



Daniel J. McKee
Governor

Maria E. Cimini
Director

March 13, 2025

The Honorable Evan P. Shanley
Chair, House Committee on State Government and Elections
State House
82 Smith Street
Providence, RI 02903
via email: Rep-Shanley@rilegislature.gov
via email: HouseStateGovernmentandElections@rilegislature.gov

Re: H-5719 – Relating to State Affairs and Government – Older Adults and Adults with Disabilities

Dear Chairman Shanley:

I write today with concerns regarding House Bill 5719. While the intent to advance awareness and action on issues impacting older Rhode Islanders is one which the Office of Healthy Aging (OHA) wholeheartedly supports, there are unintended consequences which may result from the implementation of this legislation, some of which are outlined below.

- Revision of language referring to elder in all statutes would impact Rhode Island's elder abuse laws, and potentially conflict with existing federal laws, regulations, and funding. OHA is undertaking a review of the possible conflict and impacts to Older Americans Act and Elder Justice funding should such language be changed in state statute.
- Proposed sections 42-66.15-1(c) (9) and (10) potentially conflict with the constitutional separation of powers as Executive agencies do not implement plans created by commissions, but execute laws passed by the General Assembly.
- There is reference to "aging Rhode Islanders," yet there is no definition of an aging Rhode Islander included in the legislation. Therefore, the purview of the commission is unclear, as all Rhode Islanders are aging, from newborns to centenarians.
- There is reference to an "office on aging," yet there is no office of that name in the executive branch. The Office of Healthy Aging is defined in Rhode Island General Laws, Title 42, Chapter 66. Additionally, per Rhode Island General Laws § 42-66-2, the director of the Office of Healthy Aging is appointed by and reports directly to the governor, with advice and consent of the senate.

I look forward to working with the sponsor and urge the General Assembly to amend the Act to comply with our constitutional framework and address the concerns outlined above.

As always, I thank you for your partnership and consideration of this letter. Your leadership and advocacy for Rhode Island's older adults and their families are appreciated.

Regards,

A handwritten signature in blue ink that reads "Maria E. Cimini".

Maria E. Cimini
Director

CC: The Honorable Members of the House Committee on State Government and Elections
The Honorable Lauren H. Carson
Nicole McCarty, Esquire – Chief Legal Counsel to the Speaker
Lynne Urbani, Policy Director