

## Roberta DiMezza

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**From:** Christina LaVarnway <christinalavarnway@gmail.com>  
**Sent:** Tuesday, February 10, 2026 9:42 AM  
**To:** House Judiciary Committee  
**Subject:** Testimony in SUPPORT of House Bill 7488 – AN ACT RELATING TO HEALTH AND SAFETY — ABUSE IN HEALTHCARE FACILITIES

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House Committee on Judiciary  
Rhode Island House of Representatives

### **Re: Testimony in SUPPORT of House Bill 7488 – AN ACT RELATING TO HEALTH AND SAFETY — ABUSE IN HEALTHCARE FACILITIES**

Dear Chair McEntee and Honorable Committee Members,

Thank you for the opportunity to submit testimony in support of House Bill 7488.

I respectfully urge the Committee to support H7488, which removes the intent requirement from the definitions of “neglect” and “abuse” within Rhode Island statutes governing healthcare facilities and the Office of Healthy Aging.

Under current law, neglect of elderly individuals and healthcare facility residents must be shown to be “willful” or “intentional” in order to qualify as neglect. This standard is inconsistent with how neglect is defined elsewhere in Rhode Island law, including statutes protecting individuals with developmental disabilities, and it diverges from federal standards and the laws of many other states, which do not require intent as an element of neglect.

This inconsistency creates a significant enforcement and accountability gap. In practice, neglect in healthcare facilities most often stems from systemic failures such as inadequate staffing levels, insufficient training, poor oversight, or breakdowns in care coordination. While these failures may lack malicious intent, they can still result in serious harm, diminished quality of life, and preventable suffering for residents.

By requiring proof of intent, current law establishes a threshold that is often inappropriate and impractical in cases involving institutional care. As a result, facilities may avoid accountability even when residents are deprived of necessary care, treatment, goods, or services, so long as the omission cannot be shown to be intentional.

House Bill 7488 addresses this problem directly by aligning Rhode Island’s statutory framework with widely accepted definitions of neglect that focus on the outcome and impact of care failures, rather than the subjective intent behind them. This change promotes consistency across statutes, enhances regulatory effectiveness, and strengthens protections for vulnerable populations.

The absence of an intent requirement does not criminalize accidents or impose unreasonable standards. Rather, it ensures that preventable harm resulting from lapses in care is properly evaluated, reported, and addressed. It supports oversight, quality improvement, and resident safety without unfairly targeting individual caregivers acting in good faith.

For these reasons, H7488 represents a measured and necessary policy correction that will improve accountability while maintaining fairness within Rhode Island's healthcare regulatory system.

I respectfully urge the Committee to pass House Bill 7488.

Thank you for your consideration and for your continued work on behalf of Rhode Island residents.

Respectfully submitted,

**Christina LaVarnway**