

2017 -- H 6297

LC002838

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2017

A N A C T

RELATING TO HEALTH AND SAFETY -- INSPECTIONS OF HEALTH CARE FACILITIES

Introduced By: Representatives Shanley, Casimiro, Carson, Ackerman, and Canario

Date Introduced: June 08, 2017

Referred To: House Corporations

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 23-17-7 of the General Laws in Chapter 23-17 entitled "Licensing
2 of Health-Care Facilities" is hereby amended to read as follows:

3 **23-17-7. Expiration and renewal of license.**

4 A license, unless sooner suspended or revoked, shall expire by limitation on the thirty-
5 first (31st) day of December following its issuance and may be renewed from year to year. In the
6 case of facilities that have not maintained federal certification, the license may be renewed after
7 inspection, report, approval, and collection of fees by the licensing agency. The inspection shall
8 be made any time prior to the date of expiration of the license. For those facilities that have
9 maintained federal certification, no inspection shall be required. The report shall contain
10 information in the form that the licensing agency shall prescribe by regulation.

11 SECTION 2. Sections 23-17.4-7 and 23-17.4-10 of the General Laws in Chapter 23-17.4
12 entitled "Assisted Living Residence Licensing Act" are hereby amended to read as follows:

13 **23-17.4-7. Expiration and renewal of license.**

14 A license, unless sooner suspended or revoked, shall expire by limitation on the thirty-
15 first (31st) day of December following its issuance and may be renewed from year to year after
16 ~~completion of an annual unannounced on-site inspection, report, and~~ approval by the licensing
17 agency ~~and the division of fire safety. The annual inspection shall be made any time prior to the~~
18 ~~date of expiration of the license. The report shall contain information in any form that the~~
19 ~~licensing agency shall prescribe by regulation. The licensing agency shall, on an annual basis,~~

1 ~~cause no less than ten percent (10%) of all assisted living annual inspections to be conducted, in~~
2 ~~whole or in part, on nights and/or on weekends.~~

3 **23-17.4-10. Regulations, inspections, and investigations.**

4 (a) The licensing agency shall after public hearing pursuant to reasonable notice, adopt,
5 amend, promulgate, and enforce any rules, regulations, and standards with respect to assisted
6 living residences for adults licensed under this chapter as may be designed to further the
7 accomplishment of the purposes of this chapter in promoting safe and adequate living
8 environments for individuals in assisted living residences in the interest of public safety and
9 welfare. These regulations may provide for the establishment of levels of service provided by the
10 residence.

11 (b) ~~In addition to the annual inspection required by § 23-17.4-7, the~~ The licensing agency
12 shall make or cause to be made any inspections and investigations that it deems necessary by duly
13 authorized agents of the director at any time and frequency determined by the licensing agency.
14 The licensing agency shall establish regulations to determine the frequency of inspections that
15 shall include, but not limited to, the residence's past compliance with regulations, complaint
16 investigations, quality of care issues and license type. However, the licensing agency shall, on a
17 biennial basis, conduct an unannounced on-site inspection of all licensed assisted living
18 residences. The licensing agency shall, on an annual basis, cause no less than ten percent (10%)
19 of all assisted living inspections to be conducted, in whole or in part, on nights and/or weekends.

20 (c) Upon request of the licensing agency, health agencies and professionals may share
21 resident health status information with the department of health for the purpose of determining
22 each resident's capability of self preservation.

23 (d) Each assisted living residence licensed under this chapter shall have a plan for
24 preventing the hazards of resident wandering from the facility. This plan shall be submitted to the
25 licensing agency in a format determined by the director.

26 SECTION 3. 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 make changes to the licensing procedures for health care facilities. The
2 act would also require licensing agencies to conduct unannounced on-site inspections of all
3 licensed assisted living residences, on a biennial basis, with not less than ten percent (10%) of
4 those inspections to be conducted on nights and weekends.

5 This act would take effect upon passage.

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