

2014 -- H 7675

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2014

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A N A C T

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

Introduced By: Representatives Naughton, Silva, Bennett, McLaughlin, and Hull

Date Introduced: February 27, 2014

Referred To: House Health, Education & Welfare

(Governor)

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 40.1-5-14 of the General Laws in Chapter 40.1-5 entitled "Mental
2 Health Law" is hereby amended to read as follows:

3 **40.1-5-14. Appointment and term of office of mental health advocate.** -- The
4 governor, with the advice and consent of the senate, shall appoint a member of the bar of this
5 state who has been practicing law for at least ~~five (5)~~ three (3) years to fill the office of the mental
6 health advocate who shall be a person qualified by training and experience to perform the duties
7 of the office as set forth in § 40.1-5-22. The appointment shall be made from a list of at least three
8 (3) persons prepared and submitted by a committee consisting of one attorney appointed by the
9 Rhode Island Bar Association; one attorney appointed by the Rhode Island Disability Law
10 Center; two (2) judges of the district court appointed by the Chief Judge; one person appointed by
11 the Rhode Island Association for Mental Health; one person appointed by the Alliance for the
12 Mentally Ill of Rhode Island; three (3) persons appointed by the Coalition of Consumer Self
13 Advocates; one psychiatrist, appointed by the Rhode Island district branch of the American
14 Psychiatric Association; one psychologist appointed by the Rhode Island Psychological
15 Association; one social worker appointed by the Rhode Island chapter of the National Association
16 of Social Workers; one person appointed by the secretary of the Executive Office of Health and
17 Human Services; and two (2) members of the general public appointed by the governor. Eight (8)
18 members of the committee shall constitute a quorum. No one shall be eligible for appointment

1 [unless he or she is a resident of this state. The board shall elect from among the members a chair](#)
2 [and a vice-chair](#). The person appointed mental health advocate shall hold office for a term of five
3 (5) years and shall continue to hold office until his or her successor is appointed and qualified.

4 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 BEHAVIORAL HEALTHCARE, DEVELOPMENTAL DISABILITIES, AND
HOSPITALS - MENTAL HEALTH LAW

1 This act would bring the appointment process for the office of mental health advocate in
2 line with the appointment process for the office of the child advocate. This act would also
3 increase and diversify the candidate pool and allow full participate in the selection process by
4 those entities that routinely interact with the mental health advocate.

5 This act would take effect upon passage.

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