Agenda and Scheduling the Next Meeting**	**Linda Ward**	4:25
	Items to be placed on the next meeting's agenda: Public Forum		
	Next meeting will be on: Monday July 12th from 3 – 4:30		
alarm clock graphic	**Adjournment**	**Linda Ward**	4:30
voting check off graphic	Chair adjourned the meeting at 4:25 PM		

Statement of Conflict of Interest
pursuant to R.I. Gen. Laws § 36-14-6

I William Chaz, holding the position of (☑ check one below):

- ☐ Chairperson
- ☒ Vice Chairperson
- ☐ Committee Chairperson
- ☐ Committee Vice Chairperson
- ☐ Commissioner
- ☐ Associate Member of the Committee checked off below:
- ☐ Employee

on the (☑ check one below):

- ☒ Governor's Commission on Disabilities
  - ☐ Accessibility Committee
  - ☐ Disability Business Enterprise Committee
  - ☐ Election Assistance Committee
  - ☐ Employment Committee
  - ☐ Hearing Board
  - ☒ Legislation Committee
  - ☐ State Coordinating Committee on Disability Rights
  - ☐ Executive Committee

, hereby under oath depose and say:

1. A matter involving Accessible Taxis RIPTA

is presently before the Governor's Commission on Disabilities (or its Committee ☑checked off above).

2. I have the following interest in the matter noted in paragraph 1 above:

employed by RIPTA

3. [Please select one of the following]:

(✓) A. In compliance with R.I. Gen. Laws § 36-l4-6(1), I hereby recuse from participating in the discussion of or taking official action relating to said matter. (This does not prohibit participation as a member of the public in an open meeting, pursuant to Commission Regulation 7003.)

( ) B. In compliance with R.I. Gen. Laws § 36-14-6(1), I hereby state that despite the interest described above, I believe I am able to participate fairly, objectively and in the public interest regarding said matter for the following reasons:

Signed under the penalties of perjury this 14th day of June, 2010.

Signature