

2020 -- H 7232

LC003007

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2020

A N A C T

RELATING TO HEALTH AND SAFETY - ALZHEIMER'S DISEASE AND RELATED
DISORDERS OMBUDSPERSON ACT OF 2020

Introduced By: Representatives Ackerman, McNamara, Serpa, Casimiro, and Shekarchi

Date Introduced: January 22, 2020

Referred To: House Health, Education & Welfare

It is enacted by the General Assembly as follows:

1 SECTION 1. Title 23 of the General Laws entitled "HEALTH AND SAFETY" is hereby
2 amended by adding thereto the following chapter:

3 CHAPTER 1.6

4 ALZHEIMER'S DISEASE AND RELATED DISORDERS OMBUDSPERSON ACT OF 2020

5 **23-1.6-1. Short title.**

6 This chapter shall be known and may be cited as the "Alzheimer's disease and related
7 disorders ombudsperson act of 2020".

8 **23-1.6-2. Program established.**

9 There is established a program of the Alzheimer's disease and related disorders
10 ombudsperson to be administratively attached to the department of health.

11 **23-1.6-3. Alzheimer's disease and related disorders ombudsperson.**

12 The department of health shall establish the position(s) of Alzheimer's disease and related
13 disorders ombudsperson for the purpose of advocating on behalf of Alzheimer's disease and other
14 related disorders individuals and their families in coordinating their care with the appropriate
15 medical and social care agencies in conjunction with chapter 1.7 of this title entitled "Rhode
16 Island program to address Alzheimer's disease", particularly with regard to the provisions of § 23-
17 1.7-1 relating to the assessment of all state programs that address Alzheimer's disease and the
18 state plan for Alzheimer's disease and related disorders to be developed, carried out, maintained

1 and annually updated by the director of the department of health.

2 **23-1.6-4. Powers and duties.**

3 The Alzheimer's disease and related disorders ombudsperson shall:

4 (1) Provide referral services to assist individuals suffering from Alzheimer's disease and
5 related disorders in protecting their health, safety, welfare and rights;

6 (2) Advocate on behalf of individuals suffering from Alzheimer's disease and related
7 disorders to improve their quality of life and implement and coordinate resources to assist the
8 individual to live with dignity and respect; and

9 (3) Coordinate care for individuals suffering from Alzheimer's disease and related
10 disorders with the appropriate medical and social care agencies, resources and services needed for
11 their treatment and care.

12 **23-1.6-5. Confidentiality.**

13 The files maintained by the Alzheimer's disease and related disorders ombudsperson
14 program are confidential and shall be disclosed only with the written consent of the individual
15 affected or his or her legal representative, or if any disclosure is required by court order.

16 **23-1.6-6. Cooperation required.**

17 The Alzheimer's disease and other related disorders ombudsperson may request from any
18 government agency, and the agency is directed and authorized to provide any cooperation and
19 assistance, services and data that will enable the Alzheimer's disease and other related disorders
20 ombudsperson to properly perform or exercise any of his or her functions, duties and powers
21 under this chapter.

22 **23-1.6-7. Rules and regulations.**

23 The director of the department of health shall promulgate and, from time to time, revise
24 rules and regulations for the implementation and enforcement of the Alzheimer's disease and
25 related disorders ombudsperson program.

26 **23-1.6-8. Severability.**

27 If any provision of this chapter or any rule or regulation made under this chapter, or the
28 application of any provision of this chapter to any person or circumstance shall be held invalid by
29 any court of competent jurisdiction, the remainder of the chapter, rule or regulation and the
30 application of such provision to other persons or circumstances shall not be affected thereby. The
31 invalidity of any section or sections or parts of any section of this chapter shall not affect the
32 validity of the remainder of this chapter.

1 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 HEALTH AND SAFETY - ALZHEIMER'S DISEASE AND RELATED
DISORDERS OMBUDSPERSON ACT OF 2020

1 This act would establish the program of the Alzheimer's disease and related disorders
2 ombudsperson to be administratively attached to the department of health (DOH) to assist
3 individuals suffering with Alzheimer's disease and related disorders by advocating on their behalf
4 and coordinating their medical and social services care.

5 This act would take effect upon passage.

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