



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 February 14, 2011 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

(e-mail) [disabilities@gcd.ri.gov](mailto:disabilities@gcd.ri.gov)

(website) [www.disabilities.ri.gov](http://www.disabilities.ri.gov)

 meeting graphic	<p><b>Attendees:</b> William R. Inlow (Vice Chair.); Sharon Brinkworth; Julie DeRosa; Paula Parker; Arthur M. Plitt; Joseph Reppucci; &amp; Msgr. Gerard O. Sabourin</p> <p><b>Absentees:</b> Linda Ward (Chair.); Ray Bandusky; Rebecca Boss; Rosemary C. Carmody; Linda Deschenes; Sarah Everhart Skeels; Timothy Flynn; Elaina Goldstein; Roger Harris; Laura Jones; Jean Lawlor; Maureen Maignet; Kate McCarthy-Barnett; Gwendolyn Reeve; Theresa Thaelke</p>
<p>Staff:</p>	<p>Bob Cooper</p>

	Agenda Topics	Moderator/Leader	Time
 Clock graphic	<p>Call to Order and Acceptance of the Minutes</p>	<p>Bill Inlow, Vice Chairperson</p>	<p>3:00</p>
<p>Vice Chair calls the meeting to order at 3:04 PM Introductions of Commissioners and guests</p>			
<p><b>MOTION:</b> To accept the minutes of the previous meeting as presented GS/JD passed unanimously</p>			

Action Items:			
 law graphic	<p>Commission's Legislative Package</p>	<p>Bill Inlow</p>	<p>3:05</p>
<p>Purpose/Goal: To assign responsibility for preparing testimony on the Commission's legislation.</p>			
<p>Discussion:</p>			
<p>Discussion: The process for reviewing bills and placing them on the Committee's agenda. Last year Committee members volunteered to review the text of all bills in one of the following categories; prior to the meeting and identifying those that should be placed on the agenda.</p>			
	<p>Categories</p>	<p>Volunteer Reviews</p>	
<p>1.</p>	<p>Budget</p>		
<p>2.</p>	<p>Civil Rights</p>	<p>JD, AP</p>	
<p>3.</p>	<p>Disability Prevention</p>	<p>MGS</p>	
<p>4.</p>	<p>Employment</p>		

	Agenda Topics	Moderator/Leader	Time	
5.	Health Insurance			
6.	Housing			
7.	Human Services	JD		
8.	Medicaid	JR		
9.	Professional Standards	JR		
10	Special Education	MGS, AP		
11	Transportation			
Rank	Issue	Sponsors	Bill #s	Leader
1.	<b>Crisis Intervention Services for abuse non-elderly adults (18-64) with severe impairments</b>	Rep. Naughton Sen. McCaffrey	H S	
2.	<b>Bureau of Criminal Identification checks of in-home personal care service workers</b>	Rep. Marcello Sen. Goodwin	H S	
3.	<b>Transportation to Employment, job training, education, health care, etc.</b>			
	o Maintain the existing RIPTA/Ride service areas			
	o Advocate for adequate funding			
	o Monitor the startup of accessible taxicabs program			
4.	<b>Global Medicaid Consumer Choice Waiver Services</b>			
	o Keep the children with special health care needs programs			
	o Expand the Sherlock (employee buy-in health care) Plan	Rep. Naughton Sen. Felag	H S	
	o Keep the right to medically necessary brand name drugs without requiring two generic failures before allowing brand name drugs			
5.	<b>Home Modifications Revolving Fund for People with Disabilities and the Elderly</b>	Rep. TBA Sen. Tassoni	H S	
6.	<b>Disability Business Enterprise program's purchasing rules</b>	Rep. Walsh Sen. Lanzi	H S	
7.	<b>Housing Support and other services for people with behavioral health concerns</b>			
	o Advocate for continued funding of the Neighborhood Opportunities Program			
	o Support the creation of a supportive housing program			
8.	<b>Affordable Care Act (national health care reform); watch the impact on people with special health care needs</b>			
9.	<b>Respite for Family Caregivers of non-elderly adults with non-developmental disabilities; advocate for expansion of services to cover the family caregivers of 22 - 60 year old adults who have disabilities other than developmental</b>			
10.	<b>Assist in creating rules for:</b>			
	o RI Department of Transportation - accessible (pedestrian) crosswalks have curb cuts on both sides			
	o RI Housing/Housing Resources Commission - allowing clothes washing & drying machines in apartments in low cost housing as an accommodation for people with chemical sensitivities			
	o RI Department of Human Services - address the Workers' Compensation liability of the person w/ the disability who employs in-home care			
11.	<b>Transition from Youth services (education, Medicaid, etc.) to Employment, or post-secondary education or adult services; request information from the Adult Service providers on barriers to smooth transition from special education and DCYF</b>			
12.	<b>Update RI's Access Building Code to match the 2012 US Access</b>	Rep. McCauley	H 5284	

Rank	Issue	Sponsors	Bill #s	Leader
	<b>Guidelines</b>	Sen. Fogarty	S 0206	
13.	<b>Repeal of laws, the Commission no longer has the resources to implement</b>			
o	§ 42-51-10 State coordinating committee on disability rights	Rep. Watson Sen. Cote	H S 0268	
o	The annual reporting provisions of § 31-28-7.3 Disability parking enforcement program	Rep. Jacquard Sen. Algieri	H 5300 S 0207	

 <small>new graphic</small>	Consideration of New Bills	Bob Cooper, Executive Secretary	3:20
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Purpose/Goal: To determine the impact of legislation on people with disabilities and their families and when necessary authorize a legislative impact statement.

S 0121 & H 5089 AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT - STATE POLICE Sen. Miller & Rep. Ajello in Senate & House Judiciary

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 regarding the monitoring crimes motivated by bigotry and bias. This act would take effect upon passage.

- 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 **z** (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, [gender identity or expression](#) or  
1-10 disability prejudice or motivated by prejudice against a person who is homeless or is perceived to  
1-11 be homeless [for the purposes of this chapter, the definitions of disability, sexual orientation and](#)  
1-12 [gender identity or expression shall be defined as set forth in Rhode Island general laws section](#)  
1-13 [11-24-2.1](#);  
1-14 (3) "Hate crime data" -- means information, incident reports, records and statistics  
1-15 relating to hate crimes, collected by the state police unit pursuant to this section;  
1-16 (4) "Incident report" -- means account of any individual occurrence of hate crime  
1-17 received or collected by the crime reporting unit pursuant to this section.  
1-18 (b) The state police shall, by January 1, 1994, develop a system monitoring the  
1-19 occurrence of crimes committed in the state which the evidence of the offense demonstrates was  
2-1 motivated by racial, religious, ethnic bigotry, or bias on any other matter defined as a "hate  
2-2 crime" herein. All police departments within the state shall report monthly the occurrence of such  
2-3 crimes to the state police. The state police shall maintain a permanent record of these offenses  
2-4 categorized by community of occurrence, type of offense, target of offense, and such other  
2-5 information as the department deems relevant. The department shall develop a plan for the  
2-6 collection, analysis, and dissemination of the data regarding such crimes and shall promulgate  
2-7 regulations relating to the collection of hate crime data, as defined in this section, which are  
2-8 submitted by law enforcement agencies, individuals, state and local human rights commissions,  
2-9 and anti-discrimination advocacy organizations.  
2-10 (c) The state police shall compile and distribute to each police department a listing of all

2-11 criminal offenses and penalties for those actions defined as "hate crimes" herein. Notice of the  
2-12 provision of these sections shall be primarily posted at each police station.  
2-13 (d) This section shall not be construed to increase or enhance the penalties against the  
2-14 perpetrators of hate crimes as defined in this section, unless provided for by any other section of  
2-15 law.  
2-16 SECTION 2. This act shall take effect upon passage.



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**MOTION: To find beneficial S 0121 & H 5089 AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT - STATE POLICE JD/AP passed, abstained PP & JR.**

**S 0202 & H 5278 AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT - LONG-TERM CARE OMBUDSPERSON ACT OF 1995 Sen. Perry & Rep. Coderre in Senate Health & Human Services & House Corporations**

This act would expand the definition of "facility" in the Long-Term Care Ombudsman Act to include shared living programs. This act would take effect upon passage.

1-1 SECTION 1. Section 42-66.7-3 of the General Laws in Chapter 42-66.7 entitled "Long-  
1-2 Term Care Ombudsperson Act of 1995" is hereby amended to read as follows:

1-3 **42-66.7-3. Definitions.** -- As used in this chapter:

1-4 (1) An "act" of any facility or government agency includes any failure or refusal to act  
1-5 by any facility or government agency.

1-6 (2) "Administrator" means any person who is charged with the general administration or  
1-7 supervision of a facility whether or not that person has an ownership interest and whether or not  
1-8 that person's functions and duties are shared with one or more other persons.

1-9 (3) "Elderly" means any person sixty (60) years of age or older who is a resident of any  
1-10 facility.

1-11 (4) "Facility" means any facility or institution, home care provider or home nursing care  
1-12 provider, whether public or private, offering health or health related services for the  
1-13 institutionalized elderly, and which is subject to regulation, visitation, inspection, or supervision  
1-14 by any government agency. "Facilities" include, but are not limited to, nursing homes,  
1-15 intermediate care facilities, extended care facilities, convalescent homes, rehabilitation centers,  
1-16 home care agencies, homes for the aged, veterans' homes, boarding homes, [shared living](#)  
1-17 [programs](#) and adult supportive care, residential care and assisted living residences.

1-18 (5) "Government agency" means any department, division, office, bureau, board,  
2-1 commission, authority, non-profit community organization, or any other agency or  
2-2 instrumentality created by any municipality or by the state, or to which the state is a party, which  
2-3 is responsible for the regulation, inspection, visitation, or supervision of facilities or which  
2-4 provides services to residents of facilities.

2-5 (6) "Ombudsperson" means the person or persons designated by the director. That person  
2-6 or persons shall have expertise and experience in the fields of social work, long-term care, and  
2-7 advocacy, and shall be qualified and experienced in communicating with the elderly.

2-8 (7) "Resident" means any person age sixty (60) years of age or older who is receiving  
2-9 treatment, care, or housing in any facility in all of its aspects including, but not limited to,  
2-10 admission, retention, confinement, period of residence, transfer, discharge, and in any instances  
2-11 directly related to that status. Residents include patients and clients. Residents shall also include  
2-12 disabled persons under sixty (60) years of age residing in nursing homes, or clients of residential  
2-13 and assisted living facilities and home care providers/home nursing care providers and long-term  
2-14 care units at the Eleanor Slater Hospital, including the Zambarano facility.

2-15 (8) "Interfere" means willing and continuous conduct which prevents the ombudsperson  
2-16 from performing her or his official duties.

2-17 (9) "Official duties" means work pursuant to the long-term care ombudsperson program

2-18 authorized by the federal Older Americans Act or the long-term care ombudsperson program  
 2-19 authorized by state law and carried out under the auspices and general direction of the state long-  
 2-20 term care ombudsperson.  
 2-21 (10) "Director" means the director of the department of elderly affairs.  
 2-22 (11) "Person" means any individual, trust, or estate, partnership, limited liability  
 2-23 corporation, corporation (including associations, joint stock companies, and insurance  
 2-24 companies), state, or political subdivision or instrumentality of a state.  
 2-25 (12) "Health oversight agency" means, for the purposes of this chapter, the department of  
 2-26 elderly affairs or the person or entity designated as the state's long-term care ombudsperson by  
 2-27 the director of the department of elderly affairs, including the employees or agents of such person  
 2-28 or entity, when they are acting to fulfill the duties and responsibilities of the state's long-term care  
 2-29 ombudsperson program in which health information is necessary to oversee the health system and  
 2-30 in accordance with the U.S. Health Insurance Portability and Accountability Act (HIPAA) of  
 2-31 1996.  
 2-32 SECTION 2. This act shall take effect upon passage.



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MOTION: To find beneficial if amended to include shared living in line 2-14 for all facilities S 0202 & H 5278 AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT - LONG-TERM CARE OMBUDSPERSON ACT OF 1995 MGS/JD passed, abstained JR & PP

S 0225 AN ACT RELATING TO PROPERTY -- RHODE ISLAND FAIR HOUSING PRACTICES ACT Sen. Metts In Senate Judiciary

This act would prohibit discrimination in housing against those persons who are recipients of government assistance. This act would take effect upon passage.

1-1 SECTION 1. Chapter 34-37 of the General Laws entitled "Rhode Island Fair Housing  
 1-2 Practices Act" is hereby amended by adding thereto the following sections:

1-3 **34-37-2.5. Right to equal housing opportunities -- Government assistance recipient**  
 1-4 **status. -- Whenever in this chapter there shall appear the words "marital status" there shall be**  
 1-5 **inserted immediately thereafter the words "government assistance recipient status."**

1-6 **34-37-2.6. Discrimination based on government assistance recipient status --**  
 1-7 **Exemption. -- Nothing in this title shall prohibit an owner of a housing accommodation from**  
 1-8 **refusing to rent to a person based on his or her government assistance recipient status if the**  
 1-9 **housing accommodation is three (3) units or less, one of which is occupied by the owner.**

1-10 SECTION 2. Sections 34-37-1, 34-37-2, 34-37-3, 34-37-4, 34-37-4.3, 34-37-5.2, 34-37-  
 1-11 5.3 and 34-37-5.4 of the General Laws in Chapter 34-37 entitled "Rhode Island Fair Housing  
 1-12 Practices Act" are hereby amended to read as follows:

1-13 **34-37-1. Finding and declaration of policy. --** (a) In the State of Rhode Island and  
 1-14 Providence Plantations, hereinafter referred to as the state, many people are denied equal  
 1-15 opportunity in obtaining housing accommodations and are forced to live in circumscribed areas  
 1-16 because of discriminatory housing practices based upon race, color, religion, sex, sexual  
 1-17 orientation, gender identity or expression, marital status, government assistance recipient status,  
 1-18 country of ancestral origin, disability, age, familial status, or on the basis that a tenant or  
 1-19 applicant, or a member of the household, is or has been, or is threatened with being, the victim of  
 2-1 domestic abuse, or that the tenant or applicant has obtained, or sought, or is seeking, relief from  
 2-2 any court in the form of a restraining order for protection from domestic abuse. These practices  
 2-3 tend unjustly to condemn large groups of inhabitants to dwell in segregated districts or under  
 2-4 depressed living conditions in crowded, unsanitary, substandard, and unhealthful  
 2-5 accommodations. These conditions breed intergroup tension as well as vice, disease, juvenile  
 2-6 delinquency, and crime; increase the fire hazard; endanger the public health; jeopardize the public

2-7 safety, general welfare and good order of the entire state; and impose substantial burdens on the  
2-8 public revenues for the abatement and relief of conditions so created. These discriminatory and  
2-9 segregative housing practices are inimical to and subvert the basic principles upon which the  
2-10 colony of Rhode Island and Providence Plantations was founded and upon which the state and the  
2-11 United States were later established. Discrimination and segregation in housing tend to result in  
2-12 segregation in our public schools and other public facilities, which is contrary to the policy of the  
2-13 state and the constitution of the United States. Further, discrimination and segregation in housing  
2-14 adversely affect urban renewal programs and the growth, progress, and prosperity of the state. In  
2-15 order to aid in the correction of these evils, it is necessary to safeguard the right of all individuals  
2-16 to equal opportunity in obtaining housing accommodations free of discrimination.

2-17 (b) It is hereby declared to be the policy of the state to assure to all individuals regardless  
2-18 of race, color, religion, sex, sexual orientation, gender identity or expression, marital status,  
2-19 [government assistance recipient status](#), country of ancestral origin, or disability, age, familial  
2-20 status, or those tenants or applicants, or members of a household, who are, or have been, or are  
2-21 threatened with being, the victims of domestic abuse, or those tenants or applicants who have  
2-22 obtained, or sought, or are seeking, relief from any court in the form of a restraining order for  
2-23 protection from domestic abuse, equal opportunity to live in decent, safe, sanitary, and healthful  
2-24 accommodations anywhere within the state in order that the peace, health, safety, and general  
2-25 welfare of all the inhabitants of the state may be protected and insured.

2-26 (c) The practice of discrimination in rental housing based on the potential or actual  
2-27 tenancy of a person with a minor child, or on the basis that a tenant or applicant, or a member of  
2-28 the household, is or has been or is threatened with being, the victim of domestic abuse, or that the  
2-29 tenant or applicant has obtained, or sought, or is seeking, relief from any court in the form of a  
2-30 restraining order for protection from domestic abuse is declared to be against public policy.

2-31 (d) This chapter shall be deemed an exercise of the police power of the state for the  
2-32 protection of the public welfare, prosperity, health, and peace of the people of the state.

2-33 (e) Nothing in this section shall prevent a landlord from proceeding with eviction action  
2-34 against a tenant who fails to comply with section 34-18-24(7).

3-1 **34-37-2. Right to equal housing opportunities -- Civil rights.** -- The right of all  
3-2 individuals in the state to equal housing opportunities and regardless of race, color, religion, sex,  
3-3 sexual orientation, gender identity or expression, marital status, [government assistance recipient](#)  
3-4 [status](#), country of ancestral origin, disability, age, familial status, or regardless of the fact that a  
3-5 tenant or applicant, or a member of the household, is or has been, or is threatened with being, the  
3-6 victim of domestic abuse, or that the tenant or applicant has obtained, or sought, or is seeking,  
3-7 relief from any court in the form of a restraining order for protection from domestic abuse, is  
3-8 hereby recognized as, and declared to be, a civil right. Nothing in this section shall prevent a  
3-9 landlord from proceeding with eviction action against a tenant who fails to comply with section  
3-10 34-18-24(7).

3-11 **34-37-3. Definitions.** -- When used in this chapter:

3-12 (1) "Age" means anyone over the age of eighteen (18).

3-13 (2) "Commission" means the Rhode Island commission for human rights created by  
3-14 section 28-5-8.

3-15 (3) "Discriminate" includes segregate, separate, or otherwise differentiate between or  
3-16 among individuals because of race, color, religion, sex, sexual orientation, gender identity or  
3-17 expression, marital status, [government assistance recipient status](#), country of ancestral origin,  
3-18 disability, age, or familial status or because of the race, color, religion, sex, sexual orientation,  
3-19 gender identity or expression, marital status, [government assistance recipient status](#), country of  
3-20 ancestral origin, disability, age or familial status of any person with whom they are or may wish  
3-21 to be associated.

3-22 (4) (i) "Familial status" means one or more individuals who have not attained the age of  
3-23 eighteen (18) years being domiciled with:

3-24 (A) A parent or another person having legal custody of the individual or individuals; or  
3-25 (B) The designee of the parent or other person having the custody, with the written  
3-26 permission of the parent or other person provided that if the individual is not a relative or legal  
3-27 dependent of the designee, that the individual shall have been domiciled with the designee for at  
3-28 least six (6) months.

3-29 (ii) The protections afforded against discrimination on the basis of familial status shall  
3-30 apply to any person who is pregnant or is in the process of securing legal custody of any  
3-31 individual who has not attained the age of eighteen (18) years.

3-32 (5) "Disability" means a disability as defined in section 42-87-1. Provided further that  
3-33 the term "disability" does not include current, illegal use of or addiction to a controlled substance,  
3-34 as defined in 21 U.S.C. section 802.

4-1 (6) The terms, as used regarding persons with disabilities, "auxiliary aids and services,"  
4-2 "reasonable accommodation," and "reasonable modifications" have the same meaning as those  
4-3 terms are defined in section 42-87-1.1.

4-4 (7) "Housing accommodation" includes any building or structure or portion of any  
4-5 building or structure, or any parcel of land, developed or undeveloped, which is occupied or is  
4-6 intended, designed, or arranged to be occupied, or to be developed for occupancy, as the home or  
4-7 residence of one or more persons.

4-8 (8) [Deleted by P.L. 1997, ch. 150, section 8.]

4-9 ~~(9)(10)~~ (9) "Otherwise qualified" includes any person with a disability who with respect to  
4-10 the rental of property, personally or with assistance arranged by the person with a disability, is  
4-11 capable of performing all the responsibilities of a tenant as contained in section 34-18-24.

4-12 ~~(10)(11)~~ (10) "Owner" includes any person having the right to sell, rent, lease, or manage a  
4-13 housing accommodation.

4-14 ~~(11)(12)~~ (11) "Person" includes one or more individuals, partnerships, associations,  
4-15 organizations, corporations, labor organizations, mutual companies, joint stock companies, trusts,  
4-16 receivers, legal representatives, trustees, other fiduciaries, or real estate brokers or real estate  
4-17 salespersons as defined in chapter 20.5 of title 5.

4-18 ~~(12)(15)~~ (12) "Senior citizen" means a person sixty-two (62) years of age or older.

4-19 ~~(13)(16)~~ (13) The term "sexual orientation" means having or being perceived as having an  
4-20 orientation for heterosexuality, bisexuality, or homosexuality. This definition is intended to  
4-21 describe the status of persons and does not render lawful any conduct prohibited by the criminal  
4-22 laws of this state nor impose any duty on a religious organization. This definition does not confer  
4-23 legislative approval of said status, but is intended to assure the basic human rights of persons to  
4-24 hold and convey property and to give and obtain credit, regardless of such status.

4-25 ~~(14)(17)~~ (14) The term "gender identity or expression" includes a person's actual or perceived  
4-26 gender, as well as a person's gender identity, gender-related self image, gender-related  
4-27 appearance, or gender-related expression; whether or not that gender identity, gender-related self  
4-28 image, gender-related appearance, or gender-related expression is different from that traditionally  
4-29 associated with the person's sex at birth.

4-30 ~~(15)(18)~~ (15) The term "domestic abuse" for the purposes of this chapter shall have the same  
4-31 meaning as that set forth in section 15-15-1, and include all forms of domestic violence as set  
4-32 forth in section 12-29-2, except that the domestic abuse need not involve a minor or parties with  
4-33 minor children.

4-34 ~~(16)(19)~~ (16) The term "victim" means a family or household member and all other persons  
5-1 contained within the definition of those terms as defined in section 12-29-2.

5-2 (17) The term "government assistance recipient status" means being the recipient of  
5-3 federal, state or local public assistance, including medical assistance, or the recipient of federal,  
5-4 state or local housing subsidies, including section 8, and other rental assistance or rental  
5-5 supplements, or who is subject to the requirements of any public assistance, rental assistance or  
5-6 housing subsidy program.

5-7 **34-37-4. Unlawful housing practices.** -- (a) No owner having the right to sell, rent,  
5-8 lease, or manage a housing accommodation as defined in section 34-37-3(11), or an agent of any  
5-9 of these shall, directly or indirectly, make or cause to be made any written or oral inquiry  
5-10 concerning the race, color, religion, sex, sexual orientation, gender identity or expression, marital  
5-11 status, [government assistance recipient status](#), country of ancestral origin or disability, age,  
5-12 familial status nor make any written or oral inquiry concerning whether a tenant or applicant, or a  
5-13 member of the household, is or has been, or is threatened with being, the victim of domestic  
5-14 abuse, or whether a tenant or applicant has obtained, or sought, or is seeking, relief from any  
5-15 court in the form of a restraining order for protection from domestic abuse, of any prospective  
5-16 purchaser, occupant, or tenant of the housing accommodation; or shall, directly or indirectly,  
5-17 refuse to sell, rent, lease, let, or otherwise deny to or withhold from any individual the housing  
5-18 accommodation because of the race, color, religion, sex, sexual orientation, gender identity or  
5-19 expression, marital status, [government assistance recipient status](#), country of ancestral origin,  
5-20 disability, age, or familial status of the individual or the race, color, religion, sex, sexual  
5-21 orientation, gender identity or expression, marital status, [government assistance recipient status](#),  
5-22 country of ancestral origin or disability, age, or familial status of any person with whom the  
5-23 individual is or may wish to be associated; or shall, or on the basis that a tenant or applicant, or a  
5-24 member of the household, is or has been, or is threatened with being, the victim of domestic  
5-25 abuse, or that the tenant or applicant has obtained, or sought, or is seeking, relief from any court  
5-26 in the form of a restraining order for protection from domestic abuse. Nor shall an owner having  
5-27 the right to sell, rent, lease, or manage a housing accommodation as defined in section 34-37-  
5-28 3(11), or an agent of any of these, directly or indirectly, issue any advertisement relating to the  
5-29 sale, rental, or lease of the housing accommodation which indicates any preference, limitation,  
5-30 specification, or discrimination based upon race, color, religion, sex, sexual orientation, gender  
5-31 identity or expression, marital status, [government assistance recipient status](#), country of ancestral  
5-32 origin, disability, age, familial status, or on the basis that a tenant or applicant, or a member of the  
5-33 household, is or has been, or is threatened with being, the victim of domestic abuse, or that the  
5-34 tenant or applicant has obtained, or sought, or is seeking, relief from any court in the form of a  
6-1 restraining order for protection from domestic abuse, or shall, directly or indirectly, discriminate  
6-2 against any individual because of his or her race, color, religion, sex, sexual orientation, gender  
6-3 identity or expression, marital status, [government assistance recipient status](#), country of ancestral  
6-4 origin, disability, age, familial status, or on the basis that a tenant or applicant, or a member of the  
6-5 household, is or has been, or is threatened with being, the victim of domestic abuse, or that the  
6-6 tenant or applicant has obtained, or sought, or is seeking, relief from any court in the form of a  
6-7 restraining order for protection from domestic abuse, in the terms, conditions, or privileges of the  
6-8 sale, rental, or lease of any housing accommodation or in the furnishing of facilities or services in  
6-9 connection with it. Nothing in this subsection shall be construed to prohibit any oral or written  
6-10 inquiry as to whether the prospective purchaser or tenant is over the age of eighteen (18).

6-11 (b) No person to whom application is made for a loan or other form of financial  
6-12 assistance for the acquisition, construction, rehabilitation, repair, or maintenance of any housing  
6-13 accommodation, whether secured or unsecured shall directly or indirectly make or cause to be  
6-14 made any written or oral inquiry concerning the race, color, religion, sex, sexual orientation,  
6-15 gender identity or expression, marital status, [government assistance recipient status](#), country of  
6-16 ancestral origin, disability, age, familial status, or any express written or oral inquiry into whether  
6-17 a tenant or applicant, or a member of the household, is or has been, or is threatened with being,  
6-18 the victim of domestic abuse, or whether a tenant or applicant has obtained, or sought, or is  
6-19 seeking, relief from any court in the form of a restraining order for protection from domestic  
6-20 abuse, of any individual seeking the financial assistance, or of existing or prospective occupants  
6-21 or tenants of the housing accommodation; nor shall any person to whom the application is made  
6-22 in the manner provided, directly or indirectly, discriminate in the terms, conditions, or privileges  
6-23 relating to the obtaining or use of any financial assistance against any applicant because of the

6-24 race, color, religion, sex, sexual orientation, gender identity or expression, marital status,  
6-25 [government assistance recipient status](#), country of ancestral origin, disability, age, familial status,  
6-26 or on the basis that a tenant or applicant, or a member of the household, is or has been, or is  
6-27 threatened with being, the victim of domestic abuse, or that the tenant or applicant has obtained,  
6-28 or sought, or is seeking, relief from any court in the form of a restraining order for protection  
6-29 from domestic abuse, of the applicant or of the existing or prospective occupants or tenants.  
6-30 Nothing in this subsection shall be construed to prohibit any written or oral inquiry as to whether  
6-31 the applicant is over the age of eighteen (18).

6-32 (c) Nothing in this section contained shall be construed in any manner to prohibit or limit  
6-33 the exercise of the privilege of every person and the agent of any person having the right to sell,  
6-34 rent, lease, or manage a housing accommodation to establish standards and preferences and set  
7-1 terms, conditions, limitations, or specifications in the selling, renting, leasing, or letting thereof or  
7-2 in the furnishing of facilities or services in connection therewith which do not discriminate on the  
7-3 basis of the race, color, religion, sex, sexual orientation, gender identity or expression, marital  
7-4 status, [government assistance recipient status](#), country of ancestral origin, disability, age, familial  
7-5 status, or on the basis that a tenant or applicant, or a member of the household, is or has been, or  
7-6 is threatened with being, the victim of domestic abuse, or that the tenant or applicant has  
7-7 obtained, or sought, or is seeking, relief from any court in the form of a restraining order for  
7-8 protection from domestic abuse, of any prospective purchaser, lessee, tenant, or occupant thereof  
7-9 or on the race, color, religion, sex, sexual orientation, gender identity or expression, marital  
7-10 status, [government assistance recipient status](#), country of ancestral origin, disability, age, or  
7-11 familial status of any person with whom the prospective purchaser, lessee, tenant, or occupant is  
7-12 or may wish to be associated. Nothing contained in this section shall be construed in any manner  
7-13 to prohibit or limit the exercise of the privilege of every person and the agent of any person  
7-14 making loans for or offering financial assistance in the acquisition, construction, rehabilitation,  
7-15 repair, or maintenance of housing accommodations to set standards and preferences, terms,  
7-16 conditions, limitations, or specifications for the granting of loans or financial assistance which do  
7-17 not discriminate on the basis of the race, color, religion, sex, sexual orientation, gender identity or  
7-18 expression, marital status, [government assistance recipient status](#), country of ancestral origin,  
7-19 disability, age, familial status, or on the basis that a tenant or applicant, or a member of the  
7-20 household, is or has been, or is threatened with being, the victim of domestic abuse, or that the  
7-21 tenant or applicant has obtained, or sought, or is seeking, relief from any court in the form of a  
7-22 restraining order for protection from domestic abuse, of the applicant for the loan or financial  
7-23 assistance or of any existing or prospective owner, lessee, tenant, or occupant of the housing  
7-24 accommodation.

7-25 (d) An owner may not refuse to allow a person with a disability to make, at his or her  
7-26 expense, reasonable modifications of existing premises occupied or to be occupied by the person  
7-27 if the modifications may be necessary to afford the person full enjoyment of the premises, except  
7-28 that, in the case of a rental, the owner may where it is reasonable to do so condition permission  
7-29 for a modification on the renter agreeing to restore the interior of the premises to the condition  
7-30 that existed before the modification, reasonable wear and tear excepted. Where it is necessary in  
7-31 order to ensure with reasonable certainty that funds will be available to pay for the restorations at  
7-32 the end of the tenancy, the landlord may negotiate as part of the restoration agreement a provision  
7-33 requiring that the tenant pay into an interest bearing escrow account, over a reasonable period, a  
7-34 reasonable amount of money not to exceed the cost of the restorations. The interest in the account  
8-1 shall accrue to the benefit of the tenant. The restoration deposition shall be exempt from section  
8-2 34-18-19(a) but will be subject to section 34-18-19(b) -- (f).

8-3 (e) (1) An owner may not refuse to make reasonable accommodations in rules, policies,  
8-4 practices, or services, when those accommodations may be necessary to afford an occupant with a  
8-5 disability equal opportunity to use and enjoy a dwelling.

8-6 (2) Every person with a disability who has a guide dog or other personal assistive

8-7 animal, or who obtains a guide dog or other personal assistive animal, shall be entitled to full and  
8-8 equal access to all housing accommodations provided for in this section, and shall not be required  
8-9 to pay extra compensation for the guide dog or other personal assistive animal, but shall be liable  
8-10 for any damage done to the premises by a guide dog or other personal assistive animal. For the  
8-11 purposes of this subsection a "personal assistive animal" is an animal specifically trained by a  
8-12 certified animal training program to assist a person with a disability to perform independent living  
8-13 tasks.

8-14 (f) Any housing accommodation of four (4) units or more constructed for first occupancy  
8-15 after March 13, 1991 shall be designed and constructed in such a manner that:

8-16 (1) The public use and common use portions of the dwellings are readily accessible to  
8-17 and usable by persons with disabilities;

8-18 (2) All the doors designed to allow passage into and within all premises within the  
8-19 dwellings are sufficiently wide to allow passage by persons with disabilities in wheelchairs;

8-20 (3) All premises within the dwellings contain the following features of adaptive design:

8-21 (i) Accessible route into and through the dwelling;

8-22 (ii) Light switches, electrical outlets, thermostats, and other environmental controls in  
8-23 accessible locations;

8-24 (iii) Reinforcements in bathroom walls to allow later installation of grab bars; and

8-25 (iv) Usable kitchens and bathrooms such that an individual in a wheelchair can maneuver  
8-26 about the space. To the extent that any state or local building codes, statutes or ordinances are  
8-27 inconsistent with this section, they are hereby repealed. The state building code standards  
8-28 committee is hereby directed to adopt rules and regulations consistent with this section as soon as  
8-29 possible, but no later than September 30, 1990.

8-30 (g) Compliance with the appropriate requirements of the State Building Code 14  
8-31 "accessibility for individuals with disabilities for residential use groups" suffices to satisfy the  
8-32 requirements of subsection (f).

8-33 (h) As used in subsection (f), the term "housing accommodation of four (4) units or  
8-34 more" means:

9-1 (1) Buildings consisting of four (4) or more units if those buildings have one or more  
9-2 elevators; and

9-3 (2) Ground floor units in other buildings consisting of four (4) or more units;

9-4 (i) Nothing in subsection (f) shall be construed to limit any law, statute, or regulation  
9-5 which requires a greater degree of accessibility to persons with disabilities.

9-6 (j) Nothing in this section requires that a dwelling be made available to an individual  
9-7 whose tenancy would constitute a direct threat to the health or safety of other individuals or  
9-8 whose tenancy would result in substantial physical damage to the property of others.

9-9 (k) Nothing contained in this chapter shall be construed to prohibit an owner, lessee,  
9-10 sublessee, or assignee from advertising or selecting a person of the same or opposite gender to  
9-11 rent, lease, or share the housing unit which the owner, lessee, sublessee, or assignee will occupy  
9-12 with the person selected.

9-13 (l) No person shall aid, abet, incite, compel, or coerce the doing of any act declared by  
9-14 this section to be an unlawful housing practice, or obstruct or prevent any person from complying  
9-15 with the provisions of this chapter or any order issued thereunder, or attempt directly or indirectly  
9-16 to commit any act declared by this section to be an unlawful housing practice.

9-17 (m) No owner, person defined in section 34-37-3(12), person to whom application is  
9-18 made for a loan or other form of financial assistance for the acquisition, construction,  
9-19 rehabilitation, repair, or maintenance of any housing accommodation, whether secured or  
9-20 unsecured, no financial organization governed by the provisions of title 19 or any other credit  
9-21 granting commercial institution, or respondent under this chapter or any agent of these shall  
9-22 discriminate in any manner against any individual because he or she has opposed any practice  
9-23 forbidden by this chapter, or because he or she has made a charge, testified, or assisted in any

9-24 manner in any investigation, proceeding, or hearing under this chapter.

9-25 (n) Nothing in this section shall prevent a landlord from proceeding with eviction action  
9-26 against a tenant who fails to comply with section 34-18-24(7)(n).

9-27 **34-37-4.3. Discrimination in granting credit or loans prohibited. --** No financial  
9-28 organization governed by the provisions of title 19 or any other credit granting commercial  
9-29 institution may discriminate in the granting or extension of any form of loan or credit, or the  
9-30 privilege or capacity to obtain any form of loan or credit, on the basis of the applicant's sex,  
9-31 marital status, [government assistance recipient status](#), race or color, religion or country of  
9-32 ancestral origin, disability or age or familial status, sexual orientation, or gender identity or  
9-33 expression, and the form of loan and credit shall not be limited to those concerned with housing  
9-34 accommodations, and the commission shall prevent any violation hereof in the same manner as it  
10-1 is to prevent unlawful housing practices under the provisions of this chapter.

10-2 **34-37-5.2. Discrimination in brokerage services. --** It shall be unlawful to deny any  
10-3 person who meets licensing and other non-discriminatory requirements which are also applied to  
10-4 other applicants and members access to or membership or participation in any real estate listing  
10-5 service, real estate brokers' organization, or other service, organization, or facility relating to the  
10-6 business of selling, leasing, or renting a housing accommodation, or to discriminate against him  
10-7 or her in the terms or conditions of the access, membership, or participation, on account of race,  
10-8 color, religion, sex, sexual orientation, gender identity or expression, marital status, [government](#)  
10-9 [assistance recipient status](#), country of ancestral origin, disability, age, or familial status.

10-10 **34-37-5.3. Fostering of segregated housing prohibited. --** It shall be an unlawful  
10-11 discriminatory housing practice to for profit induce or attempt to induce any person to sell or rent  
10-12 any dwelling by representations regarding the entry or prospective entry into the neighborhood of  
10-13 a person or persons of a particular race, color, religion, marital status, [government assistance](#)  
10-14 [recipient status](#), country of ancestral origin, sex, sexual orientation, gender identity or expression,  
10-15 age, disability, or familial status.

10-16 **34-37-5.4. Discrimination in residential real estate related transactions. --** (a) It shall  
10-17 be unlawful for any person or other entity whose business includes engaging in residential real  
10-18 estate related transactions to discriminate against any person in making available a transaction, or  
10-19 in the terms and conditions of the transaction, because of race, color, religion, marital status,  
10-20 [government assistance recipient status](#), country of ancestral origin, sex, sexual orientation, gender  
10-21 identity or expression, age, disability, or familial status.

10-22 (b) As used in this section, the term "residential real estate related transaction" means  
10-23 any of the following:

10-24 (1) The making or purchasing of loans or providing other financial assistance:

10-25 (i) For purchasing, constructing, improving, repairing, or maintaining a dwelling; or

10-26 (ii) Secured by residential real estate.

10-27 (2) The selling, brokering, or appraising of residential real property.

10-28 (c) Nothing in this chapter prohibits a person engaged in the business of furnishing  
10-29 appraisals of real property to take into consideration factors other than race, color, religion,  
10-30 marital status, country of ancestral origin, sex, sexual orientation, gender identity or expression,  
10-31 age, disability, or familial status.

10-32 SECTION 3. This act shall take effect upon passage.



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MOTION: To find beneficial S 0225 AN ACT RELATING TO PROPERTY --  
RHODE ISLAND FAIR HOUSING PRACTICES ACT JD/AP passed, abstained  
JR & PP.

S 0060 & H 5173 AN ACT RELATING TO HEALTH AND SAFETY -- WOMEN'S  
CARDIOVASCULAR SCREENING AND RISK REDUCTION PILOT PROGRAM Sen. Crowley  
Rep. Naughton in Senate Health and Human Services Committee & House Health, Education,

**& Welfare**

This act would establish a women's cardiovascular screening and risk reduction pilot program.  
This act would take effect upon passage.

1-1 WHEREAS, Heart disease, stroke and other forms of cardiovascular disease are the  
1-2 number one cause of death for women each year; and

1-3 WHEREAS, Cardiovascular disease kills more women annually than the next five (5)  
1-4 leading causes of death combined, which includes all forms of cancer; and

1-5 WHEREAS, Despite the statistics, many patients and health care providers alike tend to  
1-6 think of heart disease as a disease that primarily afflicts men; and

1-7 WHEREAS, In February 2004, the American Heart Association began the vigorous "Go  
1-8 Red for Women" public awareness campaign and a survey conducted in 2007 by the American  
1-9 Heart Association found that forty-three percent (43%) of women are still not aware that heart  
1-10 disease is the leading cause of death among women; and

1-11 WHEREAS, The WISEWOMEN program, administered by the Centers for Disease  
1-12 Control and Prevention, provides low-income, underinsured, or uninsured women between forty  
1-13 (40) and sixty-four (64) years of age with chronic disease risk factor screening, lifestyle  
1-14 intervention, and referral services in an effort to prevent cardiovascular disease and promote  
1-15 healthy lifestyles; and

1-16 WHEREAS, WISEWOMEN programs provide standard preventive services, including  
1-17 blood pressure and cholesterol testing and lifestyle programs targeting poor nutrition, physical  
1-18 inactivity, and smoking; and

2-1 WHEREAS, Rhode Island is currently not participating in the WISEWOMEN program  
2-2 due to lack of federal funding; and

2-3 WHEREAS, The best chance for women in this state to reduce their mortality rates due to  
2-4 cardiovascular disease is through education and prevention.

2-5 SECTION 1. Title 23 of the General Laws entitled "HEALTH AND SAFETY" is hereby  
2-6 amended by adding thereto the following chapter:

2-7 CHAPTER 86

2-8 WOMEN'S CARDIOVASCULAR SCREENING AND RISK REDUCTION PILOT PROGRAM

2-9 23-86-1. Women's cardiovascular screening and risk reduction pilot program. – (a)

2-10 The department of health (hereinafter, "the department") shall develop a cardiovascular disease  
2-11 screening and lifestyle intervention pilot program at one site in one of Rhode Island's six (6) core  
2-12 cities for low-income, underinsured and uninsured women between forty (40) and sixty-four (64)  
2-13 years of age, inclusive, at risk for heart disease, diabetes and stroke, namely Pawtucket,  
2-14 Providence, Woonsocket, Newport, West Warwick or Central Falls.

2-15 (b) The department shall develop the program based on the federal WISEWOMEN  
2-16 program administered by the Centers for Disease Control and Prevention. The pilot program  
2-17 shall employ specified measures to gauge the impact and outcome of the program. These  
2-18 measures may include the number of women served, the number who receive lifestyle  
2-19 interventions, the number of follow-up visits per woman, an evaluation of the use of progress  
2-20 markers to reduce risk factors, and a research and evaluation component.

2-21 (c) The department shall prepare an annual report and submit it to the legislature by  
2-22 January 31 of each year summarizing the scope and reach of the pilot program. The final report  
2-23 shall include a fiscal analysis and a recommendation outlining the benefits and costs of expanding  
2-24 the pilot program throughout the state after the program has been in existence for three (3) years.  
2-25 The pilot program shall expire July 1, 2014.

2-26 (d) Implementation of the Women's Cardiovascular screening and risk reduction pilot  
2-27 program shall be subject to appropriation.

2-28 SECTION 2. This act shall take effect upon passage.



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MOTION: To table until the March meeting, info from DoH and Heart Association S 0060 & H 5173 AN ACT RELATING TO HEALTH AND SAFETY -- WOMEN'S CARDIOVASCULAR SCREENING AND RISK REDUCTION PILOT PROGRAM MGS/JD passed, abstained JR.

S 0200 AN ACT RELATING TO HEALTH AND SAFETY -- NEWBORN SCREENING PROGRAM Sen. Sosnowski in Senate Health and Human Services Committee

This act would require attending physicians of newborns to screen for all conditions for which there is a medical benefit to the early detection and treatment thereof and also to perform an assessment for developmental risk. This act would take effect upon passage.

1-1 SECTION 1. Section 23-13-14 of the General Laws in Chapter 23-13 entitled "Maternal  
1-2 and Child Health Services for Children with Special Health Care Needs" is hereby amended to  
1-3 read as follows:

1-4 **23-13-14. Newborn screening program.** -- (a) The physician attending a newborn child  
1-5 shall cause that child to be subject to newborn screening tests for metabolic, endocrine, and  
1-6 hemoglobinopathy disorders, and other conditions ~~including assessment for developmental risk~~  
1-7 for which there is a medical benefit to the early detection and treatment of the disorder, and an  
1-8 assessment for developmental risk. The department of health shall make rules and regulations  
1-9 pertaining to screenings, diagnostic, and treatment services as accepted medical practice shall  
1-10 indicate. The provisions of this section shall not apply if the parents of the child object to the tests  
1-11 on the grounds that those tests conflict with their religious tenets and practices.

1-12 (b) In addition, the department of health is authorized to establish by rule and regulation  
1-13 a reasonable fee structure for the newborn screening and disease control program, which includes  
1-14 but is not limited to screening, diagnostic, and treatment services. The program shall be a covered  
1-15 benefit and be reimbursable by all health insurers, as defined in section 27-38.2-2(1), providing  
1-16 health insurance coverage in Rhode Island except for supplemental policies which only provide  
1-17 coverage for specific diseases, hospital indemnity Medicare supplements, or other supplemental  
1-18 policies. The department of human services shall pay for the program where the patient is eligible  
1-19 for medical assistance under the provisions of chapter 8 of title 40. The charges for the program  
2-1 shall be borne by the hospitals or other health-care facilities where births occur in the absence of  
2-2 a third-party payor. Nothing in this section shall preclude the hospital or health care facility from  
2-3 billing the patient directly.

2-4 (c) There is created within the general fund a restricted receipt account to be known as  
2-5 the "newborn screening account" to implement the provisions of section 23-13-13 and section 23-  
2-6 13-14. All funds received pursuant to section 23-13-13 and section 23-13-14 shall be deposited in  
2-7 the account. Funding dedicated exclusively to implement the provisions of section 23-13-13 and  
2-8 section 23-13-14 and received by the department of health from sources other than those  
2-9 identified in section 23-13-13 and section 23-13-14 may also be deposited in the newborn  
2-10 screening account. The general treasurer is authorized and directed to draw his or her orders on  
2-11 the account upon receipt of properly authenticated vouchers from the department of health.

2-12 SECTION 2. This act shall take effect upon passage.



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MOTION: To table for information from DoH and RIPIN and organizations supporting/advocating for newborns S 0200 AN ACT RELATING TO HEALTH AND SAFETY -- NEWBORN SCREENING PROGRAM JD/AP passed, Abstained JR

S 0108 AN ACT RELATING TO HEALTH AND SAFETY -- TOXIC MOLD PROTECTION ACT Sen. Lanzi in Senate Health and Human Services Committee

This act would create a mold advisory board to advise the department of health with respect to

establishing permissible exposure limits for mold exposure and procedures for the assessment of the health risk posed by the presence of mold, and would promulgate mold remediation procedures. This act would take effect upon passage.

1-1 SECTION 1. Title 23 of the General Laws entitled "HEALTH AND SAFETY" is hereby  
1-2 amended by adding thereto the following chapter:

1-3 CHAPTER 86

1-4 TOXIC MOLD PROTECTION ACT

1-5 23-86-1. Short title. -- This chapter shall be known and may be cited as the "Toxic Mold  
1-6 Protection Act."

1-7 23-86-2. Definitions. -- For purposes of this chapter:

1-8 (1) "Code enforcement officer" means a local official responsible for enforcing housing  
1-9 codes and maintaining public safety in buildings.

1-10 (2) "Indoor environments" means the affected dwelling unit.

1-11 (3) "Mold" means any form of multi-cellular fungi that live on plant or animal matter and  
1-12 in indoor environments. Types of mold include, but are not limited to, cladosporium, penicillium,  
1-13 alternaria, aspergillus, fuarim, trichoderma, memmoniella, mucor and stachhybotrys chartarum,  
1-14 often found in water-damaged building materials.

1-15 (4) "Public health officer" means a person who is either a state employee or a designee of  
1-16 the health department whose duty, among others, shall be to conduct state mold inspections.

1-17 (5) "Department" means the state department of health.

1-18 (6) "Director" means the director of the department of health.

1-19 23-86-3. Purpose. -- The purpose of this chapter is to protect the public health and public  
2-1 interest by establishing procedures for the identification and treatment of molds in indoor  
2-2 environments.

2-3 23-86-4. Mold advisory board. -- (a) There is established a mold advisory board  
2-4 consisting of eleven (11) members within the department of health.

2-5 (b) The purpose of the board shall be as follows:

2-6 (1) To monitor the implementation of this chapter and to ensure that the records of all  
2-7 departments and agencies of state government relating to the mold protection act shall be made  
2-8 accessible to the chairperson of the mold advisory board upon request, providing that the board  
2-9 has directed the chairperson by a vote of the board as a whole;

2-10 (2) To report on or before March 1 of each year to the speaker of the house and the  
2-11 president of the senate of any legislative changes required in this chapter;

2-12 (3) To advise the director on the desirability of proposed regulations.

2-13 (c) The members of the board shall be electors and shall be appointed as follows:

2-14 (1) There shall be three (3) ex-officio members: the director of the department of health,  
2-15 the director of the department of administration, and the director of the department of  
2-16 environmental management or their designees;

2-17 (2) There shall be four (4) public representatives, two (2) to be appointed by the speaker  
2-18 and two (2) to be appointed by the president of the senate, and there shall be four (4) members  
2-19 approved by the governor, one of whom shall be a physician familiar with mold problems, one of  
2-20 whom shall be a qualified environmental health expert, and one of whom shall be an architect or  
2-21 engineer familiar with mold problems, and one of whom shall be a mold abatement contractor.

2-22 (d) The term of office of each member shall be for a period of three (3) years except that  
2-23 in the case of the initial appointments of public and professional members, one by the speaker and  
2-24 one by the governor shall be for two (2) years and one by the speaker and two (2) by the governor  
2-25 shall be for one year. Each member shall serve until a successor is appointed or designated. In  
2-26 the month of August of each year, the members shall elect from among their members, a  
2-27 chairperson, vice chairperson and secretary. Any member absent for three (3) or more  
2-28 consecutive meetings shall be considered as having vacated the office. Six (6) members shall be

2-29 considered a quorum, and the board may fulfill any of its duties by a subcommittee of four (4)  
2-30 members present.

2-31 (e) The board may engage any experts and secretarial staff as necessary at a rate of pay  
2-32 approved by the director.

2-33 (f) The director shall provide any meeting and hearing rooms as the board may require.

2-34 **23-86-5. Advisory board duties. --** The advisory board shall provide advice to the  
3-1 department of health on the development of standards for permissible exposure limits to mold in  
3-2 the indoor environment, guidelines for the identification of the presence of mold, guidelines for  
3-3 the assessment of the health risk posed by the presence of mold, and remediation guidelines and  
3-4 procedures for the abatement of a mold hazard.

3-5 **23-86-6. Permissible exposure limits. --** (a) Within twelve (12) months of the effective  
3-6 date of this act, the department of health shall adopt permissible exposure limits to mold in indoor  
3-7 environments, and procedures for the assessment of the health risk posed by the presence of  
3-8 mold. The exposure limits shall be set at levels to avoid adverse effects on health, with an  
3-9 adequate margin of safety. The department shall balance the protection of public health with  
3-10 technological and economic feasibility when it adopts permissible exposure limits and procedures  
3-11 for the assessment of the health risk posed by the presence of mold. The department shall use the  
3-12 latest scientific data to develop permissible exposure limits and assessment procedures that target  
3-13 the general population.

3-14 (b) The department shall consider the following criteria when it adopts permissible  
3-15 exposure limits and assessment procedures for molds in indoor environments:

3-16 (1) The adverse health effects of exposure to molds on the general population, the health  
3-17 effects on members of subgroups of the general population, which may include infants, children  
3-18 age six (6) years and under, pregnant women, the elderly, asthmatic, allergic individuals, immune  
3-19 compromised individuals or other subgroups that are identifiable as being at greater risk of  
3-20 adverse health effects than the general population when exposed to mold;

3-21 (2) The standards for mold exposure and procedures for assessing its health effects, if  
3-22 any, adopted by any other state or by a federal agency;

3-23 (3) The technological and economic feasibility of compliance with the proposed  
3-24 permissible exposure limit for molds. For the purposes of determining economic feasibility  
3-25 pursuant to this subsection, the department shall consider the costs of compliance to tenants,  
3-26 landlords, homeowners, and other affected parties; and

3-27 (4) Toxicological studies and any scientific evidence as it relates to mold.

3-28 **23-86-7. Mold identification guidelines. --** (a) Within twelve (12) months of the  
3-29 effective date of this act, the department of health shall adopt mold identification guidelines for  
3-30 the recognition of mold in indoor environments.

3-31 (b) Identification guidelines shall include scientifically accepted methods to identify the  
3-32 presence of mold, and may include procedures for the collection of air, surface and bulk samples,  
3-33 visual identification, olfactory identification, laboratory analysis, measurements of amount of  
3-34 moisture, and presence of mold, and any other recognized analytical method used for the  
4-1 identification of molds. The department may use scientific data or existing standards or  
4-2 procedures for the identification of molds adopted by any other state or by a federal agency.

4-3 (c) The department shall consider the following criteria when it develops identification  
4-4 guidelines for molds:

4-5 (1) Exposure limits and the procedures for the assessment of the health threat by molds;

4-6 (2) Any scientific or other evidence developed by the United States Environmental  
4-7 Protection Agency, the World Health Organization, Centers for Disease Control and Prevention,  
4-8 or any other public health or scientific organization.

4-9 **23-86-8. Mold remediation procedures. --** (a) Within twelve (12) months of the  
4-10 effective date of this act, the department of health shall adopt standards for mold remediation  
4-11 procedures including specialized cleaning, repairs, maintenance, painting, temporary containment

4-12 and ongoing monitoring of mold hazards or potential hazards.  
4-13 (b) Remediation procedures for mold developed by the department shall:  
4-14 (1) Provide practical guidelines for the removal of mold and abatement of the underlying  
4-15 cause of mold and associated water intrusion and water damage in indoor environments;  
4-16 (2) Balance the protection of public health with technological and economic feasibility;  
4-17 (3) Provide practical guidance for the removal or cleaning of contaminated materials in a  
4-18 manner that protects the health of the person performing the remediation, including requirements  
4-19 for the use of protective clothing or equipment.

4-20 **23-86-9. Public information.** -- The department shall make available to the public upon  
4-21 request, information about contracting for the removal of mold in a building or surrounding  
4-22 environment. The information to be made available shall include recommended steps to take  
4-23 when contracting with a company to remove mold, existing laws, regulations, and guidelines  
4-24 developed by the department of health, pertaining to permissible exposure limits to mold,  
4-25 identification, and remediation, health effects of molds, methods to prevent, identify and  
4-26 remediate mold growth, resources to obtain information about molds, and contact information for  
4-27 individuals, organizations, or government entities to assist with public concerns about molds.

4-28 **23-86-10. Disclosure required upon sale or lease.** -- Any person who sells, transfers or  
4-29 leases residential real property shall disclose, in writing, to any prospective buyer or lessee before  
4-30 the transfer of title or execution of the rental agreement, when the seller, transferor or  
4-31 landlord/property owner knows of the presence of mold in the unit or building and the mold either  
4-32 exceeds permissible exposure limits to mold or poses a health risk, pursuant to the standards  
4-33 adopted by the department of health. A disclosure shall not be required pursuant to this section if  
4-34 a mold hazard is remediated pursuant to the remediation standards adopted by the department

5-1 **23-86-11. Duties of residential lessee and lessor.** -- (a) Any lessee of residential  
5-2 property who knows that mold is present in the building, heating system, ventilating or air  
5-3 conditioning system, or appurtenant structures, or that there is a condition of chronic water  
5-4 intrusion or flood, shall inform the lessor of this knowledge in writing within a reasonable period  
5-5 of time. The lessee shall make the property available to the lessor or his or her agents for  
5-6 appropriate assessment or remedial action as soon as is reasonably practicable if the lessor is  
5-7 responsible for maintenance of the property. Nothing in this section shall affect existing duties  
5-8 and obligations of residential lessees and lessors.

5-9 (b) Except as provided in subsection 23-86-11(c), any person who owns a residential  
5-10 property, who knows or has notice that mold is present in the building, heating system, ventilating  
5-11 or air conditioning system, or appurtenant structures, or that there is a condition of chronic water  
5-12 intrusion or flood, shall, within a reasonable period of time, assess the presence of mold, or the  
5-13 condition likely to result in the presence of mold and conduct any necessary remedial action.

5-14 (c) The provisions of subsection (b) of this section shall not apply to any property where  
5-15 the lessee is responsible pursuant to a lease or other contract, for maintenance of the property.

5-16 (d) Any lessee of residential real property who knows that mold is present in the building,  
5-17 heating system, ventilating or air conditioning system, or appurtenant structures, or that there is a  
5-18 condition of chronic water intrusion or flood, and is responsible for maintenance of the property  
5-19 shall inform the owner of the property, in writing of the conditions as soon as practicable and  
5-20 shall correct the condition in compliance with the terms of the lease.

5-21 **23-86-12. Enforcement authority.** -- Any local health inspector, local housing inspector,  
5-22 or code enforcement officer may respond to complaints about mold and may enforce standards  
5-23 adopted by the department of health pursuant to this chapter and may enforce the disclosure  
5-24 requirements established by this chapter.

5-25 **23-86-13. Penalties.** -- Any person or entity acting in violation of either this chapter or  
5-26 any rules or regulations promulgated pursuant to the authority conferred by this chapter shall be  
5-27 fined by the director in an amount not to exceed five thousand dollars (\$5,000) for each violation  
5-28 provided that fines are not imposed until the director has afforded that person or entity an

5-29 [opportunity for a hearing on the matter. Each day during which any portion of a violation](#)

5-30 [continues shall constitute a separate offense.](#)

5-31 SECTION 2. This act shall take effect upon passage.



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MOTION: To table for information from DoH, SBC, Housing Resource Commission, Toxic Information Center, RIPIN S 0108 AN ACT RELATING TO HEALTH AND SAFETY -- TOXIC MOLD PROTECTION ACT AP/SB passed, abstain JR

S 0107 & H 5275 AN ACT RELATING TO INSURANCE -- AUTISM SPECTRUM DISORDERS Sen. O'Neill E & Rep. Palumbo in Senate Health and Human Services Committee & House Corporations Committee

This act would require coverage for the diagnosis and treatment of autism spectrum disorders. This act would take effect upon passage.

1-1 SECTION 1. Chapter 27-18 of the General Laws entitled "Accident and Sickness

1-2 Insurance Policies" is hereby amended by adding thereto the following section:

1-3 [27-18-71. Mandatory coverage for diagnosis and treatment of autism spectrum](#)

1-4 [disorders. – \(a\) As used in this section:](#)

1-5 [\(1\) "Applied behavior analysis" means the design, implementation and evaluation of](#)  
1-6 [environmental modifications, using behavioral stimuli and consequences, to produce socially](#)  
1-7 [significant improvement in human behavior, including the use of direct observation,](#)  
1-8 [measurement, and functional analysis of the relationship between environment and behavior.](#)

1-9 [\(2\) "Autism services provider" means any person, entity, or group that provides treatment](#)  
1-10 [of autism spectrum disorders.](#)

1-11 [\(3\) "Autism spectrum disorders" means any of the pervasive developmental disorders as](#)  
1-12 [defined by the most recent edition of the Diagnostic and Statistical Manual of Mental Disorders](#)  
1-13 [\(DSM\), including Autistic Disorder, Asperger's Disorder, and Pervasive Developmental Not](#)  
1-14 [Otherwise Specified.](#)

1-15 [\(4\) "Diagnosis of autism spectrum disorders" means medically necessary assessment,](#)  
1-16 [evaluations, or tests to diagnose whether an individual has one of the autism spectrum disorders.](#)

1-17 [\(5\) "Habilitative or rehabilitative care" means professional counseling, and guidance](#)  
1-18 [services and treatment programs, including applied behavioral analysis, that are necessary to](#)  
1-19 [develop, maintain, and restore, to the maximum extent practicable, the functioning of an](#)  
2-1 [individual.](#)

2-2 [\(6\) "Health insurance policy" means any group health policy or contract issued by an](#)  
2-3 [insurance entity subject to chapters 18, 19, 20 and 41 of title 27 of the general laws.](#)

2-4 [\(7\) "Medically necessary" means reasonably expected to do the following:](#)

2-5 [\(i\) Prevent the onset of an illness, condition, injury or disability;](#)

2-6 [\(ii\) Reduce or ameliorate the physical, mental or developmental effects of an illness,](#)  
2-7 [condition, injury or disability; or](#)

2-8 [\(iii\) Assist to achieve or maintain maximum functional capacity in performing daily](#)  
2-9 [activities, taking into account both the functional capacity of the individual and the functional](#)  
2-10 [capacities that are appropriate for individuals of the same age.](#)

2-11 [\(8\) "Pharmacy care" means medications prescribed by a licensed physician and any](#)  
2-12 [health-related services deemed medically necessary to determine the need or effectiveness of the](#)  
2-13 [medications.](#)

2-14 [\(9\) "Psychiatric care" means direct or consultative services provided by a psychiatrist](#)  
2-15 [licensed in the state in which the psychiatrist practices.](#)

2-16 [\(10\) "Psychological care" means direct or consultative services provided by a](#)  
2-17 [psychologist licensed in the state in which the psychologist practices.](#)

2-18 (11) "Therapeutic care" means services provided by licensed or certified speech  
2-19 therapists, occupational therapists, or physical therapists.

2-20 (12) "Treatment for autism spectrum disorders" will include the following care  
2-21 prescribed, provided, or ordered for an individual diagnosed with one of the autism spectrum  
2-22 disorders by a licensed physician or a licensed psychologist who determines the care to be  
2-23 medically necessary:

2-24 (i) Habilitative or rehabilitative care;  
2-25 (ii) Pharmacy care;  
2-26 (iii) Psychiatric care;  
2-27 (iv) Psychological care; and  
2-28 (v) Therapeutic care.

2-29 (b)(1) Every individual or group health insurance contract, plan, or policy delivered,  
2-30 issued for delivery or renewed in this state shall provide coverage for the diagnosis and treatment  
2-31 of autism spectrum disorders. No insurer shall terminate coverage, or refuse to deliver, execute,  
2-32 issue, mend, adjust, or renew coverage to an individual solely because the individual is diagnosed  
2-33 with one of the autism spectrum disorders or has received treatment for autism spectrum  
2-34 disorders.

3-1 (2) The coverage required under this section shall not be subject to dollar limits,  
3-2 deductibles, or coinsurance provisions that are less favorable to an insured than the dollar limits,  
3-3 deductibles, or coinsurance provisions that apply to physical illness generally under the health  
3-4 insurance policy.

3-5 (3) Coverage under this section shall not be subject to any limits on the number of visits  
3-6 an individual may make to an autism services provider.

3-7 (4) This section shall not be construed as limiting benefits that are otherwise available to  
3-8 an individual under a health insurance policy.

3-9 SECTION 2. Chapter 27-19 of the General Laws entitled "Nonprofit Hospital Service  
3-10 Corporations" is hereby amended by adding thereto the following section:  
3-11 27-19-62. Mandatory coverage for diagnosis and treatment of autism spectrum  
3-12 disorders. – (a) As used in this section:

3-13 (1) "Applied behavior analysis" means the design, implementation and evaluation of  
3-14 environmental modifications, using behavioral stimuli and consequences, to produce socially  
3-15 significant improvement in human behavior, including the use of direct observation,  
3-16 measurement, and functional analysis of the relationship between environment and behavior.

3-17 (2) "Autism services provider" means any person, entity, or group that provides treatment  
3-18 of autism spectrum disorders.

3-19 (3) "Autism spectrum disorders" means any of the pervasive developmental disorders as  
3-20 defined by the most recent edition of the Diagnostic and Statistical Manual of Mental Disorders  
3-21 (DSM), including Autistic Disorder, Asperger's Disorder, and Pervasive Developmental Not  
3-22 Otherwise Specified.

3-23 (4) "Diagnosis of autism spectrum disorders" means medically necessary assessment,  
3-24 evaluations, or tests to diagnose whether an individual has one of the autism spectrum disorders.

3-25 (5) "Habilitative or rehabilitative care" means professional counseling, and guidance  
3-26 services and treatment programs, including applied behavioral analysis, that are necessary to  
3-27 develop, maintain, and restore, to the maximum extent practicable, the functioning of an  
3-28 individual.

3-29 (6) "Health insurance policy" means any group health policy or contract issued by an  
3-30 insurance entity subject to chapters 18, 19, 20 and 41 of title 27 of the general laws.

3-31 (7) "Medically necessary" means reasonably expected to do the following:

3-32 (i) Prevent the onset of an illness, condition, injury or disability;  
3-33 (ii) Reduce or ameliorate the physical, mental or developmental effects of an illness,  
3-34 condition, injury or disability; or

4-1 (iii) Assist to achieve or maintain maximum functional capacity in performing daily  
4-2 activities, taking into account both the functional capacity of the individual and the functional  
4-3 capacities that are appropriate for individuals of the same age.  
4-4 (8) "Pharmacy care" means medications prescribed by a licensed physician and any  
4-5 health-related services deemed medically necessary to determine the need or effectiveness of the  
4-6 medications.  
4-7 (9) "Psychiatric care" means direct or consultative services provided by a psychiatrist  
4-8 licensed in the state in which the psychiatrist practices.  
4-9 (10) "Psychological care" means direct or consultative services provided by a  
4-10 psychologist licensed in the state in which the psychologist practices.  
4-11 (11) "Therapeutic care" means services provided by licensed or certified speech  
4-12 therapists, occupational therapists, or physical therapists.  
4-13 (12) "Treatment for autism spectrum disorders" will include the following care  
4-14 prescribed, provided, or ordered for an individual diagnosed with one of the autism spectrum  
4-15 disorders by a licensed physician or a licensed psychologist who determines the care to be  
4-16 medically necessary:  
4-17 (i) Habilitative or rehabilitative care;  
4-18 (ii) Pharmacy care;  
4-19 (iii) Psychiatric care;  
4-20 (iv) Psychological care; and  
4-21 (v) Therapeutic care.  
4-22 (b)(1) Every individual or group health insurance contract, plan, or policy, including any  
4-23 nonprofit hospital service contract plan or policy delivered, issued for delivery or renewed in this  
4-24 state shall provide coverage for the diagnosis and treatment of autism spectrum disorders. No  
4-25 insurer shall terminate coverage, or refuse to deliver, execute, issue, mend, adjust, or renew  
4-26 coverage to an individual solely because the individual is diagnosed with one of the autism  
4-27 spectrum disorders or has received treatment for autism spectrum disorders.  
4-28 (2) The coverage required under this section shall not be subject to dollar limits,  
4-29 deductibles, or coinsurance provisions that are less favorable to an insured than the dollar limits,  
4-30 deductibles, or coinsurance provisions that apply to physical illness generally under the health  
4-31 insurance policy.  
4-32 (3) Coverage under this section shall not be subject to any limits on the number of visits  
4-33 an individual may make to an autism services provider.  
4-34 (4) This section shall not be construed as limiting benefits that are otherwise available to  
5-1 an individual under a health insurance policy.  
5-2 SECTION 3. Chapter 27-20 of the General Laws entitled "Nonprofit Medical Service  
5-3 Corporations" is hereby amended by adding thereto the following sections:  
5-4 27-20-57. Mandatory coverage for diagnosis and treatment of autism spectrum  
5-5 disorders. – (a) As used in this section:  
5-6 (1) "Applied behavior analysis" means the design, implementation and evaluation of  
5-7 environmental modifications, using behavioral stimuli and consequences, to produce socially  
5-8 significant improvement in human behavior, including the use of direct observation,  
5-9 measurement, and functional analysis of the relationship between environment and behavior.  
5-10 (2) "Autism services provider" means any person, entity, or group that provides treatment  
5-11 of autism spectrum disorders.  
5-12 (3) "Autism spectrum disorders" means any of the pervasive developmental disorders as  
5-13 defined by the most recent edition of the Diagnostic and Statistical Manual of Mental Disorders  
5-14 (DSM), including Autistic Disorder, Asperger's Disorder, and Pervasive Developmental Not  
5-15 Otherwise Specified.  
5-16 (4) "Diagnosis of autism spectrum disorders" means medically necessary assessment,  
5-17 evaluations, or tests to diagnose whether an individual has one of the autism spectrum disorders.

5-18 (5) "Habilitative or rehabilitative care" means professional counseling, and guidance  
5-19 services and treatment programs, including applied behavioral analysis, that are necessary to  
5-20 develop, maintain, and restore, to the maximum extent practicable, the functioning of an  
5-21 individual.

5-22 (6) "Health insurance policy" means any group health policy or contract issued by an  
5-23 insurance entity subject to chapters 18, 19, 20 and 41 of title 27 of the general laws.

5-24 (7) "Medically necessary" means reasonably expected to do the following:  
5-25 (i) Prevent the onset of an illness, condition, injury or disability;  
5-26 (ii) Reduce or ameliorate the physical, mental or developmental effects of an illness,  
5-27 condition, injury or disability; or  
5-28 (iii) Assist to achieve or maintain maximum functional capacity in performing daily  
5-29 activities, taking into account both the functional capacity of the individual and the functional  
5-30 capacities that are appropriate for individuals of the same age.

5-31 (8) "Pharmacy care" means medications prescribed by a licensed physician and any  
5-32 health-related services deemed medically necessary to determine the need or effectiveness of the  
5-33 medications.

5-34 (9) "Psychiatric care" means direct or consultative services provided by a psychiatrist  
6-1 licensed in the state in which the psychiatrist practices.

6-2 (10) "Psychological care" means direct or consultative services provided by a  
6-3 psychologist licensed in the state in which the psychologist practices.

6-4 (11) "Therapeutic care" means services provided by licensed or certified speech  
6-5 therapists, occupational therapists, or physical therapists.

6-6 (12) "Treatment for autism spectrum disorders" will include the following care  
6-7 prescribed, provided, or ordered for an individual diagnosed with one of the autism spectrum  
6-8 disorders by a licensed physician or a licensed psychologist who determines the care to be  
6-9 medically necessary:

6-10 (i) Habilitative or rehabilitative care;  
6-11 (ii) Pharmacy care;  
6-12 (iii) Psychiatric care;  
6-13 (iv) Psychological care; and  
6-14 (v) Therapeutic care.

6-15 (b)(1) Any nonprofit medical service contract, plan, or policy delivered, issued for  
6-16 delivery or renewed in this state shall provide coverage for the diagnosis and treatment of autism  
6-17 spectrum disorders. No insurer shall terminate coverage, or refuse to deliver, execute, issue,  
6-18 mend, adjust, or renew coverage to an individual solely because the individual is diagnosed with  
6-19 one of the autism spectrum disorders or has received treatment for autism spectrum disorders.

6-20 (2) The coverage required under this section shall not be subject to dollar limits,  
6-21 deductibles, or coinsurance provisions that are less favorable to an insured than the dollar limits,  
6-22 deductibles, or coinsurance provisions that apply to physical illness generally under the health  
6-23 insurance policy.

6-24 (3) Coverage under this section shall not be subject to any limits on the number of visits  
6-25 an individual may make to an autism services provider.

6-26 (4) This section shall not be construed as limiting benefits that are otherwise available to  
6-27 an individual under a health insurance policy.

6-28 SECTION 4. Chapter 27-41 of the General Laws entitled "Health Maintenance  
6-29 Organizations" is hereby amended by adding thereto the following section:  
6-30 27-41-75. Mandatory coverage for diagnosis and treatment of autism spectrum  
6-31 disorders. – (a) As used in this section:  
6-32 (1) "Applied behavior analysis" means the design, implementation and evaluation of  
6-33 environmental modifications, using behavioral stimuli and consequences, to produce socially  
6-34 significant improvement in human behavior, including the use of direct observation,

7-1 measurement, and functional analysis of the relationship between environment and behavior.  
7-2 (2) "Autism services provider" means any person, entity, or group that provides treatment  
7-3 of autism spectrum disorders.  
7-4 (3) "Autism spectrum disorders" means any of the pervasive developmental disorders as  
7-5 defined by the most recent edition of the Diagnostic and Statistical Manual of Mental Disorders  
7-6 (DSM), including Autistic Disorder, Asperger's Disorder, and Pervasive Developmental Not  
7-7 Otherwise Specified.  
7-8 (4) "Diagnosis of autism spectrum disorders" means medically necessary assessment,  
7-9 evaluations, or tests to diagnose whether an individual has one of the autism spectrum disorders.  
7-10 (5) "Habilitative or rehabilitative care" means professional counseling, and guidance  
7-11 services and treatment programs, including applied behavioral analysis, that are necessary to  
7-12 develop, maintain, and restore, to the maximum extent practicable, the functioning of an  
7-13 individual.  
7-14 (6) "Health insurance policy" means any group health policy or contract issued by an  
7-15 insurance entity subject to chapters 18, 19, 20 and 41 of title 27 of the general laws.  
7-16 (7) "Medically necessary" means reasonably expected to do the following:  
7-17 (i) Prevent the onset of an illness, condition, injury or disability;  
7-18 (ii) Reduce or ameliorate the physical, mental or developmental effects of an illness,  
7-19 condition, injury or disability; or  
7-20 (iii) Assist to achieve or maintain maximum functional capacity in performing daily  
7-21 activities, taking into account both the functional capacity of the individual and the functional  
7-22 capacities that are appropriate for individuals of the same age.  
7-23 (8) "Pharmacy care" means medications prescribed by a licensed physician and any  
7-24 health-related services deemed medically necessary to determine the need or effectiveness of the  
7-25 medications.  
7-26 (9) "Psychiatric care" means direct or consultative services provided by a psychiatrist  
7-27 licensed in the state in which the psychiatrist practices.  
7-28 (10) "Psychological care" means direct or consultative services provided by a  
7-29 psychologist licensed in the state in which the psychologist practices.  
7-30 (11) "Therapeutic care" means services provided by licensed or certified speech  
7-31 therapists, occupational therapists, or physical therapists.  
7-32 (12) "Treatment for autism spectrum disorders" will include the following care  
7-33 prescribed, provided, or ordered for an individual diagnosed with one of the autism spectrum  
7-34 disorders by a licensed physician or a licensed psychologist who determines the care to be  
8-1 medically necessary:  
8-2 (i) Habilitative or rehabilitative care;  
8-3 (ii) Pharmacy care;  
8-4 (iii) Psychiatric care;  
8-5 (iv) Psychological care; and  
8-6 (v) Therapeutic care.  
8-7 (b)(1) Every health maintenance organization contract, plan, or policy delivered, issued  
8-8 for delivery or renewed in this state shall provide coverage for the diagnosis and treatment of  
8-9 autism spectrum disorders. No insurer shall terminate coverage, or refuse to deliver, execute,  
8-10 issue, mend, adjust, or renew coverage to an individual solely because the individual is diagnosed  
8-11 with one of the autism spectrum disorders or has received treatment for autism spectrum  
8-12 disorders.  
8-13 (2) The coverage required under this section shall not be subject to dollar limits,  
8-14 deductibles, or coinsurance provisions that are less favorable to an insured than the dollar limits,  
8-15 deductibles, or coinsurance provisions that apply to physical illness generally under the health  
8-16 insurance policy.  
8-17 (3) Coverage under this section shall not be subject to any limits on the number of visits

- 8-18 [an individual may make to an autism services provider.](#)
- 8-19 [\(4\) This section shall not be construed as limiting benefits that are otherwise available to](#)
- 8-20 [an individual under a health insurance policy.](#)
- 8-21 SECTION 5. This act shall take effect upon passage.

  
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**MOTION: To find beneficial S 0107 & H 5275 AN ACT RELATING TO INSURANCE -- AUTISM SPECTRUM DISORDERS AP/JD passed, abstained SB & JR**

**Bill Inlow asks Arthur Plitt to preside while he recuses himself from the discussion and vote on the following bills:**

**S 0053 AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- MOTOR FUEL TAX**  
 Sen. Felag in Senate Finance Committee  
 This act would reduce the tax per gallon on all taxable gallons of gasoline sold or used in this state from thirty-two cents (\$0.32) per gallon to twenty-eight cents (\$0.28) per gallon. This act would take effect upon passage.

**H 5157 AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- MOTOR FUEL TAX**  
 Rep. Phillips in House Finance Committee  
 This act would reduce the gasoline tax by five cents (\$.05) from thirty-two cents (\$0.32) per gallon to twenty-seven cents (\$0.27) per gallon.  
 This act would take effect upon passage.  
 [The gas tax pays for most of RIPTA and Ride Paratransit operations]

- S 0053 AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- MOTOR FUEL TAX
- 1-1 SECTION 1. Section 31-36-7 of the General Laws in Chapter 31-36 entitled "Motor Fuel
- 1-2 Tax" is hereby amended to read as follows:
- 1-3 **31-36-7. Monthly report of distributors -- Payment of tax. --** (a) State requirements. -
- 1-4 Every distributor shall, on or before the twentieth (20th) day of each month, render a report to the
- 1-5 tax administrator, upon forms to be obtained from the tax administrator, of the amount (number
- 1-6 of gallons) of fuels purchased, sold, or used by the distributor within this state and the amount of
- 1-7 fuels sold by the distributor without this state from fuels within this state during the preceding
- 1-8 calendar month, and, if required by the tax administrator as to purchases, the name or names of
- 1-9 the person or persons from whom purchased and the date and amount of each purchase, and as to
- 1-10 sales, the name or names of the person or persons to whom sold and the amount of each sale, and
- 1-11 shall pay at the same time to the administrator tax at the rate of ~~thirty-two cents (\$0.32)~~ [twenty-](#)
- 1-12 [eight cents \(\\$0.28\)](#) per gallon on all taxable gallons of fuel sold or used in this state.
- 1-13 (b) Federal requirements. - In the event the federal government requires a certain portion
- 1-14 of the gasoline tax to be dedicated for highway improvements, then the state controller is directed
- 1-15 to establish a restricted receipt account and deposit that portion of gasoline tax receipts which
- 1-16 brings the state into federal compliance.
- 2-1 SECTION 2. This act shall take effect upon passage.

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- H 5157 AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- MOTOR FUEL TAX
  - 1-1 SECTION 1. Section 31-36-7 of the General Laws in Chapter 31-36 entitled "Motor Fuel
  - 1-2 Tax" is hereby amended to read as follows:
  - 1-3 **31-36-7. Monthly report of distributors -- Payment of tax. --** (a) State requirements. -
  - 1-4 Every distributor shall, on or before the twentieth (20th) day of each month, render a report to the
  - 1-5 tax administrator, upon forms to be obtained from the tax administrator, of the amount (number
  - 1-6 of gallons) of fuels purchased, sold, or used by the distributor within this state and the amount of
  - 1-7 fuels sold by the distributor without this state from fuels within this state during the preceding

1-8 calendar month, and, if required by the tax administrator as to purchases, the name or names of  
 1-9 the person or persons from whom purchased and the date and amount of each purchase, and as to  
 1-10 sales, the name or names of the person or persons to whom sold and the amount of each sale, and  
 1-11 shall pay at the same time to the administrator tax at the rate of ~~thirty-two cents (\$0.32)~~ twenty-  
 1-12 eight cents (\$0.27) per gallon on all taxable gallons of fuel sold or used in this state.

1-13 (b) Federal requirements. - In the event the federal government requires a certain portion  
 1-14 of the gasoline tax to be dedicated for highway improvements, then the state controller is directed  
 1-15 to establish a restricted receipt account and deposit that portion of gasoline tax receipts which  
 1-16 brings the state into federal compliance.

2-1 SECTION 2. This act shall take effect upon passage.

<input checked="" type="checkbox"/>	<b>MOTION: To find harmful S 0053 &amp; H 5157 AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- MOTOR FUEL TAX MGS/JD passed, abstained JR recuse Bl.</b>
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	Announcements	Bill Inlow	4:20
AP discussed a case of an individual with mental illness who was arrested and didn't receive any behavioral health services for over a month. Only after his appearance in District Court and the Judge recognized his problems and ordered treatment did he get any services.			

	Agenda and Scheduling the Next Meeting	Bill Inlow	4:25
<p>The Legislation Committee meets the 2<sup>nd</sup> Monday 3 - 4:30 PM: 03/14; 04/11; 05/09; 06/13; 07/11; 08/15; 09/19; 11/07; and 12/12.</p> <p>Items to be placed on the next meeting's agenda:</p> <ol style="list-style-type: none"> <li>1. Status of Commission's Legislative Package</li> <li>2. Tabled Bills</li> <li>3. Consideration of New Bills/Budget Articles             <ol style="list-style-type: none"> <li>a. Eleanor Slater / Dept of Correction's Mental Health Intake</li> </ol> </li> <li>4. Announcements</li> <li>5. Agenda and Scheduling the Next Meeting</li> <li>6. Adjournment</li> </ol> <p>Next meeting will be on: Monday March 14<sup>th</sup> 3 - 4:30 PM</p>			

	Adjournment	Bill Inlow	4:30
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<input checked="" type="checkbox"/>	<b>MOTION: Vice Chair adjourned the meeting at 4:45 PM.</b>
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