

2016 -- S 2101

LC003969

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2016

A N A C T

RELATING TO HEALTH AND SAFETY - RIGHTS OF NURSING HOME PATIENTS

Introduced By: Senators Lombardi, Archambault, DiPalma, Conley, and Lombardo

Date Introduced: January 21, 2016

Referred To: Senate Judiciary

It is enacted by the General Assembly as follows:

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

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

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

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 an action
- 2 against the facility for actual and punitive damages. Any plaintiff who prevails shall be entitled to
- 3 recover attorneys' fees and costs of the action.
- 4 This act would take effect upon passage.

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