



RI Department of Health
Three Capitol Hill
Providence, RI 02908-5097

TTY: 771
www.health.ri.gov

April 23, 2025

The Honorable Susan R. Donovan, Chair
House Committee on Health and Human Services
State House
82 Smith St.
Providence, RI 02903

RE: H 5496 – An Act Relating to Businesses and Professions – Nurses

Dear Chair Donovan:

Please accept this letter of support for H 5496, legislation that primarily focuses on clarifying and simplifying the nursing licensing and disciplinary processes by mirroring best practices included in the Rhode Island Board of Medical Licensure and Discipline statute. This legislation was introduced at the request of the Rhode Island Department of Health (RIDOH).

If enacted, the changes will make the current nursing approval and renewal of licensure process more efficient by authorizing RIDOH staff to process simple approvals and put more emphasis on timely renewals. Additionally, the changes add several more specific violations, clarifying expectations and simplifying enforcement. These changes include making it a violation to fail to cooperate with a Board of Nursing (BON) investigation, take part in fraudulent billing, or be deceitful on a nursing license application and allows for reciprocal enforcement if a nurse is disciplined by another state's Board of Nursing.

Other changes proposed would:

- Change the composition of the BON to align with statistics about LPNs and RNs;
- Authorize the Board to require a licensee to undergo physical and/or psychiatric examination if probable cause exists to believe that allegations of misconduct are caused by physical or psychological impairment;
- Authorize the Board to advise the licensee of the availability of non-disciplinary alternative programs;
- Clarify that nurse graduates cannot continue to practice if they have failed the NCLEX;
- Allow the Board to issue renewal notifications electronically;
- Make several changes to the hearing process such as creating hearing boards of three members of the Board to be more efficient and mindful of the challenges of our volunteer Board, changing a mandatory hearing to an opportunity for a hearing to alleviate RIDOH of expending resources when the nurse does not desire a hearing or dispute the charge, and clarifying the role of a hearing officer in the hearings;
- Change the summary suspension clause to expand the mandatory 10-day hearing to 30-days in an effort to eliminate challenges with securing Board members for a meeting and developing a case;
- Add a requirement for Certified Nurse Practitioners (CNP) to follow certain steps when closing a practice to ensure adequate access to patient medical records and continuity of care—mirroring the existing requirement for physicians; and
- Modify the language of the inactive license statute and implications of failing to renew the nursing license before expiration to make the expectations clearer.

Thank you for the opportunity to comment on this legislation, which will ensure access to safe, quality healthcare services for all Rhode Islanders, including the State's vulnerable populations. RIDOH is happy to answer any questions the members of the Committee may have regarding the proposed amendments.

Sincerely,

A handwritten signature in black ink, reading "Jerome M. Larkin". The signature is fluid and cursive, with a long horizontal stroke extending from the end.

Jerome M. Larkin, MD
Director

CC: The Honorable Members of the House Committee on Health and Human Services
The Honorable David A. Bennett
Nicole McCarty, Esquire, Chief Legal Counsel
Lynne Urbani, Director of House Policy