

ARTICLE 10 AS AMENDED

RELATING TO HEALTH AND HUMAN SERVICES

SECTION 1. Section 23-13-22 of the General Laws in Chapter 23-13 entitled "Maternal and Child Health Services for Children with Special Health Care Needs" is hereby amended to read as follows:

23-13-22. Early intervention program for developmentally disabled infants.

(a) The ~~director~~ secretary of the ~~department of human services~~ executive office of health and human services (EOHHS) shall ensure that all developmentally disabled infants from birth to three (3) years of age shall be enrolled in the early intervention program. Beginning July 1, 2026, EOHHS and the department of elementary and secondary education shall create a plan to allow children to remain in early intervention until September 1 after their third birthday, as allowed by federal law 20 U.S.C. § 1435(c). Further, such plan shall include, but not be limited to, seeking any federal approvals necessary or desirable to implement the aforesaid policy. By January 1, 2028, EOHHS shall allow children who turn three (3) years old between May 1 and August 31 to remain in early intervention until September 1 after the child's third birthday. Regulations governing the delivery of services under this program, including eligibility criteria, shall be promulgated by the ~~department of human services~~ EOHHS, with the advice of the interagency coordinating council; provided, however, that all regulations promulgated by the department of health shall remain in full force and effect until the time they are replaced by regulations promulgated by the ~~department of human services~~ EOHHS. The regulations shall stipulate, at a minimum, the following provisions that are consistent with the intent of this chapter:

(1) The ~~director~~ secretary shall develop and maintain a procedure for the earliest possible identification and efficient referral of all developmentally disabled infants;

(2) The ~~director~~ secretary shall ensure that every infant identified and referred to this program is enrolled as soon as possible after birth; and further, that for infants placed on a waiting list for facility based group programming, an early intervention program shall be made available within a thirty (30) day period from the time a need is identified in the individual program plan;

(3) Unless parents refuse the service, the home visiting component of the program shall commence as soon as the infant has been identified as having a possible developmental disability;

(4) Any parent(s) who is/are dissatisfied with decisions or termination of service or with

1 practices and procedures of a particular agency or the ~~department of human services~~ [EOHHS](#) shall
2 notify the ~~director~~ [secretary](#) of the ~~department of human services~~ [EOHHS](#) in writing within thirty
3 (30) calendar days and the complaint shall be reviewed in accordance with ~~department of health~~
4 [EOHHS](#) policy and procedures, as amended, and the Administrative Procedures Act, chapter 35 of
5 title 42.

6 (5) An early intervention program for purposes of this section shall mean a comprehensive
7 array of educational, developmental, health, and social services provided on a calendar year basis
8 to eligible infants, children, and their families as specified in program regulations.

9 (b) Within ninety (90) days after October 1, 2004, an evaluation plan describing outcome
10 measures that document the program's successes and shortcomings from the previous fiscal year
11 shall be submitted to the speaker of the house of representatives, the president of the senate and the
12 house oversight committee and the governor and the interagency coordinating council.
13 Development of the plan shall be made in consultation with the entities with expertise in this area
14 and the interagency coordinating council. The plan shall include a memorandum of understanding
15 between the department of health, department of human services and the department of elementary
16 and secondary education that demonstrates coordination and continuity of early intervention
17 services among these departments.

18 (c) Within six (6) months after January 1, 2005 where prescribed outcomes documented in
19 the evaluation plan have not been accomplished the responsible agencies shall submit written
20 explanations for the shortfalls, together with their proposed remedies. The report shall also include
21 evaluation of the progress of the coordination efforts between the department of health and the
22 department of human services and the department of elementary and secondary education and the
23 interagency coordinating council and shall include any recommendations regarding modifications
24 of the reimbursement mechanisms of this chapter.

25 (d) Within twelve (12) months after August 1, 2005 a final report shall include the progress
26 of the coordination efforts between the department of health and the department of human services
27 and department of elementary and secondary education, interagency coordinating council and shall
28 include any recommendations regarding modifications to the comprehensive array of educational,
29 developmental, health and social services provided on a calendar year basis to eligible infants,
30 children and their families as specified in an early intervention system.

31 (e) All reports or documents required to be produced pursuant to 20 U.S.C. § 1471 et seq.,
32 shall be submitted to the speaker of the house, president of the senate and the chairpersons of the
33 appropriate house of representatives and senate oversight committees and the governor and the
34 interagency coordinating council. Adherence to such plans and reporting requirements, and budgets

1 and the timely achievement of goals contained therein shall be considered by the oversight
2 committees of the house of representatives and senate, among other relevant factors, in determining
3 appropriations or other systemic changes.

4 (f) In developing and implementing the plan to extend early intervention services beyond
5 age three (3) as provided in subsection (a) of this section, the secretary shall:

6 (1) Appoint and convene an implementation advisory committee to advise on the
7 implementation of the plan. The committee shall include:

8 (i) The individual designated by the state to serve as the coordinator for Part C in EOHHS;

9 (ii) The individual designated by the state to serve as the coordinator for Section 619 of the
10 Individuals with Disabilities Education Act (IDEA) in the department of elementary and secondary
11 education;

12 (iii) Not fewer than three (3) representatives of early intervention provider agencies;

13 (iv) Not fewer than two (2) representatives of local education agencies (“LEA”);

14 (v) Not fewer than two (2) advocates or experts with demonstrated expertise in early
15 intervention or early childhood special education; and

16 (vi) Not fewer than two (2) parents of children who have received early intervention
17 services and have transitioned to early childhood special education within the preceding three (3)
18 years.

19 (2) The implementation advisory committee shall:

20 (i) Meet for a period of at least one year following the official effective date of the extension
21 policy;

22 (ii) Identify strategies to reduce administrative burdens on families, early intervention
23 providers, LEA, and the state including, but not limited to, the use of federal funds earmarked for
24 early intervention extension to the extent allowable;

25 (iii) Earmark appropriate federal early intervention funding and develop shared resources
26 to support training and development for early intervention providers and LEA regarding the
27 extension option; and

28 (iv) Develop strategies to maximize providers’ ability to support the new over-three (3)
29 population during spring and summer months, including through the appropriate use of group-based
30 therapies while maintaining services necessary to meet individualized developmental needs.

31 (3) All meetings of the implementation advisory committee shall be open to the public and
32 conducted in accordance with chapter 46 of title 42.

33 (4) Not later than September 30, 2031, the secretary shall prepare and submit to the speaker
34 of the house of representatives and the president of the senate a report evaluating the

1 implementation of the extension plan provided for in subsection (a) of this section. The report shall
2 include, but not be limited to: data regarding the number of families who elected to extend early
3 intervention services and the number of families who declined to extend early intervention services;
4 and an assessment of the impact of the extension provided for in subsection (a) of this section on
5 children, families, early intervention providers, LEA, and the state.

6 SECTION 2. Section 27-18-64 of the General Laws in Chapter 27-18 entitled "Accident
7 and Sickness Insurance Policies" is hereby amended to read as follows:

8 **27-18-64. Coverage for early intervention services.**

9 (a) Every individual or group hospital or medical expense insurance policy or contract
10 providing coverage for dependent children, delivered or renewed in this state on or after July 1,
11 2004, shall include coverage of early intervention services which coverage shall take effect no later
12 than January 1, 2005. Such coverage shall not be subject to deductibles and coinsurance factors.
13 Any amount paid by an insurer under this section for a dependent child shall not be applied to any
14 annual or lifetime maximum benefit contained in the policy or contract. For the purpose of this
15 section, "early intervention services" means, but is not limited to, speech and language therapy,
16 occupational therapy, physical therapy, evaluation, case management, nutrition, service plan
17 development and review, nursing services, and assistive technology services and devices for:

18 (1) ~~dependents~~ Dependents from birth to age three (3) who are certified by the executive
19 office of health and human services ("EOHHS") as eligible for services under ~~part~~ Part C of the
20 Individuals with Disabilities Education Act (20 U.S.C. § 1471 et seq.); or

21 (2) Dependents who are older than age three (3) and are eligible for services pursuant to §
22 23-13-22 and are certified by the EOHHS as eligible for services under Part C of the Individuals
23 with Disabilities Education Act (20 U.S.C. § 1431 et seq.).

24 (b) Insurers shall reimburse certified, early intervention providers, who are designated as
25 such by the ~~executive office of health and human services~~ (EOHHS), for early intervention services
26 as defined in this section at rates of reimbursement equal to, or greater than, the prevailing
27 integrated state Medicaid rate for early intervention services as established by the ~~executive office~~
28 ~~of health and human services~~ (EOHHS).

29 (c) This section shall not apply to insurance coverage providing benefits for: (1) Hospital
30 confinement indemnity; (2) Disability income; (3) Accident only; (4) Long-term care; (5) Medicare
31 supplement; (6) Limited benefit health; (7) Specified disease indemnity; (8) Sickness or bodily
32 injury or death by accident or both; and (9) Other limited benefit policies.

33 SECTION 3. Section 27-19-55 of the General Laws in Chapter 27-19 entitled "Nonprofit
34 Hospital Service Corporations" is hereby amended to read as follows:

1 **27-19-55. Coverage for early intervention services.**

2 (a) Every individual or group hospital or medical expense insurance policy or contract
3 providing coverage for dependent children, delivered or renewed in this state on or after July 1,
4 2004, shall include coverage of early intervention services which coverage shall take effect no later
5 than January 1, 2005. The coverage shall be limited to a benefit of five thousand dollars (\$5,000)
6 per dependent child per policy or calendar year and shall not be subject to deductibles and
7 coinsurance factors. Any amount paid by an insurer under this section for a dependent child shall
8 not be applied to any annual or lifetime maximum benefit contained in the policy or contract. For
9 the purpose of this section, "early intervention services" means, but is not limited to: speech and
10 language therapy, occupational therapy, physical therapy, evaluation, case management, nutrition,
11 service plan development and review, nursing services, and assistive technology services and
12 devices for;

13 (1) ~~dependents~~ Dependents from birth to age three (3) who are certified by the ~~department~~
14 ~~of executive office of health and~~ human services ("EOHHS") as eligible for services under ~~part~~
15 Part C of the Individuals with Disabilities Education Act (20 U.S.C. § 1431 et seq.); or

16 (2) Dependents who are older than age three (3) and are eligible for services pursuant to §
17 23-13-22 and are certified by the EOHHS as eligible for services under Part C of the Individuals
18 with Disabilities Education Act (20 U.S.C. § 1431 et seq.).

19 (b) Subject to the annual limits provided in this section, insurers shall reimburse certified
20 early intervention providers, who are designated as such by the ~~department of human services~~
21 EOHHS, for early intervention services as defined in this section at rates of reimbursement equal
22 to or greater than the prevailing integrated state/Medicaid rate for early intervention services as
23 established by the ~~department of human services~~ EOHHS.

24 (c) This section shall not apply to insurance coverage providing benefits for: (1) Hospital
25 confinement indemnity; (2) Disability income; (3) Accident only; (4) Long-term care; (5) Medicare
26 supplement; (6) Limited benefit health; (7) Specified disease indemnity; (8) Sickness or bodily
27 injury or death by accident, or both; and (9) Other limited benefit policies.

28 SECTION 4. Section 27-20-50 of the General Laws in Chapter 27-20 entitled "Nonprofit
29 Medical Service Corporations" is hereby amended to read as follows:

30 **27-20-50. Coverage for early intervention services.**

31 (a) Every individual or group hospital or medical expense insurance policy or contract
32 providing coverage for dependent children, delivered or renewed in this state on or after July 1,
33 2004, shall include coverage of early intervention services which coverage shall take effect no later
34 than January 1, 2005. The coverage shall be limited to a benefit of five thousand dollars (\$5,000)

1 per dependent child per policy or calendar year and shall not be subject to deductibles and
2 coinsurance factors. Any amount paid by an insurer under this section for a dependent child shall
3 not be applied to any annual or lifetime maximum benefit contained in the policy or contract. For
4 the purpose of this section, “early intervention services” means, but is not limited to: speech and
5 language therapy; occupational therapy; physical therapy; evaluation; case management; nutrition;
6 service plan development and review; nursing services; and assistive technology services and
7 devices for:

8 (1) ~~dependents~~ Dependents from birth to age three (3) who are certified by the ~~department~~
9 ~~of executive office of health and~~ human services (“EOHHS”) as eligible for services under ~~part~~
10 Part C of the Individuals with Disabilities Education Act (20 U.S.C. § 1431 et seq.); or

11 (2) Dependents who are older than age three (3) and are eligible for services pursuant to §
12 23-13-22 and are certified by the EOHHS as eligible for services under Part C of the Individuals
13 with Disabilities Education Act (20 U.S.C. § 1431 et seq.).

14 (b) Subject to the annual limits provided in this section, insurers shall reimburse certified
15 early intervention providers, who are designated as such by the ~~department of human services~~
16 EOHHS, for early intervention services as defined in this section at rates of reimbursement equal
17 to or greater than the prevailing integrated state/Medicaid rate for early intervention services as
18 established by the ~~department of human services~~ EOHHS.

19 (c) This section shall not apply to insurance coverage providing benefits for: (1) Hospital
20 confinement indemnity; (2) Disability income; (3) Accident only; (4) Long-term care; (5) Medicare
21 supplement; (6) Limited benefit health; (7) Specified disease indemnity; (8) Sickness or bodily
22 injury or death by accident or both; and (9) Other limited benefit policies.

23 SECTION 5. Section 27-41-68 of the General Laws in Chapter 27-41 entitled "Health
24 Maintenance Organizations" is hereby amended to read as follows:

25 **27-41-68. Coverage for early intervention services.**

26 (a) Every individual or group hospital or medical expense insurance policy or contract
27 providing coverage for dependent children, delivered or renewed in this state on or after July 1,
28 2004, shall include coverage of early intervention services which coverage shall take effect no later
29 than January 1, 2005. The coverage shall be limited to a benefit of five thousand dollars (\$5,000)
30 per dependent child per policy or calendar year and shall not be subject to deductibles and
31 coinsurance factors. Any amount paid by an insurer under this section for a dependent child shall
32 not be applied to any annual or lifetime maximum benefit contained in the policy or contract. For
33 the purpose of this section, “early intervention services” means, but is not limited to: speech and
34 language therapy, occupational therapy, physical therapy, evaluation, case management, nutrition,

1 service plan development and review, nursing services, and assistive technology services and
2 devices for:

3 ~~(1) dependents~~ Dependents from birth to age three (3) who are certified by the ~~department~~
4 ~~of executive office of health and~~ human services (“EOHHS”) as eligible for services under ~~part~~
5 Part C of the Individuals with Disabilities Education Act (20 U.S.C. § 1431 et seq.); or

6 (2) Dependents who are older than age three (3) and are eligible for services pursuant to §
7 23-13-22 and are certified by the EOHHS as eligible for services under Part C of the Individuals
8 with Disabilities Education Act (20 U.S.C. § 1431 et seq.).

9 (b) Subject to the annual limits provided in this section, insurers shall reimburse certified
10 early intervention providers, who are designated as such by the ~~department of human services~~
11 EOHHS, for early intervention services as defined in this section at rates of reimbursement equal
12 to or greater than the prevailing integrated state/Medicaid rate for early intervention services as
13 established by the ~~department of human services~~ EOHHS.

14 (c) This section shall not apply to insurance coverage providing benefits for: (1) Hospital
15 confinement indemnity; (2) Disability income; (3) Accident only; (4) Long-term care; (5) Medicare
16 supplement; (6) Limited benefit health; (7) Specified disease indemnity; (8) Sickness or bodily
17 injury or death by accident or both; and (9) Other limited benefit policies.

18 SECTION 6. Sections 40-5.2-10, 40-5.2-20 and 40-5.2-35 of the General Laws in Chapter
19 40-5.2 entitled "The Rhode Island Works Program" are hereby amended to read as follows:

20 **40-5.2-10. Necessary requirements and conditions.**

21 The following requirements and conditions shall be necessary to establish eligibility for
22 the program.

23 (a) **Citizenship, alienage, and residency requirements.**

24 (1) A person shall be a resident of the state of Rhode Island.

25 (2) Effective October 1, 2008, a person shall be a United States citizen, or shall meet the
26 alienage requirements established in § 402(b) of the Personal Responsibility and Work Opportunity
27 Reconciliation Act of 1996, PRWORA, Pub. L. No. 104-193 and as that section may hereafter be
28 amended [8 U.S.C. § 1612]; a person who is not a United States citizen and does not meet the
29 alienage requirements established in PRWORA, as amended, is not eligible for cash assistance in
30 accordance with this chapter.

31 (b) The family/assistance unit must meet any other requirements established by the
32 department of human services by rules and regulations adopted pursuant to the Administrative
33 Procedures Act, as necessary to promote the purpose and goals of this chapter.

34 (c) Receipt of cash assistance is conditional upon compliance with all program

1 requirements.

2 (d) All individuals domiciled in this state shall be exempt from the application of
3 subdivision 115(d)(1)(A) of Pub. L. No. 104-193, the Personal Responsibility and Work
4 Opportunity Reconciliation Act of 1996, PRWORA [21 U.S.C. § 862a], which makes any
5 individual ineligible for certain state and federal assistance if that individual has been convicted
6 under federal or state law of any offense that is classified as a felony by the law of the jurisdiction
7 and that has as an element the possession, use, or distribution of a controlled substance as defined
8 in § 102(6) of the Controlled Substances Act (21 U.S.C. § 802(6)).

9 **(e) Individual employment plan as a condition of eligibility.**

10 (1) Following receipt of an application, the department of human services shall assess the
11 financial conditions of the family, including the non-parent caretaker relative who is applying for
12 cash assistance for themselves as well as for the minor child(ren), in the context of an eligibility
13 determination. If a parent or non-parent caretaker relative is unemployed or under-employed, the
14 department shall conduct an initial assessment, taking into account:

15 (A) The physical capacity, skills, education, work experience, health, safety, family
16 responsibilities, and place of residence of the individual; and

17 (B) The child care and supportive services required by the applicant to avail themselves of
18 employment opportunities and/or work readiness programs.

19 (2) On the basis of this assessment, the department of human services and the department
20 of labor and training, as appropriate, in consultation with the applicant, shall develop an individual
21 employment plan for the family that requires the individual to participate in the intensive
22 employment services. Intensive employment services shall be defined as the work requirement
23 activities in § 40-5.2-12(g) and (i).

24 (3) The director, or the director's designee, may assign a case manager to an
25 applicant/participant, as appropriate.

26 (4) The department of labor and training and the department of human services in
27 conjunction with the participant shall develop a revised individual employment plan that shall
28 identify employment objectives, taking into consideration factors above, and shall include a
29 strategy for immediate employment and for preparing for, finding, and retaining employment
30 consistent, to the extent practicable, with the individual's career objectives.

31 (5) The individual employment plan must include the provision for the participant to
32 engage in work requirements as outlined in § 40-5.2-12.

33 (6)(i) The participant shall attend and participate immediately in intensive assessment and
34 employment services as the first step in the individual employment plan, unless temporarily exempt

1 from this requirement in accordance with this chapter. Intensive assessment and employment
2 services shall be defined as the work requirement activities in § 40-5.2-12(g) and (i).

3 (ii) Parents under age twenty (20) without a high school diploma or general equivalency
4 diploma (GED) shall be referred to special teen-parent programs that will provide intensive services
5 designed to assist teen parents to complete high school education or GED, and to continue approved
6 work plan activities in accord with Rhode Island works program requirements.

7 (7) The applicant shall become a participant in accordance with this chapter at the time the
8 individual employment plan is signed and entered into.

9 (8) Applicants and participants of the Rhode Island works program shall agree to comply
10 with the terms of the individual employment plan, and shall cooperate fully with the steps
11 established in the individual employment plan, including the work requirements.

12 (9) The department of human services has the authority under the chapter to require
13 attendance by the applicant/participant, either at the department of human services or at the
14 department of labor and training, at appointments deemed necessary for the purpose of having the
15 applicant enter into and become eligible for assistance through the Rhode Island works program.
16 The appointments include, but are not limited to: the initial interview, orientation and assessment;
17 job readiness; and job search. Attendance is required as a condition of eligibility for cash assistance
18 in accordance with rules and regulations established by the department.

19 (10) As a condition of eligibility for assistance pursuant to this chapter, the
20 applicant/participant shall be obligated to keep appointments; attend orientation meetings at the
21 department of human services and/or the Rhode Island department of labor and training; participate
22 in any initial assessments or appraisals; and comply with all the terms of the individual employment
23 plan in accordance with department of human services rules and regulations.

24 (11) A participant, including a parent or non-parent caretaker relative included in the cash
25 assistance payment, shall not voluntarily quit a job or refuse a job unless there is good cause as
26 defined in this chapter or the department's rules and regulations.

27 (12) A participant who voluntarily quits or refuses a job without good cause, as defined in
28 § 40-5.2-12(l), while receiving cash assistance in accordance with this chapter, shall be sanctioned
29 in accordance with rules and regulations promulgated by the department.

30 (f) **Resources.**

31 (1) The family or assistance unit's countable resources shall be less than the allowable
32 resource limit established by the department in accordance with this chapter.

33 (2) No family or assistance unit shall be eligible for assistance payments if the combined
34 value of its available resources (reduced by any obligations or debts with respect to such resources)

1 exceeds five thousand dollars (\$5,000).

2 (3) For purposes of this subsection, the following shall not be counted as resources of the
3 family/assistance unit in the determination of eligibility for the works program:

4 (i) The home owned and occupied by a child, parent, relative, or other individual;

5 (ii) Real property owned by a husband and wife as tenants by the entirety, if the property
6 is not the home of the family and if the spouse of the applicant refuses to sell his or her interest in
7 the property;

8 (iii) Real property that the family is making a good faith effort to dispose of, however, any
9 cash assistance payable to the family for any such period shall be conditioned upon such disposal
10 of the real property within six (6) months of the date of application and any payments of assistance
11 for that period shall (at the time of disposal) be considered overpayments to the extent that they
12 would not have occurred at the beginning of the period for which the payments were made. All
13 overpayments are debts subject to recovery in accordance with the provisions of the chapter;

14 (iv) Income-producing property other than real estate including, but not limited to,
15 equipment such as farm tools, carpenter's tools, and vehicles used in the production of goods or
16 services that the department determines are necessary for the family to earn a living;

17 (v) One vehicle for each adult household member, but not to exceed two (2) vehicles per
18 household, and in addition, a vehicle used primarily for income-producing purposes such as, but
19 not limited to, a taxi, truck, or fishing boat; a vehicle used as a family's home; a vehicle that
20 annually produces income consistent with its fair market value, even if only used on a seasonal
21 basis; a vehicle necessary to transport a family member with a disability where the vehicle is
22 specially equipped to meet the specific needs of the person with a disability or if the vehicle is a
23 special type of vehicle that makes it possible to transport the person with a disability;

24 (vi) Household furnishings and appliances, clothing, personal effects, and keepsakes of
25 limited value;

26 (vii) Burial plots (one for each child, relative, and other individual in the assistance unit)
27 and funeral arrangements;

28 (viii) For the month of receipt and the following month, any refund of federal income taxes
29 made to the family by reason of § 32 of the Internal Revenue Code of 1986, 26 U.S.C. § 32 (relating
30 to earned income tax credit), and any payment made to the family by an employer under § 3507 of
31 the Internal Revenue Code of 1986, 26 U.S.C. § 3507 [repealed] (relating to advance payment of
32 such earned income credit);

33 (ix) The resources of any family member receiving supplementary security income
34 assistance under the Social Security Act, 42 U.S.C. § 301 et seq.;

1 (x) Any veteran's disability pension benefits received as a result of any disability sustained
2 by the veteran while in the military service.

3 (g) **Income.**

4 (1) Except as otherwise provided for herein, in determining eligibility for and the amount
5 of cash assistance to which a family is entitled under this chapter, the income of a family includes
6 all of the money, goods, and services received or actually available to any member of the family.

7 (2) In determining the eligibility for and the amount of cash assistance to which a
8 family/assistance unit is entitled under this chapter, income in any month shall not include the first
9 five hundred and twenty-five dollars (\$525) of gross earnings plus fifty percent (50%) of the gross
10 earnings of the family in excess of five hundred and twenty-five dollars (\$525) earned during the
11 month.

12 (3) The income of a family shall not include:

13 (i) The first ~~fifty dollars (\$50.00)~~ one hundred dollars (\$100) in child support received for
14 one child, or two hundred dollars (\$200) for households with two (2) or more children, in any month
15 from each noncustodial parent of a child plus any arrearages in child support (to the extent of the
16 ~~first fifty dollars (\$50.00)~~ child support pass-through dollars per month multiplied by the number
17 of months in which the support has been in arrears) that are paid in any month by a noncustodial
18 parent of a child;

19 (ii) Earned income of any child;

20 (iii) Income received by a family member who is receiving Supplemental Security Income
21 (SSI) assistance under Title XVI of the Social Security Act, 42 U.S.C. § 1381 et seq.;

22 (iv) The value of assistance provided by state or federal government or private agencies to
23 meet nutritional needs, including: value of USDA-donated foods; value of supplemental food
24 assistance received under the Child Nutrition Act of 1966, as amended, and the special food service
25 program for children under Title VII, nutrition program for the elderly, of the Older Americans Act
26 of 1965 as amended, and the value of food stamps;

27 (v) Value of certain assistance provided to undergraduate students, including any grant or
28 loan for an undergraduate student for educational purposes made or insured under any loan program
29 administered by the United States Commissioner of Education (or the Rhode Island council on
30 postsecondary education or the Rhode Island division of higher education assistance);

31 (vi) Foster care payments;

32 (vii) Home energy assistance funded by state or federal government or by a nonprofit
33 organization;

34 (viii) Payments for supportive services or reimbursement of out-of-pocket expenses made

1 to foster grandparents, senior health aides, or senior companions and to persons serving in SCORE
2 and ACE and any other program under Title II and Title III of the Domestic Volunteer Service Act
3 of 1973, 42 U.S.C. § 5000 et seq.;

4 (ix) Payments to volunteers under AmeriCorps VISTA as defined in the department's rules
5 and regulations;

6 (x) Certain payments to native Americans; payments distributed per capita to, or held in
7 trust for, members of any Indian Tribe under P.L. 92-254, 25 U.S.C. § 1261 et seq., P.L. 93-134,
8 25 U.S.C. § 1401 et seq., or P.L. 94-540; receipts distributed to members of certain Indian tribes
9 which are referred to in § 5 of P.L. 94-114, 25 U.S.C. § 459d, that became effective October 17,
10 1975;

11 (xi) Refund from the federal and state earned income tax credit and any federal or state
12 child tax credits or rebates;

13 (xii) The value of any state, local, or federal government rent or housing subsidy, provided
14 that this exclusion shall not limit the reduction in benefits provided for in the payment standard
15 section of this chapter;

16 (xiii) The earned income of any adult family member who gains employment while an
17 active RI Works household member. This income is excluded for the first six (6) months of
18 employment in which the income is earned, or until the household's total gross income exceeds
19 one hundred eighty-five percent (185%) of the federal poverty level, unless the household reaches
20 its sixty-month (60) time limit first;

21 (xiv) Any veteran's disability pension benefits received as a result of any disability
22 sustained by the veteran while in the military service.

23 (4) The receipt of a lump sum of income shall affect participants for cash assistance in
24 accordance with rules and regulations promulgated by the department.

25 **(h) Time limit on the receipt of cash assistance.**

26 (1) On or after January 1, 2020, no cash assistance shall be provided, pursuant to this
27 chapter, to a family or assistance unit that includes an adult member who has received cash
28 assistance for a total of sixty (60) months (whether or not consecutive), to include any time
29 receiving any type of cash assistance in any other state or territory of the United States of America
30 as defined herein. Provided further, in no circumstances other than provided for in subsection (h)(3)
31 with respect to certain minor children, shall cash assistance be provided pursuant to this chapter to
32 a family or assistance unit that includes an adult member who has received cash assistance for a
33 total of a lifetime limit of sixty (60) months.

34 (2) Cash benefits received by a minor dependent child shall not be counted toward their

1 lifetime time limit for receiving benefits under this chapter should that minor child apply for cash
2 benefits as an adult.

3 (3) Certain minor children not subject to time limit. This section regarding the lifetime time
4 limit for the receipt of cash assistance, shall not apply only in the instances of a minor child(ren)
5 living with a parent who receives SSI benefits and a minor child(ren) living with a responsible adult
6 non-parent caretaker relative who is not in the cash assistance payment.

7 (4) Receipt of family cash assistance in any other state or territory of the United States of
8 America shall be determined by the department of human services and shall include family cash
9 assistance funded in whole or in part by Temporary Assistance for Needy Families (TANF) funds
10 [Title IV-A of the federal Social Security Act, 42 U.S.C. § 601 et seq.] and/or family cash assistance
11 provided under a program similar to the Rhode Island families work and opportunity program or
12 the federal TANF program.

13 (5)(i) The department of human services shall mail a notice to each assistance unit when
14 the assistance unit has six (6) months of cash assistance remaining and each month thereafter until
15 the time limit has expired. The notice must be developed by the department of human services and
16 must contain information about the lifetime time limit, the number of months the participant has
17 remaining, the hardship extension policy, the availability of a post-employment-and-closure bonus;
18 and any other information pertinent to a family or an assistance unit nearing the sixty-month (60)
19 lifetime time limit.

20 (ii) For applicants who have less than six (6) months remaining in the sixty-month (60)
21 lifetime time limit because the family or assistance unit previously received cash assistance in
22 Rhode Island or in another state, the department shall notify the applicant of the number of months
23 remaining when the application is approved and begin the process required in subsection (h)(5)(i).

24 (6) If a cash assistance recipient family was closed pursuant to Rhode Island's Temporary
25 Assistance for Needy Families Program (federal TANF described in Title IV-A of the Federal
26 Social Security Act, 42 U.S.C. § 601 et seq.), formerly entitled the Rhode Island family
27 independence program, more specifically under § 40-5.1-9(2)(c) [repealed], due to sanction
28 because of failure to comply with the cash assistance program requirements; and that recipient
29 family received sixty (60) months of cash benefits in accordance with the family independence
30 program, then that recipient family is not able to receive further cash assistance for his/her family,
31 under this chapter, except under hardship exceptions.

32 (7) The months of state or federally funded cash assistance received by a recipient family
33 since May 1, 1997, under Rhode Island's Temporary Assistance for Needy Families Program
34 (federal TANF described in Title IV-A of the Federal Social Security Act, 42 U.S.C. § 601 et seq.),

1 formerly entitled the Rhode Island family independence program, shall be countable toward the
2 time-limited cash assistance described in this chapter.

3 **(i) Time limit on the receipt of cash assistance.**

4 (1) No cash assistance shall be provided, pursuant to this chapter, to a family assistance
5 unit in which an adult member has received cash assistance for a total of sixty (60) months (whether
6 or not consecutive) to include any time receiving any type of cash assistance in any other state or
7 territory of the United States as defined herein effective August 1, 2008. Provided further, that no
8 cash assistance shall be provided to a family in which an adult member has received assistance for
9 twenty-four (24) consecutive months unless the adult member has a rehabilitation employment plan
10 as provided in § 40-5.2-12(g)(5).

11 (2) Effective August 1, 2008, no cash assistance shall be provided pursuant to this chapter
12 to a family in which a child has received cash assistance for a total of sixty (60) months (whether
13 or not consecutive) if the parent is ineligible for assistance under this chapter pursuant to subsection
14 (a)(2) to include any time they received any type of cash assistance in any other state or territory
15 of the United States as defined herein.

16 **(j) Hardship exceptions.**

17 (1) The department may extend an assistance unit's or family's cash assistance beyond the
18 time limit, by reason of hardship; provided, however, that the number of families to be exempted
19 by the department with respect to their time limit under this subsection shall not exceed twenty
20 percent (20%) of the average monthly number of families to which assistance is provided for under
21 this chapter in a fiscal year; provided, however, that to the extent now or hereafter permitted by
22 federal law, any waiver granted under § 40-5.2-34, for domestic violence, shall not be counted in
23 determining the twenty percent (20%) maximum under this section.

24 (2) Parents who receive extensions to the time limit due to hardship must have and comply
25 with employment plans designed to remove or ameliorate the conditions that warranted the
26 extension.

27 **(k) Parents under eighteen (18) years of age.**

28 (1) A family consisting of a parent who is under the age of eighteen (18), and who has
29 never been married, and who has a child; or a family consisting of a person under the age of eighteen
30 (18) from onset of pregnancy shall be eligible for cash assistance only if the family resides in the
31 home of an adult parent, legal guardian, or other adult relative. The assistance shall be provided to
32 the adult parent, legal guardian, or other adult relative on behalf of the individual and child unless
33 otherwise authorized by the department.

34 (2) This subsection shall not apply if the minor parent or pregnant minor has no parent,

1 legal guardian, or other adult relative who is living and/or whose whereabouts are unknown; or the
2 department determines that the physical or emotional health or safety of the minor parent, or his or
3 her child, or the pregnant minor, would be jeopardized if he or she was required to live in the same
4 residence as his or her parent, legal guardian, or other adult relative (refusal of a parent, legal
5 guardian, or other adult relative to allow the minor parent or his or her child, or a pregnant minor,
6 to live in his or her home shall constitute a presumption that the health or safety would be so
7 jeopardized); or the minor parent or pregnant minor has lived apart from his or her own parent or
8 legal guardian for a period of at least one year before either the birth of any child to a minor parent
9 or the onset of the pregnant minor's pregnancy; or there is good cause, under departmental
10 regulations, for waiving the subsection; and the individual resides in a supervised supportive-living
11 arrangement to the extent available.

12 (3) For purposes of this section, "supervised supportive-living arrangement" means an
13 arrangement that requires minor parents to enroll and make satisfactory progress in a program
14 leading to a high school diploma or a general education development certificate, and requires minor
15 parents to participate in the adolescent parenting program designated by the department, to the
16 extent the program is available; and provides rules and regulations that ensure regular adult
17 supervision.

18 **(l) Assignment and cooperation.** As a condition of eligibility for cash and medical
19 assistance under this chapter, each adult member, parent, or caretaker relative of the
20 family/assistance unit must:

21 (1) Assign to the state any rights to support for children within the family from any person
22 that the family member has at the time the assignment is executed or may have while receiving
23 assistance under this chapter;

24 (2) Consent to and cooperate with the state in establishing the paternity and in establishing
25 and/or enforcing child support and medical support orders for all children in the family or assistance
26 unit in accordance with title 15 of the general laws, as amended, unless the parent or caretaker
27 relative is found to have good cause for refusing to comply with the requirements of this subsection.

28 (3) Absent good cause, as defined by the department of human services through the
29 rulemaking process, for refusing to comply with the requirements of subsections (l)(1) and (l)(2),
30 cash assistance to the family shall be reduced by twenty-five percent (25%) until the adult member
31 of the family who has refused to comply with the requirements of this subsection consents to and
32 cooperates with the state in accordance with the requirements of this subsection.

33 (4) As a condition of eligibility for cash and medical assistance under this chapter, each
34 adult member, parent, or caretaker relative of the family/assistance unit must consent to and

1 cooperate with the state in identifying and providing information to assist the state in pursuing any
2 third party who may be liable to pay for care and services under Title XIX of the Social Security
3 Act, 42 U.S.C. § 1396 et seq.

4 **40-5.2-20. Childcare assistance — Families or assistance units eligible.**

5 (a) The department shall provide appropriate child care to every participant who is eligible
6 for cash assistance and who requires child care in order to meet the work requirements in
7 accordance with this chapter.

8 (b) **Low-income child care.** The department shall provide child care to all other working
9 families with incomes at or below ~~two hundred sixty-one percent (261%)~~ two hundred eighty-five
10 percent (285%) of the federal poverty level if, and to the extent, these other families require child
11 care in order to work at paid employment as defined in the department's rules and regulations. The
12 department shall also provide child care to families with incomes below ~~two hundred sixty-one~~
13 ~~percent (261%)~~ two hundred eighty-five percent (285%) of the federal poverty level if, and to the
14 extent, these families require child care to participate on a short-term basis, as defined in the
15 department's rules and regulations, in training, apprenticeship, internship, on-the-job training, work
16 experience, work immersion, or other job-readiness/job-attachment program sponsored or funded
17 by the human resource investment council (governor's workforce board) or state agencies that are
18 part of the coordinated program system pursuant to § 42-102-11. Effective from January 1, 2021,
19 through June 30, 2022, the department shall also provide childcare assistance to families with
20 incomes below one hundred eighty percent (180%) of the federal poverty level when such
21 assistance is necessary for a member of these families to enroll or maintain enrollment in a Rhode
22 Island public institution of higher education provided that eligibility to receive funding is capped
23 when expenditures reach \$200,000 for this provision. Effective July 1, 2022 through December 31,
24 2024, the department shall also provide childcare assistance to families with incomes below two
25 hundred percent (200%) of the federal poverty level when such assistance is necessary for a
26 member of these families to enroll or maintain enrollment in a Rhode Island public institution of
27 higher education. Effective from January 1, 2025 through December 31, 2026, the department shall
28 also provide childcare assistance to families with incomes below two hundred sixty-one percent
29 (261%) of the federal poverty level when such assistance is necessary for a member of these
30 families to enroll or maintain enrollment in a Rhode Island public institution of higher education.
31 Effective on January 1, 2027, the department shall also provide childcare assistance to families
32 with incomes below two hundred eighty-five percent (285%) of the federal poverty level when such
33 assistance is necessary for a member of these families to enroll or maintain enrollment in a Rhode
34 Island public institution of higher education.

1 (c) The department shall also provide childcare assistance to families who meet the
2 requirements of the protective services group. For the purposes of this section, "protective services
3 group" means foster or kinship children served through the department of children, youth and
4 families as well as the children of childcare educators as defined in subsection (l) of this section.

5 ~~(e)~~(d) No family/assistance unit shall be eligible for childcare assistance under this chapter
6 if the combined value of its liquid resources exceeds one million dollars (\$1,000,000), which
7 corresponds to the amount permitted by the federal government under the state plan and set forth
8 in the administrative rulemaking process by the department. Liquid resources are defined as any
9 interest(s) in property in the form of cash or other financial instruments or accounts that are readily
10 convertible to cash or cash equivalents. These include, but are not limited to: cash, bank, credit
11 union, or other financial institution savings, checking, and money market accounts; certificates of
12 deposit or other time deposits; stocks; bonds; mutual funds; and other similar financial instruments
13 or accounts. These do not include educational savings accounts, plans, or programs; retirement
14 accounts, plans, or programs; or accounts held jointly with another adult, not including a spouse.
15 The department is authorized to promulgate rules and regulations to determine the ownership and
16 source of the funds in the joint account.

17 ~~(e)~~(e) As a condition of eligibility for childcare assistance under this chapter, the parent or
18 caretaker relative of the family must consent to, and must cooperate with, the department in
19 establishing paternity, and in establishing and/or enforcing child support and medical support
20 orders for any children in the family receiving appropriate child care under this section in
21 accordance with the applicable sections of title 15, as amended, unless the parent or caretaker
22 relative is found to have good cause for refusing to comply with the requirements of this subsection.

23 ~~(e)~~(f) For purposes of this section, "appropriate child care" means child care, including
24 infant, toddler, preschool, nursery school, and school-age, that is provided by a person or
25 organization qualified, approved, and authorized to provide the care by the state agency or agencies
26 designated to make the determinations in accordance with the provisions set forth herein.

27 ~~(f)~~(g)(1) Families with incomes below one hundred percent (100%) of the applicable
28 federal poverty level guidelines shall be provided with free child care. Families with incomes
29 greater than one hundred percent (100%) and less than two hundred percent (200%) of the
30 applicable federal poverty guideline shall be required to pay for some portion of the child care they
31 receive, according to a sliding-fee scale adopted by the department in the department's rules, not
32 to exceed seven percent (7%) of income as defined in subsection (h) of this section.

33 (2) Families who are receiving childcare assistance and who become ineligible for
34 childcare assistance as a result of their incomes exceeding ~~two hundred sixty one percent (261%)~~

1 [two hundred eighty-five percent \(285%\)](#) of the applicable federal poverty guidelines shall continue
2 to be eligible for childcare assistance until their incomes exceed ~~three hundred percent (300%)~~ [three](#)
3 [hundred twenty-five percent \(325%\)](#) of the applicable federal poverty guidelines. To be eligible,
4 the families must continue to pay for some portion of the child care they receive, as indicated in a
5 sliding-fee scale adopted in the department’s rules, not to exceed seven percent (7%) of income as
6 defined in subsection (h) of this section, and in accordance with all other eligibility standards.

7 ~~(h)~~[\(h\)](#) In determining the type of child care to be provided to a family, the department shall
8 take into account the cost of available childcare options; the suitability of the type of care available
9 for the child; and the parent’s preference as to the type of child care.

10 ~~(i)~~[\(i\)](#) For purposes of this section, “income” for families receiving cash assistance under §
11 40-5.2-11 means gross, earned income and unearned income, subject to the income exclusions in
12 §§ 40-5.2-10(g)(2) and 40-5.2-10(g)(3), and income for other families shall mean gross, earned and
13 unearned income as determined by departmental regulations.

14 ~~(j)~~[\(j\)](#) The caseload estimating conference established by chapter 17 of title 35 shall forecast
15 the expenditures for child care in accordance with the provisions of § 35-17-1.

16 ~~(k)~~[\(k\)](#) In determining eligibility for childcare assistance for children of members of reserve
17 components called to active duty during a time of conflict, the department shall freeze the family
18 composition and the family income of the reserve component member as it was in the month prior
19 to the month of leaving for active duty. This shall continue until the individual is officially
20 discharged from active duty.

21 ~~(l)~~[\(l\)](#) Effective from August 1, 2023, through July 31, ~~2028~~[2030](#), the department shall
22 provide funding for child care for eligible childcare educators, and childcare staff, who work at
23 least twenty (20) hours a week in licensed childcare centers and licensed family childcare homes
24 as defined in the department’s rules and regulations. Eligibility is limited to qualifying childcare
25 educators and childcare staff with family incomes up to three hundred percent (300%) of the
26 applicable federal poverty guidelines and will have no copayments. [This protective service group](#)
27 [shall continue to be eligible for childcare assistance until their incomes exceed three hundred](#)
28 [twenty-five percent \(325%\) of the applicable federal poverty guidelines.](#) Qualifying participants
29 may select the childcare center or family childcare home for their children. The department shall
30 promulgate regulations necessary to implement this section, and will collect applicant and
31 participant data to report estimated demand for state-funded child care for eligible childcare
32 educators and childcare staff. The report shall be due annually to the governor and the general
33 assembly by November 1.

34 **40-5.2-35. Child support pass-through.**

1 For any month in which a noncustodial parent makes a child support payment in the month
 2 when due and the support is collected by the department of human services, for a child or children
 3 receiving cash assistance pursuant to this chapter, in a household of one child the first ~~fifty dollars~~
 4 ~~(\$50.00)~~ one hundred dollars (\$100) of the child support payment, or the actual amount of the child
 5 support payment if the payment is less than ~~fifty dollars (\$50.00)~~ one hundred dollars (\$100), shall
 6 be paid to the family in which the child resides; in a household of two (2) or more children the first
 7 two hundred dollars (\$200) of the child support payment, or the actual amount of the child support
 8 payment if the payment is less than two hundred dollars (\$200), shall be paid to the family in which
 9 the child resides. If more than one noncustodial parent makes a child support payment to children
 10 living in the same family, there shall only be one payment of ~~fifty (\$50.00)~~ one hundred dollars
 11 (\$100) for a household of one child, or two hundred dollars (\$200) for a household with two (2) or
 12 more children paid to the family from the child support collected. This payment is known as the
 13 “pass through” payment and shall be sent to the family within two (2) business days of the
 14 determination that the amount is due and owing and no later than within two (2) business days of
 15 the end of the month in which the support was collected.

16 SECTION 7. Section 40-6.2-1.1 of the General Laws in Chapter 40-6.2 entitled "Child
 17 Care — State Subsidies" is hereby amended to read as follows:

18 **40-6.2-1.1. Rates established.**

19 (a) Through June 30, 2015, subject to the payment limitations in subsection (c), the
 20 maximum reimbursement rates to be paid by the departments of human services and children, youth
 21 and families for licensed childcare centers and licensed family childcare providers shall be based
 22 on the following schedule of the 75th percentile of the 2002 weekly market rates adjusted for the
 23 average of the 75th percentile of the 2002 and the 2004 weekly market rates:

Licensed Childcare Centers	75th Percentile of Weekly Market Rate
Infant	\$182.00
Preschool	\$150.00
School-Age	\$135.00
Licensed Family Childcare Providers	75th Percentile of Weekly Market Rate
Infant	\$150.00
Preschool	\$150.00
School-Age	\$135.00

32 Effective July 1, 2015, subject to the payment limitations in subsection (c), the maximum
 33 reimbursement rates to be paid by the departments of human services and children, youth and
 34 families for licensed childcare centers and licensed family childcare providers shall be based on the

1 above schedule of the 75th percentile of the 2002 weekly market rates adjusted for the average of
2 the 75th percentile of the 2002 and the 2004 weekly market rates. These rates shall be increased by
3 ten dollars (\$10.00) per week for infant/toddler care provided by licensed family childcare
4 providers and license-exempt providers and then the rates for all providers for all age groups shall
5 be increased by three percent (3%). For the fiscal year ending June 30, 2018, licensed childcare
6 centers shall be reimbursed a maximum weekly rate of one hundred ninety-three dollars and sixty-
7 four cents (\$193.64) for infant/toddler care and one hundred sixty-one dollars and seventy-one
8 cents (\$161.71) for preschool-age children.

9 (b) Effective July 1, 2018, subject to the payment limitations in subsection (c), the
10 maximum infant/toddler and preschool-age reimbursement rates to be paid by the departments of
11 human services and children, youth and families for licensed childcare centers shall be
12 implemented in a tiered manner, reflective of the quality rating the provider has achieved within
13 the state's quality rating system outlined in § 42-12-23.1.

14 (1) For infant/toddler child care, tier one shall be reimbursed two and one-half percent
15 (2.5%) above the FY 2018 weekly amount, tier two shall be reimbursed five percent (5%) above
16 the FY 2018 weekly amount, tier three shall be reimbursed thirteen percent (13%) above the FY
17 2018 weekly amount, tier four shall be reimbursed twenty percent (20%) above the FY 2018 weekly
18 amount, and tier five shall be reimbursed thirty-three percent (33%) above the FY 2018 weekly
19 amount.

20 (2) For preschool reimbursement rates, tier one shall be reimbursed two and one-half
21 percent (2.5%) above the FY 2018 weekly amount, tier two shall be reimbursed five percent (5%)
22 above the FY 2018 weekly amount, tier three shall be reimbursed ten percent (10%) above the FY
23 2018 weekly amount, tier four shall be reimbursed thirteen percent (13%) above the FY 2018
24 weekly amount, and tier five shall be reimbursed twenty-one percent (21%) above the FY 2018
25 weekly amount.

26 (c) [Deleted by P.L. 2019, ch. 88, art. 13, § 4.]

27 (d) By June 30, 2004, and biennially through June 30, 2014, the department of labor and
28 training shall conduct an independent survey or certify an independent survey of the then-current
29 weekly market rates for child care in Rhode Island and shall forward the weekly market rate survey
30 to the department of human services. The next survey shall be conducted by June 30, 2016, and
31 triennially thereafter. The departments of human services and labor and training will jointly
32 determine the survey criteria including, but not limited to, rate categories and sub-categories.

33 (e) In order to expand the accessibility and availability of quality child care, the department
34 of human services is authorized to establish, by regulation, alternative or incentive rates of

1 reimbursement for quality enhancements, innovative or specialized child care, and alternative
2 methodologies of childcare delivery, including nontraditional delivery systems and collaborations.

3 (f) Effective January 1, 2007, all childcare providers have the option to be paid every two
4 (2) weeks and have the option of automatic direct deposit and/or electronic funds transfer of
5 reimbursement payments.

6 (g) Effective July 1, 2019, the maximum infant/toddler reimbursement rates to be paid by
7 the departments of human services and children, youth and families for licensed family childcare
8 providers shall be implemented in a tiered manner, reflective of the quality rating the provider has
9 achieved within the state's quality rating system outlined in § 42-12-23.1. Tier one shall be
10 reimbursed two percent (2%) above the prevailing base rate for step 1 and step 2 providers, three
11 percent (3%) above prevailing base rate for step 3 providers, and four percent (4%) above the
12 prevailing base rate for step 4 providers; tier two shall be reimbursed five percent (5%) above the
13 prevailing base rate; tier three shall be reimbursed eleven percent (11%) above the prevailing base
14 rate; tier four shall be reimbursed fourteen percent (14%) above the prevailing base rate; and tier
15 five shall be reimbursed twenty-three percent (23%) above the prevailing base rate.

16 (h) Through December 31, 2021, the maximum reimbursement rates paid by the
17 departments of human services, and children, youth and families to licensed childcare centers shall
18 be consistent with the enhanced emergency rates provided as of June 1, 2021, as follows:

	Tier 1	Tier 2	Tier 3	Tier 4	Tier 5
19 Infant/Toddler	\$257.54	\$257.54	\$257.54	\$257.54	\$273.00
20 Preschool Age	\$195.67	\$195.67	\$195.67	\$195.67	\$260.00
21 School Age	\$200.00	\$200.00	\$200.00	\$200.00	\$245.00

22
23 The maximum reimbursement rates paid by the departments of human services, and
24 children, youth and families to licensed family childcare providers shall be consistent with the
25 enhanced emergency rates provided as of June 1, 2021, as follows:

	Tier 1	Tier 2	Tier 3	Tier 4	Tier 5
26 Infant/Toddler	\$224.43	\$224.43	\$224.43	\$224.43	\$224.43
27 Preschool Age	\$171.45	\$171.45	\$171.45	\$171.45	\$171.45
28 School Age	\$162.30	\$162.30	\$162.30	\$162.30	\$162.30

29
30 (i) Effective January 1, 2022, the maximum reimbursement rates to be paid by the
31 departments of human services and children, youth and families for licensed childcare centers
32 shall be implemented in a tiered manner, reflective of the quality rating the provider has achieved
33 within the state's quality rating system outlined in § 42-12-23.1. Maximum weekly rates shall be
34 reimbursed as follows:

Licensed Childcare Centers						
	Tier One	Tier Two	Tier Three	Tier Four	Tier Five	
Infant/Toddler	\$236.36	\$244.88	\$257.15	\$268.74	\$284.39	
Preschool	\$207.51	\$212.27	\$218.45	\$223.50	\$231.39	
School-Age	\$180.38	\$182.77	\$185.17	\$187.57	\$189.97	

The maximum reimbursement rates for licensed family childcare providers paid by the departments of human services, and children, youth and families is determined through collective bargaining. The maximum reimbursement rates for infant/toddler and preschool age children paid to licensed family childcare providers by both departments is implemented in a tiered manner that reflects the quality rating the provider has achieved in accordance with § 42-12-23.1.

(j) Effective July 1, 2022, the maximum reimbursement rates to be paid by the departments of human services and children, youth and families for licensed childcare centers shall be implemented in a tiered manner, reflective of the quality rating the provider has achieved within the state’s quality rating system outlined in § 42-12-23.1. Maximum weekly rates shall be reimbursed as follows:

Licensed Childcare Centers						
	Tier One	Tier Two	Tier Three	Tier Four	Tier Five	
Infant/Toddler	\$265	\$270	\$282	\$289	\$300	
Preschool	\$225	\$235	\$243	\$250	\$260	
School-Age	\$200	\$205	\$220	\$238	\$250	

(k) Effective July 1, 2024, the maximum reimbursement rates to be paid by the departments of human services and children, youth and families for licensed childcare centers shall be implemented in a tiered manner, reflective of the quality rating the provider has achieved within the state’s quality rating system outlined in § 42-12-23.1. Maximum weekly rates shall be reimbursed as follows:

Licensed Childcare Centers						
	Tier One	Tier Two	Tier Three	Tier Four	Tier Five	
Infant/Toddler	\$278	\$284	\$296	\$303	\$315	
Preschool	\$236	\$247	\$255	\$263	\$273	
School-Age	\$210	\$215	\$231	\$250	\$263	

(l) Effective July 1, 2025, the maximum reimbursement rates to be paid by the departments of human services and children, youth and families for licensed childcare centers shall be implemented in a tiered manner, reflective of the quality rating the provider has achieved within the state’s quality rating system outlined in § 42-12-23.1. Maximum weekly rates shall be

1 reimbursed as follows:

	Tier 1	Tier 2	Tier 3	Tier 4	Tier 5
3 Infant	\$334	\$341	\$355	\$364	\$378
4 Toddlers	\$278	\$284	\$296	\$303	\$315
5 Preschoolers	\$236	\$247	\$255	\$263	\$273
6 School Age	\$210	\$215	\$231	\$250	\$263

7 (m) Effective July 1, 2026, the maximum reimbursement rates to be paid by the
8 departments of human services and children, youth and families for licensed childcare centers shall
9 be implemented in a tiered manner, reflective of the quality rating the provider has achieved within
10 the state's quality rating system outlined in § 42-12-23.1. Maximum weekly rates shall be
11 reimbursed as follows:

	<u>Tier 1</u>	<u>Tier 2</u>	<u>Tier 3</u>	<u>Tier 4</u>	<u>Tier 5</u>
13 <u>Infant</u>	<u>\$351</u>	<u>\$358</u>	<u>\$373</u>	<u>\$382</u>	<u>\$397</u>
14 <u>Toddlers</u>	<u>\$278</u>	<u>\$284</u>	<u>\$296</u>	<u>\$303</u>	<u>\$315</u>
15 <u>Preschoolers</u>	<u>\$236</u>	<u>\$247</u>	<u>\$255</u>	<u>\$263</u>	<u>\$273</u>
16 <u>School Age</u>	<u>\$210</u>	<u>\$215</u>	<u>\$231</u>	<u>\$250</u>	<u>\$263</u>

17 SECTION 8. Section 40.1-1-13 of the General Laws in Chapter 40.1-1 entitled
18 “Department of Behavioral Healthcare, Developmental Disabilities and Hospitals” is hereby
19 amended to read as follows:

20 **40.1-1-13. Powers and duties of the office.**

21 Notwithstanding any provision of the Rhode Island general laws to the contrary, the
22 department of behavioral healthcare, developmental disabilities and hospitals shall have the
23 following powers and duties:

24 (1) To establish and promulgate the overall plans, policies, objectives, and priorities for
25 state substance abuse education, prevention, and treatment; provided, however, that the director
26 shall obtain and consider input from all interested state departments and agencies prior to the
27 promulgation of any such plans or policies;

28 (2) Evaluate and monitor all state grants and contracts to local substance abuse service
29 providers;

30 (3) Develop, provide for, and coordinate the implementation of a comprehensive state plan
31 for substance abuse education, prevention, and treatment;

32 (4) Ensure the collection, analysis, and dissemination of information for planning and
33 evaluation of substance abuse services;

34 (5) Provide support, guidance, and technical assistance to individuals, local governments,

1 community service providers, public and private organizations in their substance abuse education,
2 prevention, and treatment activities;

3 (6) Confer with all interested department directors to coordinate the administration of state
4 programs and policies that directly affect substance abuse treatment and prevention;

5 (7) Seek and receive funds from the federal government and private sources in order to
6 further the purposes of this chapter;

7 (8) To act in conjunction with the executive office of health and human services as the
8 state's co-designated agency (42 U.S.C. § 300x-30(a)) for administering federal aid and for the
9 purposes of the calculation of the expenditures relative to the substance abuse block grant and
10 federal funding maintenance of effort. The department of behavioral healthcare, developmental
11 disabilities and hospitals, as the state's substance abuse authority, will have the sole responsibility
12 for the planning, policy and implementation efforts as it relates to the requirements set forth in
13 pertinent substance abuse laws and regulations including 42 U.S.C. § 300x-21 et seq.;

14 (9) Propose, review, and/or approve, as appropriate, proposals, policies, or plans involving
15 insurance and managed care systems for substance abuse services in Rhode Island;

16 (10) To enter into, in compliance with the provisions of chapter 2 of title 37, contractual
17 relationships and memoranda of agreement as necessary for the purposes of this chapter;

18 (11) To license facilities and programs for the care and treatment of substance abusers and
19 for the prevention of substance abuse, and provide the list of licensed chemical dependency
20 professionals (LCDP) and licensed chemical dependency clinical supervisors (LCDCS) (licensed
21 by the department of health pursuant to chapter 69 of title 5) for use by state agencies including,
22 but not limited to, the adjudication office of the department of transportation, the district court and
23 superior court and the division of probation and parole for referral of individuals requiring
24 substance use disorder treatment;

25 (12) To promulgate rules and regulations necessary to carry out the requirements of this
26 chapter;

27 (13) Perform other acts and exercise any other powers necessary or convenient to carry out
28 the intent and purposes of this chapter;

29 (14) To exercise the authority and responsibilities relating to education, prevention, and
30 treatment of substance abuse, as contained in, but not limited to, the following chapters: chapters
31 1.10, 10.1, and 28.2 of title 23; chapters 21.2 and 21.3 of title 16; chapter 50.1 of title 42 [repealed];
32 chapter 109 of title 42; chapter 69 of title 5; and § 35-4-18;

33 (15) To establish a Medicare Part D restricted-receipt account in the hospitals and
34 community rehabilitation services program and the Rhode Island state psychiatric hospital program

1 to receive and expend Medicare Part D reimbursements from pharmacy benefit providers consistent
2 with the purposes of this chapter;

3 (16) To establish a RICLAS group home operations restricted-receipt account in the
4 services for the developmentally disabled program to receive and expend rental income from
5 RICLAS group clients for group home-related expenditures, including food, utilities, community
6 activities, and the maintenance of group homes;

7 (17) To establish a non-Medicaid, third-party payor restricted-receipt account in the
8 hospitals and community rehabilitation services program to receive and expend reimbursement
9 from non-Medicaid, third-party payors to fund hospital patient services that are not Medicaid
10 eligible; and

11 (18) To certify any and all recovery housing facilities directly, or through a contracted
12 entity, as defined by department guidelines, which includes adherence to using National Alliance
13 for Recovery Residences (NARR) standards. In accordance with a schedule to be determined by
14 the department, all referrals from state agencies or state-funded facilities shall be to certified
15 houses, and only certified recovery housing facilities shall be eligible to receive state funding to
16 deliver recovery housing services. As of January 1, 2027, all recovery housing facilities shall be
17 registered with the department and shall adhere to the NARR certification process.

18 (19) To establish, operate, and/or designate a RI 9-8-8 Suicide & Crisis Lifeline center or
19 centers to provide telephone, text and chat crisis intervention services and crisis care coordination
20 to individuals accessing the RI 9-8-8 Suicide & Crisis Lifeline.

21 SECTION 9. Title 40.1 of the General Laws entitled "Behavioral Healthcare, Development
22 Disabilities and Hospitals" is hereby amended by adding thereto the following chapter:

23 CHAPTER 8.6

24 RHODE ISLAND 9-8-8 SUICIDE & CRISIS LIFELINE

25 **40.1-8.6-1. Definitions.**

26 As used in this chapter:

27 (1) "9-8-8 Suicide & Crisis Lifeline" or "lifeline" means the national network system
28 operated by the National Suicide Prevention Lifeline ("NSPL") or its successor entity, within which
29 the department-approved or department-operated RI 9-8-8 Suicide & Crisis Lifeline Center
30 participates.

31 (2) "Department" means the department of behavioral healthcare, developmental
32 disabilities and hospitals.

33 (3) "Director" means the director of the department of behavioral healthcare,
34 developmental disabilities and hospitals.

1 (4) "National Suicide Prevention Lifeline" ("NSPL") means the national network of local
2 crisis centers providing free and confidential emotional support to people in suicidal crisis or
3 emotional distress twenty-four (24) hours a day, seven (7) days a week. Membership as an NSPL
4 center requires nationally recognized certification which includes evidence-based training for all
5 staff and volunteers in the management of NSPL calls.

6 (5) "Rhode Island (RI) 9-8-8 state administrator" means the administrator designated by
7 the director of the department to manage the locally operated and funded center within the national
8 network of the 9-8-8 Suicide & Crisis Lifeline within Rhode Island.

9 (6) "Rhode Island (RI) 9-8-8 Suicide & Crisis Lifeline Center" or "lifeline center" means a
10 department-approved or department-operated center that participates in the National Suicide
11 Prevention Lifeline Network and responds to statewide or regional 9-8-8 contacts that is operated
12 by or under contract with the department.

13 **40.1-8.6-2. 9-8-8 Suicide and Crisis Lifeline.**

14 (a) The director is hereby authorized to establish, operate, promulgate regulations with
15 regard to, and/or designate a RI 9-8-8 Suicide & Crisis Lifeline center or centers to provide
16 telephone, text and chat crisis intervention services and crisis care coordination to individuals
17 accessing the RI 9-8-8 Suicide & Crisis Lifeline twenty-four (24) hours a day, seven (7) days a
18 week.

19 (b) The director shall have the authority to provide general oversight of the RI 9-8-8 Suicide
20 & Crisis Lifeline Center(s) established by this chapter.

21 (c) The RI 9-8-8 Suicide & Crisis Lifeline center(s) shall have an active agreement with
22 the administrator of the National Suicide Prevention Lifeline ("NSPL") maintained by SAMHSA,
23 or any successor entity, for participation within the network.

24 (d) The designated RI 9-8-8 Suicide & Crisis Lifeline center(s) shall meet SAMHSA and
25 NSPL or any successor entity's requirements and best practices guidelines for operational and
26 clinical standards for adults and children.

27 (e) The designated RI 9-8-8 Suicide & Crisis Lifeline center(s) shall provide and report
28 data and participate in evaluations and related quality improvement activities as required by the 9-
29 8-8 state administrator. The department shall provide the department of children, youth, and
30 families with data regarding utilization of RI 9-8-8 services by children, youth and their families,
31 consistent with NSPL requirements and state and federal confidentiality and privacy laws and
32 regulations.

33 (f) The designated RI 9-8-8 Suicide & Crisis Lifeline center(s) shall make referrals,
34 consistent with guidance and policies established by the NSPL or any successor entity, to follow-

1 up services for individuals who access the RI 9-8-8 Suicide & Crisis Lifeline.

2 (g) The director shall consult with the director of the department of children, youth, and
3 families prior to promulgating rules and regulations specific to RI 9-8-8 services for children,
4 youth, and their families and may require appropriate training regarding children services into a
5 contract with the 9-8-8 service center provider.

6 (h) Nothing in §§ 40.1-8.6-2, 40.1-8.6-3, or 40.1-8.6-4 shall be construed to restrict the
7 authority of the department of children, youth and family (DCYF) pursuant to chapters 72 and 72.1
8 of title 42.

9 **40.1-8.6-3. Funding of the 988 Suicide & Crisis Lifeline.**

10 (a) The director shall have the authority to expend any and all funds allocated to support
11 the operations of the RI 9-8-8 Suicide & Crisis Lifeline.

12 **40.1-8.6-4. Implementation.**

13 (a) The director shall designate the RI 9-8-8 state administrator. The RI 9-8-8 state
14 administrator shall be an employee of the department and shall serve at the pleasure of the director,
15 or shall be a contractor who has a contract with the department and shall serve for the period
16 designated in the contract and in accordance with the terms of such contract.

17 (b) All state agencies and/or departments shall provide to the department any and all data
18 and other information necessary for the department to comply with federal and/or state reporting
19 requirements with respect to the establishment and/or operation of the RI 9-8-8 Suicide & Crisis
20 Lifeline.

21 SECTION 10. Chapter 42-72 of the General Laws entitled "Department of Children, Youth
22 and Families" is hereby amended by adding thereto the following section:

23 **42-72-37. Application for social security benefits, supplemental security income, and**
24 **veterans benefits.**

25 (a) Definitions. For the purposes of this section:

26 (1) "Benefits" means social security benefits, supplemental security income, veterans
27 benefits, and railroad retirement benefits; and

28 (2) "Youth's attorney" and "guardian ad litem" means the person appointed as the youth's
29 attorney or guardian ad litem in the proceeding in which the department is appointed as the youth's
30 guardian or custodian.

31 (b) Application for benefits.

32 (1) Upon receiving temporary custody or guardianship of a youth in care, the department
33 shall assess the youth to determine whether the youth may be eligible for benefits. If, after the
34 assessment, the department determines that the youth may be eligible for benefits, the department

1 shall ensure that an application is filed on behalf of the youth. The department shall conserve the
2 youth's benefits, including SSDI, inheritance, pensions, life insurance, or other benefits. If the
3 department determines the youth is eligible for an ABLE account as authorized by Section 529A
4 of the Internal Revenue Code of 1986, it shall conserve the benefits in that account in a manner that
5 appropriately avoids any federal asset or resource limits, absent a compelling reason to conserve
6 benefits in another manner. The department shall prescribe by rules and regulations how it will
7 review cases of youth in care at regular intervals to determine whether the youth may have become
8 eligible for benefits after the initial assessment. The department shall make reasonable efforts to
9 encourage youth in care over the age of eighteen (18) who are likely eligible for benefits to
10 cooperate with the application process and to assist youth with the application process.

11 (2) When applying for benefits under this section for a youth in care the department shall
12 identify a representative payee in accordance with the requirements of 20 CFR 404.2021 and
13 416.621. If the department is seeking to be appointed as the youth's representative payee, the
14 department shall consider input, if provided, from the youth's attorney and guardian ad litem
15 regarding whether another representative payee, consistent with the requirements of 20 CFR
16 404.2021 and 416.621, is available. If the department serves as the representative payee for a youth
17 over the age of eighteen (18), the department shall request a court order.

18 (c) Notifications. The department shall immediately notify a youth over the age of sixteen
19 (16), the youth's attorney and guardian ad litem, and the youth's parent or legal guardian or another
20 responsible adult of:

21 (1) Any application for or any application to become representative payee for benefits on
22 behalf of a youth in care;

23 (2) Any communications from the Social Security Administration, the U.S. Department of
24 Veterans Affairs, or the Railroad Retirement Board pertaining to the acceptance or denial of
25 benefits or the selection of a representative payee; and

26 (3) Any appeal or other action requested by the department regarding an application for
27 benefits.

28 (d) Use of benefits. Consistent with federal law, when the department serves as the
29 representative payee for a youth receiving benefits and receives benefits on the youth's behalf, the
30 department shall:

31 (1) Beginning January 1, 2027, except as provided in a request for the disbursement of
32 funds, ensure that youth of any age in the care and custody of the department and until the
33 department no longer serves as the representative payee, the entirety of the youth's benefits are
34 conserved.

1 (2) Exercise discretion and seek advisement from the Office of the General Treasurer in
2 accordance with federal law and in the best interests of the youth when making decisions to use or
3 conserve the youth's benefits that are less than or not subject to asset or resource limits under federal
4 law, including using the benefits to address the youth's special needs and conserving the benefits
5 for the youth's reasonably foreseeable future needs.

6 (3) Appropriately monitor any federal asset or resource limits for the benefits and ensure
7 that the youth's best interest is served by using or conserving the benefits, including SSDI,
8 inheritance, pensions, life insurance, or other benefits in a way that avoids violating any federal
9 asset or resource limits that would affect the youth's eligibility to receive the benefits.

10 (e)(1) Annual accounting. The department shall provide an annual accounting to the youth's
11 attorney and guardian ad litem of how the youth's benefits have been used and conserved. In
12 addition, within ten (10) business days of a request from a youth or the youth's attorney and
13 guardian ad litem, the department shall provide an accounting to the youth of how the youth's
14 benefits have been used and conserved.

15 (2) Final accounting. When the department's guardianship of the youth is being terminated,
16 the department shall provide:

17 (i) A final accounting to the Social Security Administration, to the youth's attorney and
18 guardian ad litem, and to either the person or persons who will assume guardianship of the youth
19 or who is in the process of adopting the youth, if the youth is under eighteen (18), or to the youth,
20 if the youth is over eighteen (18); and

21 (ii) Information to the parent, guardian, or youth regarding how to apply to become the
22 representative payee. The department shall adopt rules and regulations to ensure that the
23 representative payee transitions occur in a timely and appropriate manner.

24 (f) Financial literacy. The department shall provide the youth with financial literacy
25 training and support, including specific information regarding the existence, availability, and use
26 of funds conserved for the youth in accordance with this subsection, beginning by age fourteen
27 (14). The literacy program and support services shall be developed in consultation with input from
28 the department's statewide speak advisory board and the office of the general treasurer.

29 (g) Adoption of rules and regulations. The department shall adopt rules and regulations to
30 implement the provisions of this section by October 1, 2026.

31 (h) Reporting. No later than January 1, 2029, the department shall file a report with the
32 general assembly providing the following information for state fiscal years 2027 and 2028 and
33 annually beginning January 1, 2030, for the preceding fiscal year:

34 (1) The number of youth entering care.

1 (2) The number of youth entering care receiving each of the following types of benefits:
2 social security benefits, supplemental security income, veterans benefits, and/or railroad retirement
3 benefits.

4 (3) The number of youth entering care for whom the department filed an application for
5 each of the following types of benefits: social security benefits, supplemental security income,
6 veterans benefits, and/or railroad retirement benefits.

7 (4) The number of youth entering care who were awarded each of the following types of
8 benefits based on an application filed by the department: social security benefits, supplemental
9 security income, veterans benefits, and/or railroad retirement benefits.

10 (i) Annually beginning January 1, 2029, the department shall file a report with the general
11 assembly with the following information regarding the preceding fiscal year:

12 (1) The number of conserved accounts established and maintained for youth in care;

13 (2) The average amount conserved by age group; and

14 (3) The total amount conserved by age group.

15 SECTION 11. Sections 42-160-3 and 42-160-5 of the General Laws in Chapter 42-160
16 entitled "Rhode Island Pay for Success Act" are hereby amended to read as follows:

17 **42-160-3. Annual reporting.**

18 The executive office, in collaboration with the Rhode Island Coalition to End
19 Homelessness or other qualified organization as determined by the executive office, shall provide
20 yearly progress reports to the general assembly beginning no later than January 30, 2022, and
21 annually thereafter until January 30, ~~2027~~ 2028. These reports will include recommendations on a
22 proposed structure for entering into pay for success contracts, for administering the program, and
23 for any and all matters related thereto that the executive office deems necessary to administer future
24 pay for success projects at the conclusion of the pilot program in ~~2026~~ 2027. As a condition of this
25 project, HUD requires that a third party conduct a transparent and rigorous evaluation of the
26 intervention to determine whether the outcomes have indeed achieved success. The evaluation
27 results will be reported yearly to the governor and general assembly.

28 **42-160-5. Pilot program established.**

29 There is established a ~~five-year (5)~~ six-year (6) pay-for-success pilot program to be
30 administered by the Rhode Island executive office of health and human services. The pilot will
31 follow the proposal outlined in the 2016 pay-for-success grant proposal to HUD and 2017
32 feasibility study. The pay-for-success project will provide a person-centered housing and
33 supportive services intervention (PSH) for one hundred twenty-five (125) persons in Rhode Island
34 experiencing homelessness who are high utilizers of the healthcare and justice systems. The pilot

1 program will leverage eight hundred seventy-five thousand dollars (\$875,000) of HUD/DOJ grant
2 funds. Contract agreements with the executive office of health and human services pursuant to this
3 chapter shall not exceed one million five hundred thousand dollars (\$1,500,000) per fiscal year or
4 six million dollars (\$6,000,000) in the aggregate over the ~~five (5)~~ six (6) years of the pilot program,
5 as determined by the department; provided, no agreements shall be entered by the department after
6 July 1, ~~2026~~ 2027, without further authorization by the general assembly.

7 SECTION 12. Section 6 of this article shall take effect January 1, 2027, except for the
8 provisions of § 42-5.2-20(c) which shall take effect July 1, 2026. The remainder of this article shall
9 take effect July 1, 2026.