



March 10, 2026

The Honorable Carol McEntee  
Chairwoman, House Judiciary Committee  
Rhode Island State House  
82 Smith Street  
Providence, RI 02903

RE: H7759 – Rights of Nursing Home Patients – OPPOSED

Dear Chairwoman McEntee:

On behalf of LeadingAge Connecticut & Rhode Island (formally LeadingAge RI), I am writing to express our opposition to H7759, which would create a new private cause of action for alleged violations of the Rights of Nursing Home Patients statute.

LeadingAge Connecticut & Rhode Island represents RI's not-for-profit nursing homes, assisted living communities, senior housing providers, and community-based aging services organizations dedicated to serving older adults with dignity, compassion, and high-quality care. Our members are mission-driven providers that reinvest all resources back into resident services, staffing, and facility improvements.

While we support strong protections for nursing home residents and accountability for providers that fail to meet regulatory standards, we have significant concerns that H7759 would create unintended consequences that ultimately harm the very residents it seeks to protect.

Our primary concerns with H7759 include the following:

**1. Creation of Expansive Litigation Exposure**

The bill would create a new and broad private cause of action allowing individuals to seek actual and punitive damages and attorney's fees for alleged violations of the statute. Rhode Island nursing homes are already subject to extensive federal and state oversight, including enforcement authority by the Rhode Island Department of Health and the Centers for Medicare & Medicaid Services.

Creating an additional litigation pathway would significantly increase the likelihood of costly lawsuits even in cases where regulatory remedies already exist. These cases are often driven by contingency-based litigation rather than improvements in resident care.

**2. Diversion of Resources Away from Resident Care**

Not-for-profit nursing homes operate on extremely narrow financial margins, particularly in Rhode Island where Medicaid reimbursement rates do not fully cover the cost of care. Expanding litigation risk and exposure to punitive damages would require facilities to allocate more resources to liability insurance, legal defense, and risk management.

Every dollar spent on litigation and insurance premiums is a dollar not spent on direct resident care, staffing, facility improvements, or quality initiatives.

### **3. Existing Enforcement Mechanisms Already Protect Residents**

Rhode Island already has strong protections for nursing home residents. The Department of Health has the authority to investigate complaints, impose fines, require corrective action, and in severe cases revoke licenses. Residents and families also have access to the state Long-Term Care Ombudsman and other complaint resolution processes.

Adding an additional private cause of action risks duplicating enforcement mechanisms that are already functioning to protect residents.

### **4. Increased Liability Insurance Costs for Nonprofit Providers**

Expanding civil liability exposure is likely to drive increases in professional liability insurance costs across the long-term care sector. For many nonprofit facilities—particularly smaller community-based providers—these increased costs may threaten financial stability and could ultimately reduce access to care for Rhode Island’s growing senior population.

### **5. Risk of Unintended Impact on Access to Care**

Rhode Island is already facing significant challenges in maintaining adequate nursing home capacity as the population ages. Policies that increase financial uncertainty for providers may discourage continued investment in long-term care and could lead some facilities to reduce admissions or close beds.


At a time when Rhode Island needs more long-term care capacity—not less—policies should focus on strengthening the sustainability of nonprofit providers that serve vulnerable residents.

LeadingAge Connecticut & Rhode Island and our member organizations share the General Assembly’s commitment to protecting residents and ensuring accountability in long-term care settings. We believe these goals are best achieved through strong regulatory oversight, collaboration with providers, and policies that support sustainable care delivery.

For these reasons, we respectfully urge the Committee to hold H7759 for further study and engage with providers and stakeholders to explore solutions that protect residents while preserving access to high-quality long-term care services.

Thank you for your time and consideration. We would welcome the opportunity to discuss these concerns and work collaboratively on policies that support Rhode Island’s aging population.

Sincerely,



Mag Morelli  
President, LeadingAge Connecticut & Rhode Island