



**rihca**  
**Rhode Island Health Care Association**

**2026-H7759**

**Relating to Health and Safety-Rights of Nursing Home Patients**

**Date: March 10,2026**

**Position: Oppose**

Dear Chairwoman, McEntee and House Judiciary Members,

I am writing on behalf of the Rhode Island Health Care Association (RIHCA) and its 61 member facilities, which represent approximately 82% of Rhode Island's 74 nursing facilities. RIHCA strongly opposes H7759, relating to health and safety, rights of nursing home patients.

RIHCA and our member facilities strongly support the protection of residents' rights and the continued enforcement of standards that ensure residents are treated with dignity, respect, and compassion. The long-term care providers we represent care for some of the state's most medically complex and vulnerable individuals, and protecting residents remains our highest priority.

However, the proposed legislation raises significant concerns regarding unnecessary expansion of liability and duplicative enforcement mechanisms that already exist within state and federal regulatory frameworks.

**Existing Oversight and Enforcement**

Nursing homes in Rhode Island are among the most highly regulated healthcare providers in the country. Facilities operate under extensive oversight from both the Rhode Island Department of Health and the Centers for Medicare & Medicaid Services. These agencies already enforce strict compliance with resident rights through surveys, complaint investigations, and a comprehensive enforcement structure that includes civil monetary penalties, corrective action plans, and other sanctions when violations occur.

Because this robust regulatory system already exists, the additional penalties outlined in the bill, particularly the creation of expanded civil causes of action with punitive damages and attorney's fees are redundant and potentially harmful to the stability of Rhode Island's long-term care system.

**Increased Litigation and Financial Strain**

The proposed changes would significantly increase the potential for litigation against nursing homes by creating an independent private cause of action tied broadly to violations of the chapter. While residents must always retain appropriate legal protections, expanding statutory liability in this manner may encourage increased legal actions unrelated to resident care outcomes, placing additional financial and administrative burdens on facilities.

Rhode Island nursing homes are currently facing severe workforce shortages, rising operational costs, and ongoing financial pressures. Diverting limited resources toward increased legal exposure and defense costs ultimately takes resources away from what matters most, direct resident care, staffing, and quality improvement efforts.

### **Potential Unintended Consequences**

The combination of criminal penalties, expanded civil liability, and punitive damages may have unintended consequences for providers operating in an already challenging environment. Policies that increase financial risk without improving care delivery could further destabilize the long-term care sector at a time when access to skilled nursing services is critically important for Rhode Island's aging population. In addition, the added financial burdens, including allocating more resources to liability insurance and legal fees.

RIHCA remains committed to working collaboratively with policymakers, regulators, and resident advocates to ensure residents' rights are protected and strengthened where necessary. We believe improvements in resident care and accountability are best achieved through collaboration, clear regulatory guidance, and support for quality improvement initiatives, rather than through expanded punitive frameworks that may not improve outcomes.

For these reasons, the Rhode Island Health Care Association respectfully urges the Committee to oppose this legislation. We welcome the opportunity to work with the General Assembly and stakeholders to advance policies that support residents, families, and the long-term care workforce while ensuring the continued stability of Rhode Island's nursing home system.

Thank you,



John E. Gage, MBA, NHA  
President & CEO