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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2015

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A N A C T

RELATING TO HEALTH AND SAFETY - RHODE ISLAND ACCESS TO MEDICAL  
TECHNOLOGY INNOVATION ACT

Introduced By: Representative Joseph M. McNamara

Date Introduced: April 09, 2015

Referred To: House Health, Education & Welfare

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 23-93-2 of the General Laws in Chapter 23-93 entitled "Rhode  
2 Island Access to Medical Technology Innovation Act" is hereby amended to read as follows:

3 **23-93-2. Exemption for domestic medical tourism.** -- (a) Any healthcare facility  
4 located in the state of Rhode Island specializing in domestic medical tourism, and having more  
5 than fifty percent (50%) of its patients residing outside of the state; ~~or, until July 1, 2015, any in-~~  
6 ~~state hospital licensed under chapter 17 of title 23; or in state health care facility under common~~  
7 ~~ownership with an in-state hospital licensed under chapter 17 of title 23,~~ shall be exempt from the  
8 provisions of chapter 15 of title 23; provided, however, that such healthcare facility must comply  
9 with all other applicable laws and regulations governing healthcare facilities. Any applicant not  
10 compliant shall have thirty (30) days to comply with this section and any applicable regulations  
11 governing this section.

12 (b) Any healthcare facility described in subsection (a) shall, on a biennial basis, certify to  
13 the department that more than fifty percent (50%) of its patients reside outside of the state.

14 (c) Any healthcare facility exempt under subsection (a) that fails to certify under  
15 subsection (b), or is otherwise found by the department to have not established that more than  
16 fifty percent (50%) of its patients currently reside outside of the state, shall be required to apply  
17 for a certificate of need during the next review cycle established by the health services council.

18 SECTION 2. Chapter 23-93 of the General Laws entitled "Rhode Island Access to

1 Medical Technology Innovation Act" is hereby amended by adding thereto the following section:

2 **23-93-3.1. Exemption for in-state hospitals and related entities.** – (a) Until July 1,  
3 2016, any in-state hospital licensed under chapter 17 of title 23 or any in-state health care facility  
4 under common ownership with an in-state hospital licensed under chapter 17 of title 23 shall be  
5 exempt from the provisions of chapter 15 of title 23; provided, however, that any in-state hospital  
6 claiming such exemption from the provisions of chapter 15 of title 23, shall comply with all  
7 provisions of all other applicable Rhode Island general laws including, without limitation, the  
8 provisions of § 23-17.14-18.

9 (b) An exemption provided pursuant to this section shall be maintained beyond July 1,  
10 2016; provided that, prior to July 1, 2016, the health care facility demonstrates good faith efforts  
11 to initiate the implementation of the exempt activity.

12 SECTION 3. 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 - RHODE ISLAND ACCESS TO MEDICAL  
TECHNOLOGY INNOVATION ACT

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1           This act would provide certain in-state health care facilities with an exemption from the  
2   Determination of Need for New Health Care Equipment and New Institutional Health Service  
3   Requirement Acts.

4           This act would take effect upon passage.

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