

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2017

A N A C T

RELATING TO BEHAVIORAL HEALTHCARE, DEVELOPMENTAL DISABILITIES AND  
HOSPITALS – MENTAL HEALTH LAW

Introduced By: Senators DiPalma, Miller, Crowley, and Goldin

Date Introduced: March 02, 2017

Referred To: Senate Health & Human Services

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 40.1-5 of the General Laws entitled "Mental Health Law" is hereby  
2 amended by adding thereto the following section:

3 **40.1-5-8.1. Qualification of APRN to attest to patient condition.**

4 (a) Where a patient:

5 (1) Is receiving treatment at a licensed community mental health center as established  
6 pursuant to chapter 8.5 of this title;

7 (2) Is under the care of a licensed advance practice registered nurse (APRN) certified in  
8 psychiatry/mental health, as defined in §5-34-3; and

9 (3) Meets the criteria for court ordered outpatient treatment as established pursuant to this  
10 title, the APRN shall be deemed qualified to attest to the patient's condition and need for  
11 treatment, submit the necessary documents to a court, and testify in court.

12 (b) When the petitioner is an APRN the second physician's certificate must be completed  
13 by a licensed physician. When a physician is the petitioner, an APRN shall be deemed qualified  
14 to complete the second physician's certificate.

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

EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF  
A N A C T  
RELATING TO BEHAVIORAL HEALTHCARE, DEVELOPMENTAL DISABILITIES AND  
HOSPITALS – MENTAL HEALTH LAW

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1           This act would authorize a licensed advance practice registered nurse (APRN) certified  
2   in psychiatry/mental health to attest to a patient's condition and need for treatment, submit  
3   documents to court, and testify in court when the patient is receiving treatment at a licensed  
4   community mental health center.

5           This act would take effect upon passage.

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