

2014 -- S 2560

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2014

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A N A C T

RELATING TO HEALTH AND SAFETY -- DETERMINATION OF NEED FOR NEW
HEALTHCARE EQUIPMENT AND NEW INSTITUTIONAL HEALTH SERVICES

Introduced By: Senator Maryellen Goodwin

Date Introduced: February 27, 2014

Referred To: Senate Health & Human Services

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 23-15 of the General Laws entitled "Determination of Need for
2 New Health Care Equipment and New Institutional Health Services" is hereby amended by
3 adding thereto the following sections:

4 **23-15-12. Moratorium of home healthcare licensing.** -- [\(a\) The department of health is](#)
5 [required to cease accepting new applications for certificate of need for licensed home care, home](#)
6 [nursing care, inpatient hospice care, and outpatient hospice care agencies.](#)

7 [\(b\) Applicants that have filed a letter of intent, certificate of need application, or change](#)
8 [in effective control request prior to July 1, 2014 will be exempted from the moratorium.](#)

9 [\(c\) New certificate of need applications to license new home care, home nursing care,](#)
10 [inpatient hospice care, or outpatient hospice care agencies will be accepted upon consent of the](#)
11 ["Home Healthcare System Planning Task Force" as set forth in § 23-15-13.](#)

12 **23-15-13. Home healthcare system planning task force.** -- [\(a\) The department of health](#)
13 [is required to develop a task force to review the current system infrastructure of licensed home](#)
14 [health care agencies.](#)

15 [\(b\) The duties of the task force will be to:](#)

16 [\(1\) Identify the primary and secondary geographic coverage areas of each licensed home](#)
17 [care, home nursing care, inpatient hospice care, and outpatient hospice care agency;](#)

18 [\(2\) Identify all services offered by each licensed home care, home nursing care, inpatient](#)

- 1 hospice care, and outpatient hospice care agency;
- 2 (3) Identify any geographic or service coverage gaps;
- 3 (4) Seek within currently licensed home care, home nursing care, inpatient hospice care,
- 4 and outpatient hospice care agencies whether identified gaps can be filled; and
- 5 (5) Seek home health agencies operating outside of Rhode Island to fill identified gaps
- 6 where currently licensed home care, home nursing care, inpatient hospice care, and outpatient
- 7 hospice care agencies cannot provide services
- 8 (b) Composition of the task force will be:
- 9 (1) The director of the department of health or designee;
- 10 (2) The chair of the health services council or designee;
- 11 (3) A representative of the Rhode Island partnership for home care;
- 12 (4) The license holder of a home care agency;
- 13 (5) The license holder of a home nursing care agency;
- 14 (6) The license holder of an inpatient hospice agency;
- 15 (7) The license holder of an outpatient hospice agency. All appointments will be made by
- 16 the director of health by September 1, 2014 and the task force shall at least meet quarterly starting
- 17 on or before October 31, 2014. The director of health or designee will chair the task force.
- 18 (c) The task force will submit a report to the general assembly on an annual basis.
- 19 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

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1 This act would establish a moratorium on the licensing home healthcare agencies in order
2 to prevent over-saturation of the market, identify opportunities to fill service coverage gaps,
3 encourage new business development to fill service gaps and would establish a system planning
4 task force to support the health department in home healthcare licensing.

5 This act would take effect upon passage.

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