

STATE OF RHODE ISLAND



Department of Behavioral Healthcare, Developmental Disabilities & Hospitals

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January 20, 2026

The Honorable Joseph J. Solomon, Jr., Chair
House Committee on Corporations
State House
Providence, RI 02903

RE: 2026 – H 7109 – An Act Relating to Commercial Law -- General Regulatory Provisions -- Patient Brokering Act

Dear Chair Solomon:

Please accept this letter of support regarding **H 7109**, which would prohibit the practice of patient brokering.

Patient brokering is a questionable practice used by some substance use disorder treatment facilities to recruit patients for their facilities. This practice involves the payment by the treatment facility of a financial incentive or kickback to a broker who refers a patient in need of substance use disorder treatment to that facility. Such practices prey on vulnerable individuals and their families who may not be familiar with the substance use treatment system. With the incentive to make referrals, the patient broker may continuously move these patients from facility to facility, sometimes from state to state, before a course of treatment is completed.

This Act would supplement the federal Eliminating Kickbacks in Recovery Act (EKRA), 18 U.S.C. Section 220, which prohibits payment for patient referrals to recovery homes, clinical treatment facilities, and laboratories. This criminal statute carries a fine of not more than \$200,000, imprisonment of not more than ten (10) years, or both, for each occurrence.

Enactment of this legislation would provide the State of Rhode Island with the authority to prohibit the practice of patient brokering by any health care provider or health care facility, as defined in the bill, which is an expansion from EKRA's prohibition of payments involving recovery homes, clinical treatment facilities and laboratories. The practice of patient brokering can contribute to fraud and abuse within the healthcare system, leading to increased costs and compromised care. This bill is a positive step towards protecting vulnerable individuals and ensuring the integrity of healthcare services.

For these reasons, BHDDH respectfully urges the Honorable Members of this Committee to recommend H 7109 for passage.

Sincerely,

A handwritten signature in black ink, appearing to read "Richard Leclerc".

Richard Leclerc
Director

cc: The Honorable Members of the House Committee on Corporations
The Honorable John J. Lombardi
Nicole McCarty, Esquire, Chief Legal Counsel to the Speaker of the House
Lynne Urbani, Director of House Policy