

2020 -- S 2368

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LC003435
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2020

A N A C T

RELATING TO BEHAVIORAL HEALTHCARE, DEVELOPMENTAL DISABILITIES AND
HOSPITALS -- PERSONS WITH MENTAL ILLNESS, ADDICTION/SUBSTANCE ABUSE
DISORDERS AND DEVELOPMENTAL DISABILITIES

Introduced By: Senators DiPalma, Conley, Miller, Goldin, and Murray

Date Introduced: February 13, 2020

Referred To: Senate Health & Human Services

It is enacted by the General Assembly as follows:

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

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

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

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

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

1 consultations may be provided.

2 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 -- PERSONS WITH MENTAL ILLNESS, ADDICTION/SUBSTANCE ABUSE
DISORDERS AND DEVELOPMENTAL DISABILITIES

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

4 This act would take effect upon passage.

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