



March 27, 2025

The Honorable Susan Donovan
Chairwoman, House Health & Human Services Committee
Rhode Island State House
82 Smith Street
Providence, RI 02903

RE: H5160 Assisted Living Residence Licensing Act - OPPOSED

Dear Chairwoman Donovan,

On behalf of LeadingAge Rhode Island, I am writing to express our opposition to H 5169, which proposes amendments to the Assisted Living Residence Licensing Act. While we appreciate efforts to improve transparency and resident engagement in assisted living facilities, we have some concerns about the unintended consequences this legislation may have on providers, residents, and their families.

Our primary concerns with H 5169 are as follows:

1. **Operational Burdens on Providers:** The bill imposes new mandates on assisted living residences, including the establishment of resident and family councils with specific operational requirements. While we support meaningful resident and family engagement, these provisions may create administrative and financial burdens that divert resources from direct resident care.
2. **Challenges with Rate Transparency Requirements:** The proposed legislation mandates detailed historical disclosures of rate increases and requires a minimum of 120 days' notice for any fee adjustments. While transparency is essential, this provision does not account for the financial realities of assisted living providers, who face fluctuating costs related to labor, insurance, utilities, and regulatory compliance. A rigid notification timeline may hinder providers' ability to respond to unforeseen economic challenges and could inadvertently impact the affordability of care.
3. **Regulatory Redundancy:** Many of the provisions in H 5169 duplicate existing state and federal regulations regarding resident engagement and consumer protections. Assisted living facilities in Rhode Island are already required to provide robust disclosures to residents and their families. Adding additional layers of regulation may lead to compliance complexities without yielding meaningful benefits for residents.
4. **Potential Legal and Confidentiality Concerns:** The bill requires facilities to provide family councils with access to contact information for residents' representatives unless they opt out. This raises concerns about privacy and compliance with federal and state confidentiality laws,



including HIPAA. Protecting resident and family information must remain a top priority, and any policy changes should be carefully aligned with existing privacy regulations.

5. Unintended Consequences for Access to Care: If enacted, these mandates may contribute to increased operational costs for assisted living residences. This could inadvertently lead to higher fees for residents or force some providers—particularly smaller, community-based residences—to limit services or even close their doors. Given the growing demand for assisted living options in Rhode Island, we must ensure that policies support, rather than hinder, access to high-quality, sustainable care.

LeadingAge Rhode Island is committed to working collaboratively with legislators to enhance transparency and resident engagement in a manner that is practical, sustainable, and beneficial to all stakeholders. We respectfully urge the Committee to reconsider the approach outlined in H 5169 and instead engage with industry stakeholders to explore more balanced solutions.

Thank you for your time and consideration. We would welcome the opportunity to discuss this matter further and provide input on alternative approaches that better support Rhode Island's aging population while maintaining the viability of assisted living providers.

Sincerely,

A handwritten signature in blue ink, appearing to read "F. McMahon", with a long horizontal flourish extending to the right.

Francis X. McMahon, Esq.
LeadingAge Rhode Island