

Marianne Kelly
10 Elizabeth Ann Drive
Johnston, RI 02919
203-687-7385
mkelly5915@ymail.com

February 10, 2026

RE: House Bill No. 7488-An act relating to health and safety and abuse in healthcare facilities

Dear Chair McEntee and honorable members of the House Judiciary Committee:

I am writing to you today in support of House Bill No. 7488. HB 7488 corrects a critical gap in Rhode Island law by removing the requirement to prove intent from statutory definitions of neglect related to healthcare facilities and the care of older adults.

Under current Rhode Island statute, neglect is treated differently depending on the population affected. Federal law and the laws of more than 40 states define neglect without requiring proof that harm was intentional or willful. Rhode Island's own protections for people with developmental disabilities does not include an intent requirement. Yet, Rhode Island law uniquely requires that neglect of older adults and healthcare facility residents, which may include our own loved ones, be proven "willful" or "intentional" in order to qualify as neglect. This inconsistency creates a significant and harmful loophole. In practice, this standard makes it unnecessarily difficult to protect vulnerable residents and to hold systems accountable for preventable harm.

There is no sound policy reason why protection from neglect should vary based on a person's age, residence, or disability status. Removing the intent requirement would bring Rhode Island into alignment with federal standards, the majority of states-and Rhode Island's own statutory framework for protecting individuals with developmental disabilities. Most importantly, it would strengthen protections for older adults and healthcare facility residents, which, again, may include our loved ones, by focusing on the outcomes and conditions of care, rather than the ability to prove a state of mind.

For these reasons, I respectfully urge the Committee to support HB7488. Thank you for your consideration.

Sincerely,

Marianne Kelly