

2015 -- S 0588

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2015

A N A C T

RELATING TO HEALTH AND SAFETY - RIGHTS OF NURSING HOME PATIENTS

Introduced By: Senators Lombardi, Conley, and Walaska

Date Introduced: March 03, 2015

Referred To: Senate Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 23-17.5-21 of the General Laws in Chapter 23-17.5 entitled "Rights
2 of Nursing Home Patients" is hereby amended to read as follows:

3 **23-17.5-21. Penalties.** – (a) Any nursing home which refuses or neglects to post
4 provisions [as set forth in § 23-17.5-20](#), or which violates the requirements of this chapter shall be
5 guilty of a misdemeanor for each violation punishable by a fine of up to five hundred dollars
6 (\$500) and/or six (6) months in jail.

7 [\(b\) Any person or resident whose rights as defined in this chapter are violated shall have](#)
8 [a cause of action against the nursing home, and/or the person committing such violation. The](#)
9 [action may be brought in a court of competent jurisdiction to enforce such rights, and to recover](#)
10 [actual and punitive damages for their violation. Any plaintiff who prevails in any such action](#)
11 [shall be entitled to recover reasonable attorneys' fees and costs of the action.](#)

12 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 - RIGHTS OF NURSING HOME PATIENTS

1 This act would enable nursing home residents whose rights are violated to bring action
2 against the facility. Any plaintiff who prevails shall be entitled to recover attorneys' fees and costs
3 of the action.

4 This act would take effect upon passage.

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