



Rhode Island Executive Office of Health and Human Services  
3 West Road, Virks Building, Cranston, RI 02920  
phone: 401.462.5274 fax: 401.462.3677

March 31, 2026

The Honorable Evan P. Shanley, Chairman  
House Committee on State Government and Elections  
House Lounge – State House  
Providence, RI 02903

**RE: 2026 – H 7305 – An Act Relating to Public Records – Access to Public Records**

Dear Chairman Shanley:

I am writing on behalf of the Executive Office of Health and Human Services (EOHHS) regarding House Bill 7305 and its effect upon the process to respond to public records requests governed by the Access to Public Records Act, R.I. Gen. Laws § 38-2-1 et seq. (“APRA”). While EOHHS strongly supports the principles of transparency and accountability that APRA embodies, this legislation may have the unintended consequences of intruding on the privacy of our State’s citizens and/or undermining program investigations. As the agency managing the State’s most sensitive health and human services data, we share several concerns with umbrella agencies under our purview related to the populations they serve.

EOHHS and its agencies are concerned about unintended intrusion into the privacy of agency program participants whose records may be in the possession of the State, especially those who are subject to investigations for alleged abuse, neglect, exploitation or mistreatment. Several of our agencies receive subpoenas for various reasons, some of which include responding to ongoing law enforcement investigations and regulatory inspections and investigations. While the outcome of those investigations may well be worthy of release to the public, making public the fact that an investigative agency is looking into and/or sending a subpoena for agency records would likely impede an ongoing investigation. Prematurely providing such information could result in an intrusion on the privacy of a provider or a consumer served by one of our agencies.

EOHHS is concerned about the administrative burden this legislation puts on each agency regarding the submission of a privilege log, providing the amount of information redacted from each document, and providing records in a searchable format to the requester. Responding to voluminous record requests takes a tremendous amount of time; having to provide supplemental information in addition to the documents themselves is a resource drain on the agency. Additionally, we are concerned about increased financial liability for administrative delays. The legislation doubles fines for violations. EOHHS processes a tremendous number of complex records requests annually. A missed deadline due to the sheer volume of redactions required for a multi-thousand-page document, for example, could result in penalties that drain resources away from our core mission of serving vulnerable Rhode Islanders.

EOHHS appreciates the opportunity to share our concerns regarding H 7305.

Sincerely,

Richard R. Charest, R.Ph., MBA, Secretary  
Executive Office of Health and Human Services

Cc: Honorable Members of the House Committee on State Government and Elections  
Honorable Jason Knight  
Nicole McCarty, Esq., Chief Legal Counsel to the Speaker of the House