

2018 -- S 2090

LC003683

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2018

A N A C T

RELATING TO BEHAVIORAL HEALTHCARE, DEVELOPMENTAL DISABILITIES AND  
HOSPITALS -- MENTAL HEALTH LAW

Introduced By: Senators Gallo, Coyne, Euer, and Calkin

Date Introduced: January 18, 2018

Referred To: Senate Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 40.1-5 of the General Laws entitled "Mental Health Law" is hereby  
2 amended by adding thereto the following section:

3 **40.1-5-44. Electroconvulsive therapy prohibited.**

4 (a) For purposes of this section, electroconvulsive therapy (CTE) also known as  
5 "electroshock" or "electroshock therapy", means a procedure, done under general anesthesia, in  
6 which small electric currents are passed through the brain, intentionally triggering a brief seizure.

7 (b) Electroconvulsive therapy as defined by this section shall not be included as a  
8 treatment or therapy approved by this title when used on a person sixteen (16) years or younger  
9 unless such treatment is determined to be necessary to protect individuals from physical injury to  
10 themselves or others, and is being used only after other alternative procedures have been utilized  
11 to treat the person.

12 (c) Any person who violates the provisions of this section shall be guilty of a felony  
13 punishable by imprisonment for up to two (2) years, or a fine of not more than one hundred  
14 thousand dollars (\$100,000), or both.

15 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 BEHAVIORAL HEALTHCARE, DEVELOPMENTAL DISABILITIES AND  
HOSPITALS -- MENTAL HEALTH LAW

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- 1           This act would prohibit the use of electro shock therapy on children under the age of  
2 sixteen (16).  
3           This act would take effect upon passage.

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