

RHODE ISLAND CHAPTER OF THE AMERICAN PHYSICAL THERAPY ASSOCIATION



“Even if you are on the right track, you'll get run over if you just sit there.”
Will Rogers

LEGISLATIVE REPORT – MAY 2008

I. Introduction

This Report deals with the status of bills in the 2008 General Assembly session. It deals with the status of our pending legislation and other legislation pending in the Assembly that could have an impact on your practices. We expect that this legislative session will be one of low expectations. There is no money; this is an election year. No-one at the Statehouse has the time or patience for a good old fashioned legislative donnybrook. Thus, most controversial or strongly contested legislation (other than financial matters) will have to wait until next year.

According to House and Senate Rules, all bills must be reported favorably out of Committee or transferred to the Finance Committees or they are dead. To a great extent, that has been the fate of many of the bills

introduced with such great expectation in January. As usual, there are several straggler bills that are in legislative limbo for a variety of reasons. Also, there are ways to resurrect moribund legislation by amending seemingly unrelated bills. The budget is always full of 'catfish bait' and new revenue raising proposals. The difference between the budget submitted and the budget passed is dramatic. Therefore, eternal vigilance is necessary. We are closely watching the development of the budget and proposals for universal service taxation.

The Association's lobbying and legislative advocacy efforts have been directed at the four bills that deal with the referral of patients to PT practices in which the physicians hold an ownership interest. We had legislation introduced that would require Physicians to notify patients of their right to choose the Physical Therapist they want to use. Concurrently, the Orthopedists had legislation introduced to provide that physical therapists working for physicians could not be disciplined for that sole reason. After a protracted amount of negotiation with the leadership of both the House and Senate and representatives of the orthopedic surgeons, we crafted new alternative legislation that provides both notice of referral and the disciplinary clarification. In that process we strengthened the referral constraints. The new language is contained in House 7870A as amended and it provides in relevant part: Section 5-40-13 of the General Laws in Chapter 5-40 entitled "Physical Therapists" is hereby amended to read as follows:

5-40-13. Grounds for discipline of licensees:

(c) For purposes of this chapter and notwithstanding any other provisions of this chapter or any rules or regulations adopted by the board, any person licensed or registered under this chapter who is a bona fide employee or independent contractor of a physician or a physician group entitled to wages and compensation pursuant to such employment or contract, or is a coowner of a physical therapy practice with a physician group, shall not be deemed to be engaged in conduct unbecoming a person licensed or registered under this chapter, or to be engaged in conduct detrimental to the best interest of the public, or to be in violation of any other provision of this chapter by virtue of any of the above relationships, and shall not be subject to licensure denial, suspension, revocation, or any other disciplinary action or penalty under this chapter:

(1) solely by virtue of such employment or contract; or

(2) solely by virtue of the provision of physical therapy services pursuant to a referral from the employing or contracting physician or physician group.

Any such interest referenced in this paragraph shall be in accordance with federal and state law, specifically, including, but not limited to, chapter 5-48.1.

The Rhode Island Medical Practice Act is amended by adding the following Language to Section 5-37-22. Disclosures:

(f) Every physician who makes a referral of a patient to receive physical therapy services shall provide the notice required by this section if the services are provided by employees or independent contractors of the physician or if the entity is one in which the physician has an ownership interest. Any such interest referenced in this paragraph shall be in accordance with federal and state law, specifically including, but not limited to, Rhode Island general laws chapter 27 5-48.1.

The federal law reference is intended to sweep in the so-called federal Stark Act which prohibits referral for profit. Rhode Island General Law section 5-48.1-1 prohibits referral for profit at the State level. The Assembly continues to be consumed with the budget debate. Rhode Island like most other states is broke. The budget is being crafted over the next six weeks. There will be painful cuts and in all likelihood new monies needed to run government (fee increases, etc.) The Revenue Estimating Conference begins in earnest this week. This year our major legislative goal, as set forth below, is to better regulate the referral practice of physicians who have an interest in a physical therapy practice.

II. Legislation

A. Our Bills:

DISCLOSURE BY PHYSICIAANS OF REFERRAL TO PT

Senate Bill No. [2475](#) **DEAD FOR 2008 / OUR ISSUE MERGED INTO 7870**

BY Miller

ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- BOARD OF MEDICAL LICENSURE AND DISCIPLINE

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Senate Health and Human Services

House Bill No. [7574](#) **DEAD FOR 2008 / OUR ISSUE MERGED INTO 7870**

BY Lewiss, Dennigan, Church, McNamara, Kennedy

ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- BOARD OF MEDICAL LICENSURE AND DISCIPLINE

(would require full disclosure if a physician refers a patient for physical therapy to a facility owned by the physician or operated by employees of the physician)

House H.E.W.

B. Opposition Bills:

PT WORKING FOR PHYSICIAN OWNED CLINIC NOT ETHICAL VIOLATION.

Senate Bill No. [2674](#) **ALIVE FOR 2008 / OUR ISSUE MERGED INTO THIS BILL**

BY Levesque C

ENTITLED, AN ACT RELATING BUSINESSES AND PROFESSIONS - PHYSICAL THERAPISTS

(provide that any person licensed as a physical therapist who has a bona fide employment or independent contract with a physician or physician group/engaging in conduct detrimental to the public by virtue of this relationship)

Health and Human Services

House Bill No. [7870](#) SUB A as amended **ALIVE FOR 2008 / OUR ISSUE MERGED INTO THIS BILL**

BY Kilmartin

ENTITLED, AN ACT RELATING BUSINESSES AND PROFESSIONS - PHYSICAL THERAPISTS

(any person licensed as a physical therapist who has a bona fide employment or independent contract with a physician/physician group shall not be deemed to be engaging in conduct detrimental to the public by virtue of this relationship)

House passed Sub A as amended (floor amendment)

Senate Health and Human Services

B. Other Relevant Bills:

House Bill No. [7157](#) SUB A **IT'S ALIVE**

(Attorney General)

BY Sullivan, Williamson, Serpa, Kennedy, O'Neill

ENTITLED, AN ACT RELATING TO COMMERCIAL LAW - GENERAL REGULATORY PRACTICES

(create a new chapter regarding the safe destruction of documents containing personal information House Corporations

House Bill No. [7350](#) **IT'S ALIVE**

BY Shanley, Williamson, Diaz, Malik, Loughlin

ENTITLED, AN ACT RELATING TO TAXATION -- CIGARETTE TAX

(cap the maximum tax for cigars at fifty cents (\$.50) for each cigar)

House Finance

House Bill No. [7390](#) **IT'S ALIVE**

(Governor)

BY Watson, Gorham, Story, Ehrhardt, Mumford

ENTITLED, AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR FISCAL YEAR ENDING JUNE 30, 2009

House Finance

House Bill No. [7536](#) **IT'S ALIVE**

BY Winfield, Kennedy, Williams, Gablinske, Menard

ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS - ONLINE LICENSE RENEWAL

(prohibit adding any surcharges to the online renewal of a professional license or certificate)

House Finance

House Bill No. [7537](#) **IT'S ALIVE**

BY Winfield, Kennedy, Williams, Gablinske, Menard

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT

(prohibit state departments and agencies from imposing a surcharge for online transactions)

House Finance

House Bill No. [7549](#) **IT'S ALIVE**

(Governor)

BY Mumford, Costantino

ENTITLED, AN ACT RELATING TO PUBLIC FINANCE -- STATE BUDGET

(would provide emergency rules and regulations required to address a state fiscal crisis)

House Finance

House Bill No. [7337](#) SUB A **IT'S ALIVE**

BY Schadone, Winfield, Brien, Rice, Corvese

ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS - ATHLETIC AGENTS

(create a uniform athlete agent act to regulate the business of sports agency)

05/08/2008 House passed Sub A

House Bill No. [7873](#) **IT'S ALIVE**

BY Slater, Segal, Ferri, Diaz, Almeida

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**ENTITLED, AN ACT RELATING TO TAXATION -- SALES AND USE TAXES --
LIABILITY AND COMPUTATION**

(reduce the state sales tax rate from the current 7% to 4.5%, and would exclude medical and legal services, as well as food and clothing items sold for more than \$150, as taxable services and items)

House Finance

C. Healthcare Bills:

Senate Bill No. [2018](#) **DEAD FOR 2008**

BY Tassoni, McBurney, Doyle, Felag

ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- PHYSICIANS

(would grant physicians immunity from ordinary negligence when they offer free care in free clinics for the poor)

Senate Health and Human Services

Senate Bill No. [2111](#) **DEAD FOR 2008**

(by request)

BY Cote

ENTITLED, AN ACT RELATING TO COURTS -- JOINT AND SEVERAL LIABILITY

(provide that the liability of a defendant for damages would be several only and not be joint where the defendant's act or omission constituted no more than (25%) of the cause of damages sustained by the plaintiff)

Senate Judiciary

Senate Bill No. [2114](#) **DEAD FOR 2008**

(by request)

BY Cote

ENTITLED, AN ACT RELATING TO COURTS AND CIVIL PROCEDURE

(reduce the interest percentage to be added in civil actions from twelve percent (12%) to six percent (6%))

Senate Judiciary

Senate Bill No. [2188](#) **DEAD FOR 2008**

BY Miller, Walaska, Alves, Ruggiero, Goodwin

ENTITLED, AN ACT RELATING TO INSURANCE

(would limit the percentage amount that certain contracts for health insurance would be allowed to increase annuity.)

Senate Health and Human Services

Senate Bill No. [2189](#) D

BY Perry, Sosnowski, Miller, Levesque C, Goodwin

**ENTITLED, AN ACT RELATING TO INSURANCE -- COVERAGE FOR MENTAL ILLNESS AND
SUBSTANCE ABUSE**

(specify that reimbursement for professional providers for mental illness coverage shall be comparable to the amount paid for similar medical services)
Senate Health and Human Services

Senate Bill No. [2191](#) SUB A **IT'S ALIVE**

BY Walaska, McCaffrey, Bates, Blais, Cote

ENTITLED, AN ACT RELATING TO INSURANCE -- MANDATED BENEFITS

(require a mandated benefit review by the health insurance commissioner or any mandated benefit introduced after January 1, 2008, contingent on the review being paid for by the state health care providers)
Senate Health and Human Services Committee recommends passage of Sub A

Senate Bill No. [2203](#) **DEAD FOR 2008**

BY Blais

ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- MEDICAL MALPRACTICE

(would require the department of health to provide an analysis of medical malpractice insurance rates and to recommend improvements to the legislature)

Senate Judiciary

Senate Bill No. [2206](#) **DEAD FOR 2008**

BY Blais

ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- BOARD OF MEDICAL LICENSURE AND DISCIPLINE

(require in the case of settlements/judgments, an itemized list of the award stating an amount for economic damages, noneconomic damages, medical expenses/interest accrued, in reports relating to professional conduct)

Senate Judiciary

Senate Bill No. [2221](#) **DEAD FOR 2008**

BY Perry, Gallo

ENTITLED, AN ACT RELATING TO TAXATION

(repeal the chapter that imposes a surcharge on outpatient health care facilities/also repeal the chapter that imposes a surcharge on imaging providers)

Senate Finance

Senate Resolution No. [2222](#) **IT'S ALIVE**

(Lieutenant Governor)

BY Tassoni, Perry, Paiva-Weed, Montalbano J

ENTITLED, JOINT RESOLUTION CREATING A JOINT TASK FORCE TO STUDY ALL ASPECTS OF HEALTH CARE REFORM RELATING TO THE HEALTHY RHODE ISLAND REFORM ACT OF 2008 - PART VIII

House H.E.W.

Senate Bill No. [2260](#) **DEAD FOR 2008**

BY Breene, Blais, Sosnowski, Fogarty P, Algiere

ENTITLED, AN ACT RELATING TO MOTOR VEHICLES - REGISTRATION OF VEHICLES - STAR OF LIFE LICENSE PLATES

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(would make available special "Star of Life" license plates for emergency medical personnel.)
Senate Constitutional and Regulatory Issues

Senate Bill No. [2277](#) **DEAD FOR 2008**

BY Levesque C, Miller, Blais

ENTITLED, AN ACT RELATING TO EDUCATION -- HEALTH AND SAFETY OF PUPILS

(require school departments to develop policies and procedures for administering injections to diabetic students in the event of an emergency/policy would include parent authorization and the training of school personnel)

Senate Health and Human Services

Senate Bill No. [2278](#) **DEAD FOR 2008**

BY Blais

ENTITLED, AN ACT RELATING TO FOOD AND DRUGS - CONTROLLED SUBSTANCES - PRESCRIPTIONS

(eliminate the limitation that prescriptions for schedule II controlled substances be submitted for up to a maximum of a 30 day supply and a maximum of 250 dosage units)

Senate Health and Human Services

Senate Bill No. [2279](#) **DEAD FOR 2008**

BY Blais

ENTITLED, AN ACT RELATING TO INSURANCE

(create an independent committee to review the cost-effectiveness, medical efficacy and social need for mandated health insurance benefits)

Senate Health and Human Services

Senate Bill No. [2280](#) **DEAD FOR 2008**

BY Levesque C, Bates, Miller

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY

(create the Patient Safety and Medical Error Reduction Act/require each hospital in the state to participate in a comprehensive program to improve patient safety and reduce medical errors in the respective hospitals)

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Senate Health and Human Services

Senate Bill No. [2281](#) **DEAD FOR 2008**

BY Levesque C

ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- PHARMACIES

(provide that pharmacies provide a list of twenty (20) prescribed health maintenance drugs in electronic format to the department of health with current selling prices)

Senate Health and Human Services

Senate Bill No. [2284](#) **IT'S ALIVE**

(Lieutenant Governor)

BY Paiva-Weed, Algieri, Perry, Gibbs

ENTITLED, AN ACT RELATING TO HEALTH CARE QUALITY PROGRAM -- MONITORING THE OCCURRENCE OF PRESSURE ULCERS IN HEALTH CARE FACILITIES
(add the occurrence of pressure ulcers to the list of subjects on which the health care quality steering committee shall advise)
House H.E.W.

Senate Bill No. [2285](#) **DEAD FOR 2008**
BY Perry, Miller, Pichardo, Sosnowski, Levesque C
ENTITLED, AN ACT RELATING TO INSURANCE
(provide insurance coverage for treatment of infertility for unmarried, as well as married, persons)
Senate Health and Human Services

Senate Bill No. [2286](#) SUB A **IT'S ALIVE**
(Lieutenant Governor)
BY Sheehan, Perry, Sosnowski, Paiva-Weed, Walaska
ENTITLED, AN ACT RELATING TO INSURANCE -- HEALTH INSURANCE MARKET EXPANSION
(establish a regional health insurance market between Rhode Island, Massachusetts and Connecticut)
House Corporations

Senate Bill No. [2305](#) **DEAD FOR 2008**
BY Perry, Miller, Sosnowski, Goodwin, Fogarty P
ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- CONFIDENTIALITY OF HEALTH CARE COMMUNICATIONS AND INFORMATION ACT
Senate Judiciary

Senate Bill No. [2353](#) **IT'S ALIVE**
BY Levesque C
ENTITLED, AN ACT RELATING TO INSURANCE
(amend various statutes in order to provide affordable health care in Rhode Island.)
Senate Finance

Senate Bill No. [2366](#) **DEAD FOR 2008**
BY Gallo, Fogarty P, Levesque C
ENTITLED, AN ACT RELATING TO COURTS AND CIVIL PROCEDURE -- PROCEDURE GENERALLY -- CAUSES OF ACTION -- GOOD SAMARITANS
(exempt from civil liability services performed without compensation by dentists and dental hygienists at free dental clinics)
to Senate Judiciary

Senate Bill No. [2379](#) **DEAD FOR 2008**
(Health)
BY Gibbs

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- DETERMINATION OF NEED FOR NEW HEALTH CARE EQUIPMENT AND NEW INSTITUTIONAL HEALTH SERVICES
(remove the present limitation to twelve with respect to the categories of tertiary care services that may be subject to regulation at any one time)
Senate Health and Human Services

Senate Bill No. [2380](#) **DEAD FOR 2008**

(Health)

BY Gibbs

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- DEPARTMENT OF HEALTH
(authorize the director of health to grant temporary Rhode Island licenses to health care providers licensed in other state in the event of a public health emergency)
Senate Health and Human Services

Senate Bill No. [2384](#) **IT'S ALIVE**

BY Gallo

ENTITLED, AN ACT RELATING TO EDUCATION
(establish a state-administered program for the forgiveness of retention loans on behalf of physicians)
Senate Finance

Senate Bill No. [2415](#) **DEAD FOR 2008**

BY Ciccone, Alves, DaPonte, Felag, Ruggerio

ENTITLED, AN ACT RELATING TO INSURANCE

(would include coverage for preimplantation genetic diagnosis (PGD) in conjunction with in vitro fertilization (IVF) for a married couple where at least one spouse has a balanced translocation)
Senate Health and Human Services

Senate Bill No. [2429](#) **DEAD FOR 2008**

BY Felag

ENTITLED, AN ACT RELATING TO LABOR AND LABOR RELATIONS -- HEALTH AND WELFARE FUNDS -- PENSION PLANS
(would require that the health care benefit plan shall not be constructed as to identify an exclusive provider for benefits)
Senate Labor

Senate Bill No. [2460](#) **IT'S ALIVE**

BY Connors

ENTITLED, AN ACT RELATING TO TAXATION -- THE CIGARETTE TAX
(would provide that the provisions of this chapter on the cigarette tax apply to smokeless tobacco, snuff, cigars, smoking and pipe tobacco products/Stamps or metering impressions are not required on non-cigarette tobacco products)
Senate Finance

Senate Bill No. [2461](#) **IT'S ALIVE**

BY Sosnowski, Blais, Miller

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY - THE RHODE ISLAND TOBACCO CONTROL PROGRAM

(would create the Rhode Island tobacco control program to be funded by revenue produced by the excise tax on cigarettes and other tobacco products)

Senate Finance

Senate Bill No. [2470](#) **DEAD FOR 2008**

BY Jabour, Ciccone, Connors

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- PUBLIC HEALTH AND WORKPLACE SAFETY ACT

(would reduce the percentage of annual revenue by tobacco sales in the definition of a smoking bar from 50% to 30%)

Senate Health and Human Services

Senate Bill No. [2478](#) **DEAD FOR 2008**

BY Jabour, Ciccone

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY - PUBLIC HEALTH AND WORKPLACE SAFETY ACT

(would allow bars and restaurants to allow smoking upon their premise provided they obtain a special license which would be issued by the city or town for a one thousand dollars (\$1,000) fee)

Senate Health and Human Services

Senate Bill No. [2479](#) **DEAD FOR 2008**

BY Doyle, McBurney, Tassoni, Connors

ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS - NURSES

(would allow certified nurse practitioners to prescribe medicine in accordance with state formulary of registered nurse practitioners)

Senate Health and Human Services

Senate Bill No. [2480](#) **DEAD FOR 2008**

BY Jabour, Ciccone, Felag

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- PUBLIC HEALTH AND WORKPLACE SAFETY ACT

(would reduce the percentage of annual revenue by tobacco sales in the definition of a smoking bar from 50% to 30%)

Senate Health and Human Services

Senate Bill No. [2481](#) SUB A as amended **IT'S ALIVE**

(Lieutenant Governor)

BY Levesque C, Perry, Gibbs, Sosnowski, Gallo

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- HEALTH CARE QUALITY PROGRAM

(would create a health care quality and value database)

Senate Calendar

Senate Bill No. [2482](#) **DEAD FOR 2008**

(Health)

BY Gibbs

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ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- NURSES
(would cause an additional charge for application fees for nurse licensure if processed by an outside agency)

Senate Health and Human Services

Senate Bill No. [2484](#) **DEAD FOR 2008**

(Lieutenant Governor)

BY Pichardo, Jabour, Gallo, Perry, Paiva-Weed

ENTITLED, AN ACT RELATING TO THE HEALTH AND SAFETY - HEALTHY RHODE ISLAND REFORM ACT OF 2008

(would establish the healthy Rhode Island strategic plan and chronic care management program)

Senate Health and Human Services

Senate Bill No. [2505](#) **DEAD FOR 2008**

(Attorney General)

BY Raptakis

ENTITLED, AN ACT RELATING TO COMMERCIAL LAW - GENERAL REGULATORY PRACTICES

(would create a new chapter regarding the safe destruction of documents containing personal information by business entities. Aggrieved consumers would have a civil action in superior court to recover actual damages)

Senate Judiciary

Senate Bill No. [2547](#) **DEAD FOR 2008**

BY Levesque C, Gallo

ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- PHYSICIANS ASSISTANTS

(remove the allowance for "graduate practice" status for physician assistants/grant immunity from liability for gratuitous emergency assistance to state - licensed and federally-credentialed physician assistants)

Senate Judiciary

Senate Bill No. [2571](#) **IT'S ALIVE**

BY Ruggiero, Goodwin, Gallo, Doyle, Lanzi

ENTITLED, AN ACT RELATING TO TAXATION

(exempt from sales taxes diabetic monitoring kits; including, but not limited to, testing strips utilized for the determination of blood sugar levels)

Senate Finance

Senate Bill No. [2577](#) **DEAD FOR 2008**

BY Ruggiero, McCaffrey, Perry, Levesque C, Goodwin

ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- CONFIDENTIALITY OF HEALTH CARE COMMUNICATIONS AND INFORMATION ACT

(prevent disclosure of a patient's health care information through ex parte contacts with a health care provider by persons other than the patient or his or her legal representative)

Senate Health and Human Services

House Bill No. [7057](#) SUB A as amended **IT'S ALIVE**

BY Lewiss, Shanley, Kennedy, Picard, McNamara

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ENTITLED, AN ACT RELATING TO INSURANCE -- HEALTH INSURANCE -- COPAYMENTS
(require health insurance carriers to reimburse hospitals for certain uncollected member copayments and deductibles/also place conditions upon the variation of adjusted community rates applied by small employer carriers)
Senate Finance

HOUSE BILLS

House Bill No. [7073](#) **IT'S ALIVE**

BY Walsh, Lally, Scott, Shanley
ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- STATE LOTTERY TICK GAME
(mandate the state lottery division to conduct an instant game known as the "Scratch the Tick Game" during the fiscal year ending June 30, 2009)
House Finance

House Bill No. [7099](#) **DEAD FOR 2008**

BY McNamara
ENTITLED, AN ACT RELATING TO COURTS AND CIVIL PROCEDURE -- EVIDENCE
(expressions of sympathy and statements by a health care provider to a patient or to the patient's family regarding the outcome of such patient's medical care and treatment)
House Judiciary

House Bill No. [7100](#) **DEAD FOR 2008**

BY Schadone, Corvese, Melo, Palumbo, Malik
ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- FETAL House Judiciary

House Bill No. [7102](#) **DEAD FOR 2008**

BY Church
ENTITLED, AN ACT RELATING TO COURTS AND CIVIL PROCEDURE - PROCEDURE GENERALLY - JUDGMENTS, ORDERS, AND DECREES
(change the rate assessed on civil judgments from twelve percent (12%) to the treasury index rate plus three percent (3%))
House Judiciary

House Bill No. [7108](#) **IT'S ALIVE**

BY Schadone, Corvese, Melo, Gablinske, Malik

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ENTITLED, AN ACT RELATING TO LABOR RELATIONS -- COLLECTIVE BARGAINING
House Finance

House Bill No. [7157](#) SUB A **IT'S ALIVE**

(Attorney General)

BY Sullivan, Williamson, Serpa, Kennedy, O'Neill

ENTITLED, AN ACT RELATING TO COMMERCIAL LAW - GENERAL REGULATORY PRACTICES
(create a new chapter regarding the safe destruction of documents containing personal information by business entities)

Senate Judiciary

House Bill No. [7158](#) **IT'S ALIVE**

BY Malik, Jacquard, Corvese, Gablinske, Gallison

ENTITLED, AN ACT RELATING TO PUBLIC OFFICERS AND EMPLOYEES -- INSURANCE BENEFITS
House Finance

House Bill No. [7180](#) **DEAD FOR 2008**

BY Long, Almeida, Pacheco, Handy, Trillo

ENTITLED, AN ACT RELATING TO CRIMINAL OFFENSES - CHILDREN
(add "cigars" to the list of tobacco products prohibited from sale to minors)

House Judiciary

House Bill No. [7181](#) **DEAD FOR 2008**

BY Rice, Gallison, Handy, Ajello, Diaz

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- FAIR SHARE HEALTH CARE FUND

(establish the Fair Share Health Care Report and would require employers of 1,000 employees or more to file annual reports relating to the portion of total employees health care costs paid by the employer)

House Labor

House Bill No. [7281](#) **IT'S ALIVE**

BY Naughton, Coderre E, McNamara, San Bento, Slater

ENTITLED, AN ACT RELATING TO HEALTH CARE QUALITY PROGRAM -- MONITORING THE OCCURRENCE OF PRESSURE ULCERS IN HEALTH CARE FACILITIES

(add the occurrence of pressure ulcers to the list of subjects on which the health care quality steering committee shall advise)

Senate Health and Human Services

House Bill No. [7308](#) **DEAD FOR 2008**

BY Petrarca, Corvese, Palumbo, Dennigan

ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- PHYSICIANS

(grant physicians immunity from ordinary negligence when they offer free care in free clinics for the poor)

House Judiciary

House Bill No. [7350](#) **IT'S ALIVE**

BY Shanley, Williamson, Diaz, Malik, Loughlin

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ENTITLED, AN ACT RELATING TO TAXATION -- CIGARETTE TAX
(cap the maximum tax for cigars at fifty cents (\$.50) for each cigar)
House Finance

House Bill No. [7351](#) **IT'S ALIVE**
(Lieutenant Governor)

BY Shanley, Naughton, Lally, Brien, Dennigan

ENTITLED, AN ACT RELATING TO EDUCATION -- NURSING LOAN REPAYMENT PROGRAM

(address loan forgiveness under the nursing loan repayment program and annually appropriate \$250,000 for matching funds)

House Finance

House Bill No. [7352](#) **DEAD FOR 2008**
(Lieutenant Governor)

BY Gemma, Fox, Church, Rice, Schadone

ENTITLED, AN ACT RELATING TO THE HEALTH AND SAFETY - HEALTHY RHODE ISLAND REFORM ACT OF 2008

House H.E.W.

House Bill No. [7390](#) **THE BUDGET**
(Governor)

BY Watson, Gorham, Story, Ehrhardt, Mumford

ENTITLED, AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR FISCAL YEAR ENDING JUNE 30, 2009

House Finance

House Bill No. [7396](#) **DEAD FOR 2008**

BY Naughton

ENTITLED, AN ACT RELATING TO COURTS AND CIVIL PROCEDURE

(reduce the interest percentage to be added in civil actions from twelve percent (12%) to six percent (6%))

House Judiciary

House Bill No. [7397](#) **DEAD FOR 2008**

BY Naughton

ENTITLED, AN ACT RELATING TO COURTS -- JOINT AND SEVERAL LIABILITY

(provide that the liability of a defendant for damages would be several only and not be joint where the defendant's act or omission constituted no more than (25%) of the cause of damages sustained by the plaintiff)

House Judiciary

House Bill No. [7409](#) **DEAD FOR 2008**

BY Kilmartin, Sullivan

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ENTITLED, AN ACT RELATING TO BUSINESS AND PROFESSIONS - THE RHODE ISLAND HEALTH INFORMATION EXCHANGE ACT OF 2008
House H.E.W.

House Bill No. [7436](#) **DEAD FOR 2008**

BY Jacquard, Handy

ENTITLED, AN ACT RELATING TO INSURANCE - COCHLEAR IMPLANTS
to House H.E.W

House Bill No. [7463](#) SUB A **IT'S ALIVE**

BY Baldelli-Hunt

ENTITLED, AN ACT RELATING TO EDUCATION -- HEALTH AND SAFETY OF PUPILS
(direct the governing bodies of each school to develop a policy designed to provide a safe environment for students with peanut, tree nut, or other food allergies)
Senate Education

House Bill No. [7465](#) **IT'S ALIVE**

(Lieutenant Governor)

BY McNamara, Lewiss, Naughton

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- HEALTH CARE QUALITY PROGRAM
(create a health care quality and value database)
House Finance

House Bill No. [7475](#) **DEAD FOR 2008**

BY Lewiss, Jackson, Walsh, Rice, Gallison

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- PUBLIC BEACH SMOKING POLLUTION CONTROL ACT

(prohibit smoking on public beaches in the state)

House Judiciary

House Bill No. [7491](#) **DEAD FOR 2008**

BY Ferri, Almeida, Baldelli-Hunt, Segal, Lima

ENTITLED, AN ACT RELATING TO INSURANCE

(limit the percentage amount that certain contracts for health insurance would be allowed to increase annually)

House Corporations

House Bill No. [7492](#) **DEAD FOR 2008**

BY Ferri, Almeida, Picard, Ajello, Gemma

ENTITLED, AN ACT RELATING TO PUBLIC OFFICERS AND EMPLOYEES - INSURANCE BENEFITS

(allow small businesses to participate in insurance contracts at the rate of contribution required for state employees)

House Corporations

House Bill No. [7493](#) SUB A **IT'S ALIVE**

(Lieutenant Governor)

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BY Ferri, Lewiss, Baldelli-Hunt, Malik, Winfield
ENTITLED, AN ACT RELATING TO INSURANCE -- HEALTH INSURANCE MARKET EXPANSION
(establish a regional health insurance market between Rhode Island, Massachusetts and Connecticut)
House Calendar

House Bill No. [7508](#) **DEAD FOR 2008**

BY Lewiss, Kennedy, Coderre E, McNamara, Shanley
ENTITLED, AN ACT RELATING TO INSURANCE
(provide that health providers, when treating a non-resident, be reimbursed at a rate which is the greater of the rate established by the health insurer in Rhode Island or by health insurers in the state of the non-resident)
House Corporations

House Resolution No. [7510](#) **IT'S ALIVE**

BY Kennedy, Lewiss, Shanley, Church, Picard
ENTITLED, JOINT RESOLUTION IN OPPOSITION TO THE NATIONAL INSURANCE ACT OF 2007
Senate Constitutional and Regulatory Issues

House Bill No. [7511](#) **DEAD FOR 2008**

BY Church, Baldelli-Hunt, Segal, Slater
ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- PHYSICIANS
House Corporations

House Bill No. [7515](#) **DEAD FOR 2008**

BY Menard, Ucci, Fellela, Winfield
ENTITLED, AN ACT RELATING TO INSURANCE -- MANDATED BENEFITS REVIEW ACT
(create an independent committee to review the cost effectiveness, medical efficacy and social need for mandated health insurance benefits)
House Corporations

House Bill No. [7530](#) **IT'S ALIVE**

BY Ajello, Segal, Handy, Dennigan, Ferri
ENTITLED, AN ACT RELATING TO EDUCATION
(establish a state-administered program for the forgiveness of retention loans on behalf of physicians)
House Finance

House Bill No. [7535](#) **IT'S ALIVE**

BY Winfield
ENTITLED, AN ACT RELATING TO TAXATION
(act would provide a tax credit of ten percent (10%) of the expenses, up to two hundred dollars (\$200) to private businesses which participate in a Qualified School-to-Career Program)
House Finance

House Bill No. [7536](#) **IT'S ALIVE**

BY Winfield, Kennedy, Williams, Gablinske, Menard
ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS - ONLINE LICENSE RENEWAL

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(prohibit adding any surcharges to the online renewal of a professional license or certificate)
House Finance

House Bill No. [7537](#) **IT'S ALIVE**

BY Winfield, Kennedy, Williams, Gablinske, Menard

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT

(prohibit state departments and agencies from imposing a surcharge for online transactions)

House Finance

House Bill No. [7549](#) **IT'S ALIVE**

(Governor) **BY** Mumford, Costantino

ENTITLED, AN ACT RELATING TO PUBLIC FINANCE -- STATE BUDGET

(would provide emergency rules and regulations required to address a state fiscal crisis)

02/26/2008 Introduced, referred to House Finance

House Bill No. [7553](#) **IT'S ALIVE**

BY Ferri, Ajello, Almeida, Segal, Rice

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- HEALTH CARE REFORM ACT OF 2004

(add to the purpose of the Rhode Island health care reform act of 2004)

House Finance

House Bill No. [7561](#) **IT'S ALIVE**

BY McNamara, Mumford, Corvese, Kilmartin

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- DEPARTMENT OF HEALTH

(establish the Rhode Island patient safety and quality improvement act of 2008. The goals of this act would be to promote patient safety, reduce medical errors, and encourage better reporting of medical errors and related incidents)

House Finance

House Bill No. [7570](#) SUB A **IT'S ALIVE**

BY McNamara

ENTITLED, AN ACT RELATING TO FOOD AND DRUG -- UNIFORM CONTROLLED SUBSTANCES ACT

(would void schedule II prescriptions not dispersed with 90 days and schedule III, IV and V within 180 days. It would further eliminate certain monthly supply limits)

House Calendar

House Resolution No. [7571](#) **IT'S ALIVE**

BY Dennigan, Church, Fox, Ajello, Slater

ENTITLED, JOINT RESOLUTION CREATING A SPECIAL LEGISLATIVE COMMISSION TO STUDY AND ESTABLISH HEALTH CARE REFORM MODELS TO EXPAND HEALTH CARE COVERAGE AND TO DECREASE HEALTH CARE COSTS FOR RHODE ISLAND RESIDENTS

House read and passed

House Bill No. [7572](#) **DEAD FOR 2008**

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BY Lewiss, Gallison, Slater

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- DETERMINATION OF NEED FOR NEW HEALTH CARE EQUIPMENT AND NEW INSTITUTIONAL HEALTH SERVICES

(amend the definition of health care facility to include ambulatory surgery centers)

House H.E.W.

House Bill No. [7573](#) **DEAD FOR 2008**

BY Lewiss, Gallison, Slater

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY

(would create certain licensure requirements for freestanding ambulatory surgery centers)

House H.E.W.

House Bill No. [7574](#) **DEAD FOR 2008**

BY Lewiss, Dennigan, Church, McNamara, Kennedy

ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- BOARD OF MEDICAL LICENSURE AND DISCIPLINE

(would require full disclosure if a physician refers a patient for physical therapy to a facility owned by the physician or operated by employees of the physician)

House H.E.W.

House Bill No. [7575](#) **DEAD FOR 2008**

BY Lewiss, Dennigan, Church, Walsh, Kennedy

ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- DENTISTS AND DENTAL HYGIENISTS

(would allow dental students who have completed at least half of the prescribed courses in a dental school to sit for and take the dental hygiene exam)

House H.E.W.

House Bill No. [7584](#) **DEAD FOR 2008**

BY Lewiss, Dennigan, Church, Walsh, Kennedy

ENTITLED, AN ACT RELATING TO COURTS AND CIVIL PROCEDURE -- PROCEDURE GENERALLY -- CAUSES OF ACTION -- GOOD SAMARITANS

(would exempt from civil liability services performed without compensation by dentists and dental hygienists at free dental clinics)

House Judiciary

I. Upcoming Fundraisers

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THIS IS AN ELECTION YEAR. We urge members to attend fundraisers, particularly fundraisers for legislators whom you know. Just contact me by email or by telephone at 272-5300 extension 127 if you have any questions.

Upcoming Fundraisers:

Senator Dominick Ruggerio

Monday, May 23, 2008 6:00 p.m. to 8:00 p.m.
Lancellotta's Restaurant, 1113 Charles Street, North Providence
\$100.00 per person

Representative Brian Patrick Kennedy

Monday, May 12, 2008 5:30 p.m. to 7:30 p.m.
Johnson & Wales Radisson Airport Hotel, Warwick
\$125.00 per person

Senator William Walaska

Tuesday, May 13, 2008 6:30 p.m. to 8:30 p.m.
Timmy's One Bay Avenue Restaurant
1 Bay Avenue, Warwick
\$100.00 per person

Representative Joe McNamara

Tuesday, May 13, 2008 7:00 p.m. to 9:00 p.m.
Rhode Island Yacht Club, Cranston
\$100.00 per person

Representative Steven Costantino

Wednesday, May 14, 2008 6:30 p.m. to 8:30 p.m.
The Hi-Hat, 3 Davol Square, Providence
\$125.00 per person

Senator Issa

Wednesday, May 14, 2008 6:00 p.m. to 8:00 p.m.
Club Maderense

Senator James Sheehan

Thursday, May 15, 2008 5:30 p.m. to 7:30 p.m.
Meritage, 5454 Post Road, East Greenwich
\$50.00 per person

Representative Douglas Gablinske

Thursday, May 15, 2008 6:30 p.m. to 8:30 p.m.

Barnsider, 375 South Main Street, Providence
\$100.00 per person

Senator Bates

Monday, May 19, 2008 5:30 p.m. to 7:30 p.m.
Wharf Tavern, Water Street, Warren

Representative Eileen Naughton

Tuesday, May 20, 2008 6:00 p.m. to 8:00 p.m.
The Islander, 2318 West Shore Road, Warwick
\$50.00 per person

Senator Miller

Tuesday, May 20, 2008 6:30 p.m. to 8:30 p.m.
Twin Oaks, Cranston

Representative John McCauley

Wednesday, May 21, 2008 6:00 p.m. to 8:00 p.m.
Stickyfingers, 137 Douglas Avenue, Providence
\$50.00 per person

Senator Lenihan

Wednesday, May 21, 2008 6:00 p.m. to 8:00 p.m.
His Home

Senator McCaffrey

Tuesday, May 27, 2008 6:00 p.m. to 8:00 p.m.
Knights of Columbus, Warwick

Senator Goodwin

Wednesday, May 28, 2008 6:00 p.m. to 8:00 p.m.
Roger Williams Casino, Providence

Fund for Democratic Priorities

Thursday, May 29, 2008 5:00 p.m.
McCoy Stadium, Pawtucket
\$125.00 per person

COMMENTS OR SUGGESTIONS ARE WELCOME Quinlaw@ids.net