

**rihca**  
**Rhode Island Health Care Association**

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**2025 – H 5303**

**AN ACT RELATING TO HEALTH AND SAFETY – HEALTHCARE  
PROFESSIONAL COMPLAINT TRANSPARENCY ACT**

Date: February 24, 2025  
Position: Support

This testimony is submitted on behalf of the Rhode Island Health Care Association (RIHCA). RIHCA is a trade association that represents sixty-two (62) of the nursing facilities in the State of Rhode Island, representing 80% of the profession.

Under current regulations and laws, Rhode Island's nursing homes have a very rigorous screening process in place before a new staff member is hired. Practices include Federal criminal background checks, reference checks with former employers, reviewing the Centers for Medicare & Medicaid Services (CMS) Office of the Inspector General (OIG) Exclusion List, professional licensure status with RIDOH and with other states in which the applicant is licensed, etc. This is all an effort to ensure that the prospective staff member is fit for employment as part of the nursing facility profession.

House Bill 5303 addresses an area that has not been available to prospective employers – accessing the history of professional complaint investigations that were not substantiated or baseless. In the past, when we inquired with RIDOH about this possibility, we were told that only substantiated complaints were available because of licensees' rights to due process. This position presents a vulnerability within the system that leaves nursing home residents and patients/clients in other healthcare setting at risk.

House Bill 5303 seems to strike the right balance – making the information only available to prospective healthcare providers strictly for the purpose of screening applicants as opposed to being available to the public. It also allows a licensee to log in to check the accuracy of their own record. Such access to complaint investigations, whether substantiated or not, will assist in avoiding an individual who has been repeatedly alleged of abuse, neglect, mistreatment and the like at different facilities even if none has been substantiated.

Without this statute's passage, complaint histories will only be available to RIDOH and the Long Term Care Ombudsman's staff. As a result, healthcare residents/patients/clients will be subject to an increased risk.

RIHCA supports House Bill 5303, and we ask that you consider our testimony when determining passage of this statute.

Thank you.

  
John F. Gage, MBA, NHA  
President & CEO

*"Setting the Pace in Nursing Home Care"*

A non-profit organization of proprietary and non-proprietary long term health care facilities dedicated to improving health care of the convalescent and chronically ill of all ages. An equal opportunity employer.