

2024 -- S 2738

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2024

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A N A C T

RELATING TO PUBLIC UTILITIES AND CARRIERS -- TERMINATION OF SERVICE TO  
PERSONS WHO ARE DISABLED, SERIOUSLY ILL, OR IN ARREARS OF PAYMENT

Introduced By: Senators Kallman, Gu, DiMario, Miller, Valverde, LaMountain, Acosta,  
McKenney, and Burke

Date Introduced: March 08, 2024

Referred To: Senate Commerce

It is enacted by the General Assembly as follows:

1           SECTION 1. Section 39-1.1-2 of the General Laws in Chapter 39-1.1 entitled "Termination  
2 of Service to Persons Who Are Disabled, Seriously Ill, or in Arrears of Payment" is hereby amended  
3 to read as follows:

4           **39-1.1-2. Determination of persons subject to nontermination.**

5           (a) The commission shall promulgate appropriate rules and regulations to determine which  
6 persons who are elderly, disabled, or seriously ill are subject to the nontermination provisions of §  
7 39-1.1-1, and in what manner relief will be made available to the subject persons.

8           (b) Rules and regulations maintained to determine which persons are seriously ill shall  
9 include the provision that said determination shall be through certification to the public utility or to  
10 the division of public utilities and carriers by a licensed physician.

11           (1) A licensed physician's certification of serious illness shall be sufficient if initially made  
12 by telephone. In such event, the public utility or the division, whichever received initial  
13 certification, shall inform the certifying physician that he or she must forward to the public utility  
14 within seven (7) days a written certification indicating the name and address of the seriously ill  
15 person, the nature of the illness, and its likely duration. The public utility shall acknowledge receipt  
16 of such written certification and shall notify the customer in writing of the date upon which service  
17 will be terminated, unless the customer: (i) Has arranged for payment of an outstanding amount  
18 with the public utility, pursuant to rules and regulations promulgated by the commission; (ii)

1 Requests a hearing, pursuant to rules and regulations promulgated by the commission; or (iii)  
2 Enrolls in a residential payment plan or other payment arrangement. The termination date shall be  
3 ~~not less than~~ the last day of the period specified by the physician as the duration of the illness. If  
4 the physician has failed to specify the length of the illness, or if the physician has indicated that the  
5 length of the illness is not readily ascertainable, then the termination date shall be not less than  
6 three (3) ~~weeks~~ months from receipt by the public utility of the written certification. If the duration  
7 of the illness exceeds ~~three (3) weeks from the certification to the public utility,~~ the termination  
8 date the customer may request a review pursuant to rules and regulations promulgated by the  
9 commission, to determine whether the initial exemption shall continue, for how long, and under  
10 what circumstances.

11 (2) A public utility must honor a licensed physician's certification of serious illness, but  
12 may seek division review of the validity of the certification, pursuant to rules and regulations  
13 promulgated by the commission. If a licensed physician's certification does not comply with the  
14 requirements promulgated by the commission and is rejected by a public utility, the public utility  
15 shall inform the customer immediately, in writing, of the reasons for rejection of the certification  
16 and the customer's right to have the division review the utility's rejection of the certification.

17 (3) Nontermination for any reason does not, in any way, relieve the customer of liability  
18 incurred for utility services.

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

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

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1           This act would extend the forbearance of utility terminations for customers with serious  
2 illness certifications and would amend various provisions related to the termination of utility  
3 services for persons who are disabled, seriously ill, or in arrears.

4           This act would take effect upon passage.

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