

2018 -- H 8366

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2018

A N A C T

RELATING TO HEALTH AND SAFETY - THE HOSPITAL CONVERSION ACT

Introduced By: Representatives O'Brien, and McKiernan

Date Introduced: June 23, 2018

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 23-17.14-14 of the General Laws in Chapter 23-17.14 entitled "The
2 Hospital Conversions Act" is hereby amended to read as follows:

3 **23-17.14-14. Investigations -- Notice to attend -- Court order to appear -- Contempt.**

4 (a) The director or the attorney general ~~may~~ shall conduct investigations in discharging
5 the duties required under this chapter. For purposes of this investigation the director or the
6 attorney general may require any person, agent, trustee, fiduciary, consultant, institution,
7 association, or corporation directly related to the proposed conversion to appear at any time and
8 place that the director or the attorney general ~~may~~ shall designate, then and there under oath and
9 conducted with a stenographic record to produce for the use of the director and/or the attorney
10 general any and all documents and any other information relating directly to the proposed
11 conversion that the director or the attorney general may require, including, but not limited to,
12 interviews, testimony or statements.

13 (b) Whenever the director or the attorney general may require the attendance of any
14 person as provided in subsection (a), the director and/or the attorney general shall issue a notice
15 setting the time and place when the attendance is required and shall cause the notice to be
16 delivered or sent by registered or certified mail to the person at least fourteen (14) days before the
17 date fixed in the notice for the attendance.

18 (c) If any person receiving notice pursuant to this provision neglects to attend or remain
19 in attendance so long as may be necessary for the purposes which the notice was issued, or

1 refuses to produce information requested, any justice of the superior court for the county within
2 which the inquiry is carried on or within which the person resides or transacts business, upon
3 application by the director, the attorney general, or any transacting party shall have jurisdiction to
4 hear and consider on an expedited basis the request, and if appropriate and relevant to the
5 consideration of proposed conversion, may issue to the person an order requiring the person to
6 appear before the director or the attorney general there to produce for the use of the director or the
7 attorney general evidence in accordance with the terms of the order of the court, and any failure
8 to obey the order of the superior court may be punished by the court as contempt of court.

9 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 - THE HOSPITAL CONVERSION ACT

- 1 This act would require the director of health or the attorney general to conduct
- 2 investigations regarding hospital conversions with a stenographic recording of the proceedings.
- 3 This act would take effect upon passage.

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