

2013 -- S 0270

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LC00791
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2013

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A N A C T

RELATING TO BEHAVIORAL HEALTHCARE, DEVELOPMENT DISABILITIES AND
HOSPITALS -- DIVISION OF DEVELOPMENTAL DISABILITIES

Introduced By: Senators DiPalma, Sosnowski, Pearson, Pichardo, and Goldin

Date Introduced: February 12, 2013

Referred To: Senate Finance

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 40.1-21-4 of the General Laws in Chapter 40.1-21 entitled
2 "Division of Developmental Disabilities" is hereby amended to read as follows:

3 ~~**40.1-21-4. Powers and duties of director of mental health, retardation and hospitals**~~
4 **Powers and duties of director of the department of behavioral healthcare, developmental**
5 **disabilities and hospitals.** -- (a) The director of ~~mental health, retardation, and hospitals~~ the
6 department of behavioral healthcare, developmental disabilities and hospitals shall be responsible
7 for planning and developing a complete, comprehensive, and integrated statewide program for the
8 developmentally disabled for the implementation of the program; and for the coordination of the
9 efforts of the department of ~~mental health, retardation, and hospitals~~ behavioral healthcare,
10 developmental disabilities and hospitals with those of other state departments and agencies,
11 municipal governments as well as the federal government and private agencies concerned with
12 and providing services for the developmentally disabled.

13 (b) The director shall be responsible for the administration and operation of all state
14 operated community and residential facilities established for the diagnosis, care, and training of
15 the developmentally disabled. The director shall be responsible for establishing standards in
16 conformance with generally accepted professional thought and for providing technical assistance
17 to all state supported and licensed habilitative, developmental, residential and other facilities for
18 the developmentally disabled, and exercise the requisite surveillance and inspection to insure

1 compliance with standards. Provided, however, that none of the foregoing shall be applicable to
2 any of the facilities wholly within the control of any other department of state government.

3 (c) The director of ~~mental health, retardation, and hospitals~~ the department of behavioral
4 healthcare, developmental disabilities and hospitals shall stimulate research by public and private
5 agencies, institutions of higher learning, and hospitals, in the interest of the elimination and
6 amelioration of developmental disabilities, and care and training of the developmentally disabled.

7 (d) The director shall be responsible for the development of criteria as to the eligibility
8 for admittance of any developmentally disabled person for residential care in any department
9 supported and licensed residential facility or agency.

10 (e) The director of ~~mental health, retardation, and hospitals~~ the department of behavioral
11 healthcare, developmental disabilities and hospitals may transfer ~~retarded~~ persons with
12 developmental disabilities from one state residential facility to another when deemed necessary or
13 desirable for their better care and welfare.

14 (f) The director of ~~mental health, retardation, and hospitals~~ the department of behavioral
15 healthcare, developmental disabilities and hospitals shall make grants-in-aid and otherwise
16 provide financial assistance to the various communities and private nonprofit agencies, in
17 amounts which will enable all developmentally disabled adults to receive developmental and
18 other services appropriate to their individual needs.

19 (g) The director shall coordinate all planning for the construction of facilities for the
20 developmentally disabled, and the expenditure of funds appropriated or otherwise made available
21 to the state for this purpose.

22 (h) The director shall adopt a state reimbursement system for community and nonprofit
23 agencies that will encourage the hiring and retention of competent, qualified, and caring
24 individuals. Effective April 1, 2013, the reimbursement rate for direct support professionals
25 employed by private development disability organizations shall be increased from eleven dollars
26 and thirty cents (\$11.30) to twelve dollars and three cents (\$12.03) per hour. The rate shall be
27 adjusted annually every April 1 by a percentage increase to the nearest cent using the consumer
28 price index for urban wage earners and clerical workers (CPI-W) or a successor index for the
29 previous calendar year as calculated for the northeast region by the United States department of
30 labor.

31 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, DEVELOPMENT DISABILITIES AND
HOSPITALS -- DIVISION OF DEVELOPMENTAL DISABILITIES

1 This act would provide for the director of the department of behavioral healthcare,
2 developmental disabilities and hospitals to adopt a state reimbursement system for community
3 and nonprofit agencies that would encourage the hiring and retention of competent, qualified, and
4 caring individuals.

5 This act would take effect upon passage.

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