

2025 -- H 5303

LC000767

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2025

A N A C T

RELATING TO HEALTH AND SAFETY -- HEALTHCARE PROFESSIONAL COMPLAINT
HISTORY TRANSPARENCY ACT

Introduced By: Representatives Knight, Speakman, Fogarty, McEntee, Cotter, Carson,
Donovan, Read, and Corvese

Date Introduced: February 05, 2025

Referred To: House Health & Human Services

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 104

4 HEALTHCARE PROFESSIONAL COMPLAINT HISTORY TRANSPARENCY AND

5 REVIEW ACT

6 **23-104-3. Title.**

7 This chapter shall be known and may be cited as the "Healthcare Professional Complaint
8 History Transparency Act."

9 **23-104-2. Purpose.**

10 The purpose of this chapter is to establish a transparent process for nursing homes and other
11 healthcare institutions to access the complaint history of prospective employees who hold a
12 professional healthcare license, to include certified nursing assistants ("CNAs"), registered nurses
13 ("RNs"), licensed practical nurses ("LPNs"), and other licensed healthcare providers. This chapter
14 seeks to ensure that hiring institutions can make informed decisions while protecting the rights of
15 license holders to review and contest complaints that are inaccurately attributed to their name or
16 license number.

17 **23-104-3. Definitions.**

18 For the purposes of this chapter, the following words and terms shall have the following

1 meanings:

2 (1) "Complaint history" means any filed complaint related to the conduct, care, or
3 performance of a healthcare professional, regardless of the outcome, including complaints that were
4 found baseless.

5 (2) "Dispute process" means a procedure that allows a license holder to contest the
6 inclusion of a complaint in the searchable database if the complaint was erroneously attributed to
7 the license holder.

8 (3) "Healthcare institution" means any facility or organization that provides healthcare
9 services, including nursing homes, hospitals, long-term care facilities, home health agencies, and
10 similar entities.

11 (4) "License holder" means a person who holds a current, valid professional healthcare
12 license issued by the department of health ("department") including, but not limited to, CNAs, RNs,
13 LPNs, and other licensed healthcare professionals.

14 (5) "Searchable database" means a web-based tool established by the department that
15 allows healthcare institutions to search and review the complaint history of licensed professionals
16 in real-time.

17 **23-104-4. Creation of searchable database.**

18 (a) The department shall create and maintain an online, searchable database that provides
19 healthcare institutions with access to the complaint history of any licensed healthcare professional.

20 (b) The database shall contain a list of all complaints filed against licensed healthcare
21 professionals, including:

22 (1) The nature of the complaint;

23 (2) The resolution of the complaint, including whether the complaint was substantiated,
24 dismissed, or found baseless; and

25 (3) The outcome of any investigations, disciplinary actions, or sanctions taken, if
26 applicable.

27 (c) Healthcare institutions shall be able to search the database by the license holder's name,
28 license number, and other identifying information as determined by the department.

29 (d) The database shall be publicly accessible; provided, however, that it shall be restricted
30 to healthcare institutions and other authorized parties, to include healthcare employers and
31 healthcare hiring entities, for the purpose of evaluating prospective hires.

32 **23-104-5. Rights of license holders.**

33 (a) Every licensed healthcare professional has the right to review their complaint history
34 through the department's database. License holders shall be provided with a secure online portal to

1 [view their personal complaint history.](#)

2 [\(b\) If a license holder believes that a complaint entry is listed under their name or license](#)
3 [number in error, they may file a dispute with the department by submitting a formal written request](#)
4 [for dispute resolution to the department.](#)

5 [\(c\)\(1\) The department shall investigate the validity of the dispute and, if the complaint was](#)
6 [incorrectly attributed, shall promptly correct the record. The fact that a complaint is determined to](#)
7 [be false, unfounded or groundless shall not be grounds to have the complaint removed from the](#)
8 [database.](#)

9 [\(2\) The department shall notify the license holder in writing regarding the resolution of](#)
10 [their dispute.](#)

11 **23-104-6. Restrictions and exclusions.**

12 [\(a\) Complaints that are ultimately determined to be baseless or without merit shall remain](#)
13 [on the database for transparency purposes; provided, however, the resolution status of these](#)
14 [complaints shall be clearly marked as “baseless” or “unsubstantiated” in the database.](#)

15 [\(b\) The department shall ensure that all personal and sensitive information relating to](#)
16 [complaints and investigations shall remain confidential, except as required for the operation of the](#)
17 [searchable database. Any personal data that is not directly related to the complaint history shall be](#)
18 [excluded from the database.](#)

19 **23-104-7. Additional background investigation.**

20 [\(a\) Nothing in this chapter shall be construed to limit, restrict or negate any obligation in](#)
21 [the law or regulation regarding an employer or hiring agent to conduct any other required](#)
22 [background or criminal background check or investigation, or for the employer or hiring agent to](#)
23 [exercise due care in the hiring process.](#)

24 [\(b\) The department shall provide guidance, training materials, and resources to healthcare](#)
25 [institutions regarding how to use the searchable database effectively and how to incorporate this](#)
26 [data into their hiring processes.](#)

27 **23-104-8. Implementation and timeline.**

28 [The department shall create and make the searchable database available to healthcare](#)
29 [institutions by July 1, 2026.](#)

30 **23-104-9. Severability.**

31 [If any provision of this chapter is found to be invalid or unenforceable by a court of](#)
32 [competent jurisdiction, the remaining provisions shall remain in full force and effect.](#)

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

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO HEALTH AND SAFETY -- HEALTHCARE PROFESSIONAL COMPLAINT
HISTORY TRANSPARENCY ACT

1 This act would require the establishment of a searchable database of healthcare
2 professionals' complaint histories, accessible to healthcare employers. License holders can review
3 and dispute entries inaccurately attributed to the license holder.

4 This act would take effect upon passage.

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