

STATE OF RHODE ISLAND



Department of Behavioral Healthcare, Developmental Disabilities & Hospitals

OFFICE OF THE DIRECTOR

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March 12, 2026

The Honorable Susan R. Donovan, Chair
House Committee on Health and Human Services
State House
Providence, RI 02903

RE: 2026 – H 8134 – An Act Relating to Insurance – Accident and Sickness Insurance Policies

Dear Chair Donovan:

Please accept this letter of concern regarding H 8134 which would permit licensed providers to accompany emergency medical services and treat patients within the community for mental health disorders, including substance use disorders.

BHDDH strongly supports efforts to ensure that individuals who require behavioral healthcare services, which include mental health and substance use disorder services, have access to timely services within the community; however, we have several serious concerns that we would like to bring to the attention of the Honorable Members of the Committee.

We are concerned that H 8134 does not define the licensed professionals who would be permitted to provide and receive reimbursement for the services identified in the legislation; and, as such, certain provisions in the legislation may not be consistent with the requirements of the Mental Health Law, R.I. Gen. Laws Chapter 40.1-5, related to emergency certifications.

The MHL permits certain licensed behavioral healthcare providers to evaluate and determine the appropriate disposition of community-based behavioral health-related responses based on the acuity of the situation, and the willingness of the individual to be transported to the appropriate receiving facility. Possible dispositions include emergency certification to a facility as defined in the MHL.

The Mental Health Law permits clinicians who are designated by BHDDH as Qualified Mental Health Professionals (QMHPs) to conduct community-based evaluations to determine if an individual meets the criteria for emergency certification to a Designated Facility. Not all QMHPs are licensed and not all individuals who are licensed to evaluate and treat individuals for mental health and/or substance use disorders are qualified to conduct community-based evaluation and treatment, especially in situations which require an EMS level response.

We also have concerns regarding provisions in the legislation related to the transport of individuals to facilities as authorized by the Director of the RI Department of Health (RIDOH). For individuals requiring emergency certification, the Mental Health Law only authorizes transport to a Designated Facility as determined by the Director of BHDDH. RIDOH does not have the authority to determine which facilities can operate as Designated Facilities under the Mental Health Law.

Thank you for the opportunity to express our concerns regarding this legislation.

Sincerely,

A handwritten signature in black ink, appearing to read "Richard Leclerc". The signature is fluid and cursive, with the first name being the most prominent.

Richard Leclerc
Director

cc: Honorable Members of the House Committee on Health & Human Services
Honorable Julie A. Casimiro
Nicole McCarty, Esquire, Chief Legal Counsel to the Speaker of the House
Lynne Urbani, Director of House Policy