

**2019 -- S 0069 SUBSTITUTE A**

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LC000289/SUB A  
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**STATE OF RHODE ISLAND**

**IN GENERAL ASSEMBLY**

**JANUARY SESSION, A.D. 2019**

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A N A C T

RELATING TO BEHAVIORAL HEALTHCARE, DEVELOPMENTAL DISABILITIES AND  
HOSPITALS -- THE LICENSURE, INSPECTIONS AND INVESTIGATIONS OF  
DEVELOPMENTAL DISABILITIES FACILITIES

Introduced By: Senators DiPalma, Conley, Paolino, Miller, and Goldin

Date Introduced: January 16, 2019

Referred To: Senate Health & Human Services

It is enacted by the General Assembly as follows:

1           SECTION 1. Sections 40.1-24-3 and 40.1-24-11 of the General Laws in Chapter 40.1-24  
2 entitled "Persons With Mental Illness, Addiction/Substance Abuse Disorders and Developmental  
3 Disabilities" are hereby amended to read as follows:

4           **40.1-24-3. License requirement.**

5           No person or governmental unit, acting severally or jointly with any other person or  
6 governmental unit, shall establish, conduct, or maintain a facility or program as defined in this  
7 chapter in this state without a license under this chapter. [The department shall make or cause to](#)  
8 [be made unannounced inspections and investigations of community residences, as defined in §](#)  
9 [40.1-24-1.](#)

10           **40.1-24-11. Inspections and investigations -- Alterations or new construction.**

11           The department shall make or cause to be made such [unannounced](#) inspections and  
12 investigations that it deems necessary. Deemed status shall not prohibit the department from  
13 conducting any inspection and/or investigation it deems necessary [pursuant to § 40.1-24-3](#). The  
14 department may prescribe by regulations that any licensee or applicant desiring to make a  
15 specified type of alteration or addition to its facilities or to construct new facilities shall, before  
16 commencing the alteration, addition, or new construction, submit plans and specifications thereto  
17 to the department for preliminary inspection and approval or recommendations with respect to  
18 compliance with the regulations and standards herein authorized. Necessary conference and

1 consultations may be provided.

2 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 -- THE LICENSURE, INSPECTIONS AND INVESTIGATIONS OF  
DEVELOPMENTAL DISABILITIES FACILITIES

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1           This act would require the department of behavioral healthcare, developmental  
2 disabilities and hospitals to make or cause to be made unannounced inspections and  
3 investigations of community residences.

4           This act would take effect upon passage.

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