

2022 -- H 8076

LC005494

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2022

A N A C T

RELATING TO HEALTH AND SAFETY -- HEALTH CARE WORKFORCE  
STABILIZATION PROGRAM

Introduced By: Representative Jacquelyn M. Baginski

Date Introduced: April 01, 2022

Referred To: House Finance

It is enacted by the General Assembly as follows:

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

3 CHAPTER 17.29

4 HEALTH CARE WORKFORCE STABILIZATION PROGRAM

5 **23-17.29-1. Short title.**

6 This chapter shall be known and may be cited as the "Health care Workforce Stabilization  
7 Program."

8 **23-17.29-2. Definitions.**

9 When used in this chapter:

10 (1) "COVID-19" means the disease caused by novel coronavirus SARS-CoV-2.

11 (2) "COVID-19 vaccine" means any vaccine against COVID-19 that is authorized by the  
12 U.S. Food and Drug Administration or World Health Organization.

13 (3) "Department" or "RIDOH" means the Rhode Island department of health.

14 (4) "Health care facility" means a facility as defined in § 23-17-2, as well as assisted living  
15 residences, as defined in § 23-17.4.-2, and adult daycare programs, as defined in § 23-1-52, and  
16 clinical laboratories, as defined in § 23-16.2-2 notwithstanding the provisions of § 23-17-2.

17 (5) "Health care worker" means any person who is temporarily or permanently employed  
18 by or at, or who serves as a volunteer in, or has an employment contract with, a health care facility,

1 and has or may have direct contact with a patient in that health care facility. This person may  
2 include, but not be limited to, a physician, physician assistant, nurse, nursing assistant, therapist,  
3 technician, clinician, behavioral analyst, social worker, occupational, physical or speech therapist,  
4 phlebotomist, emergency medical service practitioner, dental personnel, pharmacist, laboratory  
5 personnel, autopsy personnel, students and trainees, contractual staff not employed by the health  
6 care facility; other health care providers, including those who have privileges at, but are not  
7 employed by, the health care facility; and persons (e.g., clerical, dietary, housekeeping, laundry,  
8 security, maintenance, administrative, billing, and volunteers) not directly involved in patient care  
9 but potentially exposed, in the course of employment, to infectious agents that can be transmitted  
10 from person to person. This term shall not apply to a patient's family member or friend who visits  
11 or otherwise assists in the care of that patient in a health care facility.

12 (6) "Health care provider" means any person licensed by the department to provide or  
13 otherwise lawfully providing health care services, including, but not limited to, a physician, dentist,  
14 nurse, optometrist, podiatrist, physical therapist, social worker, pharmacist, emergency medical  
15 service practitioner, or psychologist; provided that, such person is either directly involved in patient  
16 care or potentially exposed to infectious agents that can be transmitted from person to person.

17 **23-17.29-3. Workforce stabilization fund.**

18 (a) The director is hereby authorized and directed to establish a program with funding to  
19 support health care workforce retention for health care workers under this chapter who:

20 (1) Worked as a health care worker during the period from January 1, 2020, to January 1,  
21 2021, and

22 (2) Worked a minimum of twenty (20) hours per week during the period in subsection  
23 (a)(1) of this section.

24 (b) Every eligible healthcare worker pursuant to subsection (a) of this section shall, subject  
25 to application pursuant to subsection (c) of this section, receive a one time payment of two thousand  
26 five hundred dollars (\$2,500) as a retention payment which shall be administered without regard to  
27 vaccination status.

28 (c) Any employer of a health care worker shall be required to submit to the department a  
29 retention payment application with the name of any employee who is eligible to receive the  
30 retention payment under this section. Provided, further, the employer shall be entitled to retain two  
31 percent (2%) of any retention payment made to an individual employee under this section, as an  
32 administrative expense.

33 (d) The department shall allocate the sum of two hundred million dollars (\$200,000,000)  
34 for the administration of this program. Any amount remaining in this fund at the expiration of the

1 program shall revert to the department.

2 (e) The department is hereby authorized to promulgate rules and regulations and produce  
3 application forms necessary to carry out the provisions of this chapter.

4 **23-17.29-4. Acute care and psychiatric hospital relief.**

5 The department is hereby authorized and directed to allocate the sum of two hundred  
6 million dollars (\$200,000,000) for the purposes of mitigating the negative impacts on hospital  
7 finances and operations as a result of the COVID-19 pandemic. Any acute care or psychiatric health  
8 care facility that can demonstrate a qualifying need, pursuant to the Coronavirus State and Local  
9 Fiscal Recovery Funds (SLFRF) program, shall be eligible to apply for financial relief in any  
10 amount under this section.

11 **23-17.29-5. Sunset.**

12 The provisions of this chapter shall expire on January 1, 2024.

13 SECTION 2. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

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RELATING TO HEALTH AND SAFETY -- HEALTH CARE WORKFORCE  
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1           This act would provide for a two hundred million dollar (\$200,000,000) fund to administer  
2 retention payments of two thousand five hundred dollars (\$2,500) for certain health care workers  
3 who worked during the COVID-19 pandemic without regard to vaccination status and provide two  
4 hundred million dollar (\$200,000,000) fund for payments to acute care or psychiatric hospitals who  
5 can demonstrate losses as a result of the COVID-19 pandemic.

6           This act would take effect upon passage.

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