



**Regarding the change to RI's Certificate of Need process (CON)
H5076 Article 10 Section 1**

**Written testimony of Jennifer Fairbank, RN,
CEO Visiting Nurse Home & Hospice**

I am Jennifer Fairbank, RN, CEO of Visiting Nurse Home & Hospice, a RI Non-Profit home health and hospice agency that has served our community for 75 years and a North Kingstown resident.

I am writing to formally express my opposition to Article 10, Section 1 of the Governor's FY 2026 budget, which proposes substantial modifications to Rhode Island's existing Certificate of Need (CON) process. In particular, I oppose the exclusion of "home nursing care providers" and "hospice providers" from the category of 'healthcare facilities' that fall under the CON process.

While I recognize the need to streamline bureaucratic processes, I am much less clear as to the expected impact to the state's bottom line and would like the bill's sponsors to address this on the record. In addition I remain profoundly concerned about the potential unintended consequences of this change. If adopted, this change has the potential to have a chilling effect on the high-quality hospice and skilled nursing services currently available in our state.

Traditionally CON processes have served as the gate keeper against bad actors entering the RI healthcare market. Absent this process, RI residents are at risk for having low-quality, for-profit, storefront agencies set up shop without adequate staff and quality programs.

Is this what we want for our citizens?

States without CON regulations see a higher incidence of billing fraud while existing non-profits are squeezed out. For-profit agencies often answer to out-of-state owners and shareholders. Therefore they tend to focus mostly on taking the most lucrative insurance coverage while non-profits strive to take ALL patients including those on Medicaid and the under insured.

Thank you for your consideration. Happy to discuss this further.

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