

2023 -- H 5997

LC000835

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2023

A N A C T

RELATING TO HEALTH AND SAFETY -- SUBSTANCE USE AND MENTAL HEALTH
PREVENTION AND TREATMENT FUND

Introduced By: Representatives Craven, Caldwell, and Bennett

Date Introduced: March 01, 2023

Referred To: House Finance

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 14.2

4 SUBSTANCE USE AND MENTAL HEALTH PREVENTION AND TREATMENT FUND

5 **23-14.2-1. Establishment of fund -- Uses of the fund.**

6 (a) There is established a separate fund within the general fund to be called the substance
7 use and mental health prevention and treatment fund which shall be administered by the general
8 treasurer in accordance with the same laws and fiscal procedures as the general funds of the state.
9 The fund shall consist of sums collected as a result of the taxpayer check-off as provided for in
10 § 44-30-2.11. The general treasurer is authorized to accept any grant, devise, bequest, donation,
11 gift, or assignment of money, bonds, or other valuable securities for deposit in and credit of the
12 substance use and mental health prevention and treatment fund.

13 (b) The monies received under this chapter and § 44-30-2.11 shall be made available by
14 the treasurer annually by September 30 to qualified organizations and shall be distributed equally
15 among all qualified organizations certified by the department of health for the funding year.

16 (c) Upon distribution to qualified organizations, the monies shall be used exclusively for
17 substance use and mental health victims and their families for eligible services and emergency
18 services. Provided, however, that qualified organizations shall seek and are entitled to

1 reimbursement from a health insurance program or publicly funded assistance program, for
2 emergency services when the cost of emergency services would normally be provided for by the
3 respective program.

4 (d) Any eligible organization which seeks qualified organization status for a funding year
5 shall submit an application to the department of health not later than July 15 of the year for which
6 they seek status. The application shall include:

7 (1) The specific nature of the eligible and/or emergency services the eligible organization
8 is proposing to provide and to which group or classification(s) of substance use and mental health
9 victims the services are proposed to be provided;

10 (2) Eligible services that the eligible organization has provided in the past year or is
11 currently providing and the annual cost of the services;

12 (3) Whether the monies sought under this chapter will be used to fund new or existing
13 programs for eligible services; and

14 (4) Any other information the department of health deems necessary to facilitate the
15 purposes of this chapter.

16 (e) Upon receipt of the annual application from eligible organizations as provided in this
17 section, the director of the department of health shall review each application to determine if it
18 complies with the intent and requirements of this chapter. Upon a finding by the director of the
19 department of health that the application complies with the intent and requirements of this chapter,
20 the director of the department of health shall certify that the eligible organization has been
21 designated as a qualified organization for the funding year. The director of the department of health
22 shall provide notice of approval or denial of certification not later than September 15 to each
23 eligible organization that has submitted an annual application.

24 (f) The director of the department of health is authorized to promulgate any rules or
25 regulations and prescribe forms necessary to facilitate the provisions of this chapter.

26 (g) The tax administrator is authorized to amend the format of the Rhode Island personal
27 income tax return in order to facilitate the provisions of this chapter.

28 SECTION 2. Section 44-30-2.11 of the General Laws in Chapter 44-30 entitled "Personal
29 Income Tax" is hereby amended to read as follows:

30 **44-30-2.11. Refund deduction for contribution to the substance use and mental health**
31 **prevention and treatment fund.**

32 (a) There shall be provided as a deduction from any refund from the Rhode Island personal
33 income tax otherwise due to a taxpayer for a taxable year a contribution to the substance use and
34 mental health leadership council of RI. The provision for the contribution shall appear on the state

1 personal income tax return [listed as a separate contribution](#) as follows:

2 Substance ~~use~~ [Use](#) and ~~mental health~~ [Mental Health leadership council of RI](#) [Prevention](#)
3 [and Treatment Fund RIGL § 44-30-2.11.](#)

4 Check if you wish to contribute

5 _____ \$1.00

6 _____ \$5.00

7 _____ \$10.00

8 _____ \$ _____ (write in amount of your tax REFUND for this
9 program.)

10 (b) The tax administrator shall annually forward by August 1, all contributions made to the
11 substance use and mental health [prevention and treatment fund](#) ~~leadership council of RI~~ to the
12 general treasurer to be deposited in the fund created in § ~~23-14-3~~ [23-14.2-1](#). The general treasurer
13 shall annually distribute the proceeds of the fund as prescribed in chapter ~~14 of title 23~~ [14.2 of title](#)
14 [23](#).

15 (c) The provisions of this section shall commence for returns filed for the tax year ending
16 December 31, ~~2018~~ [2023](#).

17 SECTION 3. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

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RELATING TO HEALTH AND SAFETY -- SUBSTANCE USE AND MENTAL HEALTH
PREVENTION AND TREATMENT FUND

- 1 This act would establish the substance use and mental health prevention and treatment fund
- 2 to receive the checkoff contributions from Rhode Island personal income tax returns.
- 3 This act would take effect upon passage.

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