



February 24, 2025

Subject: Request to Amend H-5303 – Healthcare Professional Complaint History Transparency Act

Dear Chair Donovan and Honorable Members of the House Committee on Health and Human Services,

On behalf of SEIU 1199NE, which represents nearly 1,000 nursing home workers throughout Rhode Island, I write to respectfully request amendments to H-5303 to ensure that workers are not unfairly penalized by baseless allegations and that there is a clear process for timely corrections.

We appreciate the goal of increasing transparency in hiring within healthcare facilities. However, we have concerns about how the bill, as drafted, could negatively impact workers. To address these concerns, we propose the following amendments:

1) Specify a Clear Timeframe for Investigations and Record Corrections

Current Language:

(c)(1) The department shall investigate the validity of the dispute and, if the complaint was incorrectly attributed, shall promptly correct the record. The fact that a complaint is determined to be false, unfounded, or groundless shall not be grounds to have the complaint removed from the database.

Proposed Amendment:

*(c)(1) The department shall investigate the validity of the dispute within **ten (10) business days** of receiving a formal written request. If the complaint was incorrectly attributed, the department shall correct the record **within five (5) business days** of the investigation's conclusion. The fact that a complaint is determined to be false, unfounded, or groundless shall not be grounds to have the complaint removed from the database, but such a determination shall be clearly documented.*

*(c)(2) The department shall notify the license holder in writing regarding the resolution of their dispute within **three (3) business days** of completing the investigation.*

Why This Change is Needed:

This amendment ensures a **timely resolution** for workers who have been wrongly accused and prevents delays in correcting errors that could affect their employment opportunities.

2) Introduce a Fine for Employers Who Abuse the System

New Section Addition:

23-104-10. Employer accountability for knowingly filing false complaints.

*(a) If a complaint against a licensed healthcare professional is determined to be knowingly false, unfounded, or baseless, and the complaint was filed by a representative of a healthcare institution (including but not limited to administrators, HR personnel, or supervisory staff), the individual who submitted the false complaint shall be subject to a fine of **one thousand dollars (\$1,000)** per violation.*

(b) The department shall establish a process for investigating complaints that are determined to be knowingly or recklessly false. If an individual is found to have knowingly submitted a false complaint as part of their duties within a healthcare institution, the department shall impose the fine and document the violation in the searchable database.

(c) If a pattern of abuse is identified within a healthcare institution, the department shall have the authority to initiate further penalties against the institution, including increased oversight and additional fines, as necessary to prevent further misuse of the complaint system.

Why This Change is Needed:

- The **fine applies only to employees at healthcare institutions** who knowingly file false complaints (not residents, patients, or third parties).
- **Supervisors, HR personnel, and administrators** who knowingly file false complaints can be fined individually.
- If a **pattern of abuse** is found at an institution, broader penalties can be imposed to prevent systemic misuse.

These amendments will help ensure that **H-5303 does not unfairly harm nursing home workers** while still achieving its intended goal of transparency in hiring practices.

Additionally, our **legal department is currently conducting a final review** of the bill to determine whether any other revisions beyond the ones outlined here may be necessary. We will follow up with the bill's sponsor if any additional concerns arise.

We appreciate your time and consideration of these amendments and look forward to working with you to strengthen protections for both workers and residents in Rhode Island's nursing homes.

Thank you for your consideration.

Sincerely,

Alex Moore
Political Director, SEIU 1199NE
319 Broadway
Providence, RI 02909
678-910-3378
amoore@seiu1199ne.org