



STATE OF RHODE ISLAND  
OFFICE OF THE MENTAL HEALTH ADVOCATE  
John O. Pastore Center  
35 Howard Avenue, Bldg. #55  
Cranston, RI 02920

Representative Carol Hagan McEntee, Chair  
House Judiciary Committee  
State House  
Providence, RI 02903

March 10, 2026

**Re: 2026 – H 7634**  
**By: Representative Bennett**  
**Entitled: AN ACT RELATING TO BEHAVIORAL HEALTHCARE,  
DEVELOPMENTAL DISABILITIES AND HOSPITALS MENTAL  
HEALTH LAW**

Dear Chair Hagan McEntee and Members of the House Judiciary Committee:

The Office of the Mental Health Advocate (OMHA) is an independent state agency charged with protecting the civil and liberty interests of individuals living with serious mental illness. One of the duties of OMHA is to represent individuals subject to involuntary psychiatric treatment pursuant to the Mental Health Law. In 2023 the Mental Health Law was amended to include psychiatric advanced practice registered nurses (APRN) among the mental health professionals permitted to petition the court for involuntary psychiatric commitment, but failed to amend RIGL §40.1-5-41 to provide APRNs with the same immunity from liability as physicians. This was an oversight. OMHA therefore supports this legislation which corrects that oversight and clarifies a patient's right to legal remedy for fraud or negligence in execution of the powers under the Mental Health Law.

Thank you for your consideration.

Respectfully submitted,  
/s/ Megan N. Clingham  
Megan N. Clingham, Esq.  
Director  
Office of the Mental Health  
Advocate