



March 10, 2026

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

Re: House 7759 – An Act Relating To Health and Safety – Rights of Nursing Home Patients

Dear Chair McEntee:

This statement in opposition to House 7759 is submitted by the American Property Casualty Insurance Association (APCIA).<sup>1</sup> We strongly support the protection of nursing home patient rights and their access to high-quality care. However, we are concerned that this bill will cause significant harm to nursing homes in Rhode Island without enhancing resident protections.

Currently, under Rhode Island law, 23-17.5-21 nursing home statutory violations are punishable as a misdemeanor with fines of up to \$500 and up to six months in jail. That is a significant punishment and deterrent.

It is also in no way a bar on civil cases. Nursing homes that are negligent in their provision of care are subject to lawsuits in Rhode Island.<sup>2</sup> Several local law firms advertise their availability to pursue these claims and settlements they have reached.<sup>3</sup>

This bill would likely significantly increase the amount of litigation nursing homes face by expanding the causes of action from negligence to debates over minutia of nursing home experience governed in the statute, many of which are unrelated to patient health and safety. Some examples include:

- Whether caretakers were “considerate” (23-17.5-2)
- Participation in nursing home activities (23-17.5-11)
- How visitor policies are handled and enforced (23-17.5-12)
- How frequently patients may have pain assessments (23-17.5-28 – “on a regular basis”)
- Staffing levels (23-17.5-32, 33)

Litigating these issues will significantly increase costs without adding protections for residents or improving their experience. It also seems likely to have a significant harmful impact on the solvency of

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<sup>1</sup> Representing nearly 65% of the U.S. property casualty insurance market, APCIA promotes and protects the viability of private competition for the benefit of consumers and insurers. Several APCIA members are located in Rhode Island and many more do business here. Together, APCIA members write almost 73% of the personal lines insurance and 71% of the commercial multi-peril insurance, including over 68% of the medical professional liability insurance, sold in the state.

<sup>2</sup> See e.g. <https://www.good-legal-advice.com/largest-settlements-for-nursing-home-negligence/>  
<https://bottarolaw.com/case-result/325000-rhode-island-wrongful-death-settlement-following-nursing-home-abuse/>

<sup>3</sup> See e.g. <https://bottarolaw.com/nursing-home-attorney/>  
<https://www.leonelawllc.com/nursing-home-abuse>  
<https://kecheslaw.com/practice-areas/personal-injury/nursing-home-negligence>

nursing homes. The National Library of Medicine found facilities in Rhode Island faced “unprecedented challenges,” with “most facilities... in a difficult financial position with thin – or negative – operating margins.”<sup>4</sup> These circumstances required the Governor to suspend penalties under the minimum staffing law following the loss of 20% of nursing home workers, \$50 million in annual funding, and six nursing home closures in the state in 2023.<sup>5</sup>

For all of these reasons, APCIA urges the committee to hold H.7759 for further study.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Jonathan Schreiber', with a stylized flourish at the end.

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<sup>4</sup> <https://pubmed.ncbi.nlm.nih.gov/38687268/>

<sup>5</sup> <https://governor.ri.gov/executive-orders/executive-order-23-11>