

2018 -- S 2081

LC003212

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2018

A N A C T

RELATING TO BEHAVIORAL HEALTHCARE, DEVELOPMENTAL DISABILITIES AND HOSPITALS -- THE LICENSURE, INSPECTIONS AND INVESTIGATIONS OF DEVELOPMENTAL DISABILITIES FACILITIES

Introduced By: Senators DiPalma, Miller, Lombardi, Goldin, and Sheehan

Date Introduced: January 18, 2018

Referred To: Senate Health & Human Services

It is enacted by the General Assembly as follows:

1 SECTION 1. Sections 40.1-24-3 and 40.1-24-11 of the General Laws in Chapter 40.1-24  
2 entitled "Persons With Mental Illness, Addiction/Substance Abuse Disorders and Developmental  
3 Disabilities" are hereby amended to read as follows:

4 **40.1-24-3. License requirement.**

5 No person or governmental unit, acting severally or jointly with any other person or  
6 governmental unit, shall establish, conduct, or maintain a facility or program as defined in this  
7 chapter in this state without a license under this chapter. [The department shall make or cause to  
8 be made annual unannounced inspections and investigations of community residences as defined  
9 in §40.1-24-1.](#)

10 **40.1-24-11. Inspections and investigations -- Alterations or new construction.**

11 The department shall make or cause to be made such inspections and investigations that it  
12 deems necessary [in addition to the required licensure inspections and investigations pursuant to  
13 §40.1-24-3.](#) Deemed status shall not prohibit the department from conducting any inspection  
14 and/or investigation it deems necessary. The department may prescribe by regulations that any  
15 licensee or applicant desiring to make a specified type of alteration or addition to its facilities or  
16 to construct new facilities shall, before commencing the alteration, addition, or new construction,  
17 submit plans and specifications thereto to the department for preliminary inspection and approval  
18 or recommendations with respect to compliance with the regulations and standards herein

1 authorized. Necessary conference and consultations may be provided.

2 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 BEHAVIORAL HEALTHCARE, DEVELOPMENTAL DISABILITIES AND  
HOSPITALS -- THE LICENSURE, INSPECTIONS AND INVESTIGATIONS OF  
DEVELOPMENTAL DISABILITIES FACILITIES

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1           This act would require the department of behavioral healthcare, developmental  
2 disabilities and hospitals to make or cause to be made annual unannounced inspections and  
3 investigations of community residences.

4           This act would take effect upon passage.

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