

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

Journal of the Senate

JANUARY SESSION of the General Assembly begun and held at the State House in the City of Providence on Tuesday, the third day of January in the year of Our Lord two thousand and seventeen.

Volume 144, No.51

Wednesday, May 24th, 2017

Fifty First Legislative Day

The Senate meets pursuant to adjournment and is called to order by the Honorable Dominick J. Ruggiero, President of the Senate, at 4:12 o'clock P.M.

The roll is called and a quorum is declared present with 35 Senators present and 2 Senators absent as follows:

PRESENT – 35: The Honorable President Ruggiero and Senators Algieri, Archambault, Calkin, Ciccone, Conley, Cote, Coyne, Crowley, DiPalma, Felag, Fogarty, Gallo, Gee, Goldin, Goodwin, Jabour, Kettle, Lombardi, Lombardo, Lynch Prata, McCaffrey, Metts, Miller, Morgan, Nesselbush, Paolino, Pearson, Picard, Quezada, Raptakis, Satchell, Seveney, Sheehan, Sosnowski.

ABSENT –2: Senators DaPonte and Doyle.

INVOCATION

The Honorable President, by unanimous consent, presents Senator Paolino, to deliver the invocation.

(See Appendix for Invocation)

PLEDGE OF ALLEGIANCE TO THE FLAG

The Honorable President, by unanimous consent, presents Senator Paolino to lead the Senate in the pledge of allegiance to the flag.

APPROVAL OF RECORD

The Senate Journal of the Fiftieth Legislative Day of the 2017 proceedings is read in part.

Upon suggestion of Senator Paolino and by unanimous consent, further reading of the Journal is dispensed with and the Journal is approved as recorded.

GUESTS

Upon suggestion of Senator Sheehan and by unanimous consent, the Honorable President welcomes to the Chamber Nickolas Reinecke, Exchange Student from Germany attending North Kingston High School.

Upon suggestion of Senator Nesselbush and by unanimous consent, the Honorable President welcomes to the Chamber Dedda DeAngelis, Rosella Angelotti, Marisa Cirardi, all visiting from Italy.

REPORTS OF COMMITTEES**COMMITTEE ON FINANCE**

Chairman Conley, from the Committee on Finance, reports back, with recommendation of passage of the following measures:

Senate Bill No. 889

BY Felag

ENTITLED, AN ACT RELATING TO TAXATION -- PROPERTY SUBJECT TO TAXATION--TOWN OF WARREN (Increases various property tax exemptions available in the town of Warren.)

{LC2685/1}

Read and ordered to be placed on the Calendar.

Senate Bill No. 890

BY Felag, Coyne, Seveney, Lombardi, Jabour

ENTITLED, AN ACT RELATING TO TAXATION - BRISTOL VOLUNTEER FIREFIGHTERS TAX RELIEF (Enables the town of Bristol to provide tax relief to volunteer firefighters based upon certain qualifying criteria.)

{LC2612/1}

Read and ordered to be placed on the Calendar.

COMMITTEE ON HEALTH AND HUMAN SERVICES

Chairman Miller, from the Committee on Health and Human Services, reports back, with recommendation of passage of the following measures:

Senate Bill No. 146

BY Miller, Goldin, Sosnowski, Crowley, Sheehan

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY - LICENSING OF HEALTH CARE FACILITIES (Adds two (2) requirements that a hospital provide to a prospective patient, the requested cost estimate of their requested anticipated hospital services within two (2) business days of request and the cost of any facility fee.)

{LC463/1}

Read and ordered to be placed on the Calendar.

Senate Bill No. 325**BY** Goldin, Satchell, Miller, Crowley, DiPalma**ENTITLED**, AN ACT RELATING TO HUMAN SERVICES -- LONG-TERM MANAGED CARE ARRANGEMENTS (Requires managed care organizations to consult with the EOHHS to develop incentives for nursing facilities that demonstrate lower direct care staff turnover.)

{LC1507/1}

Read and ordered to be placed on the Calendar.

Senate Bill No. 490**BY** Calkin, Goldin, Quezada, Coyne, Sosnowski**ENTITLED**, AN ACT RELATING TO INSURANCE (Provides insurance for infertility regardless of marital status and also increases the maximum treatment age from 40 years to 42 years. Also redefines the term "infertility" to mean a woman who is unable to sustain a pregnancy during a period of 1 year.)

{LC1382/1}

Read and ordered to be placed on the Calendar.

Senate Bill No. 493**BY** Archambault, Satchell, Sheehan, Nesselbush, Sosnowski**ENTITLED**, AN ACT RELATING TO FOOD AND DRUGS - UNIFORM CONTROLLED SUBSTANCES ACT (Requires health care professionals upon issuance of initial opioid prescription to discuss with patient/parent/guardian risk of developing dependence/addiction/potential of overdose/death/adverse risks of concurrent use of alcohol/other psychoactive drugs)

{LC1865/1}

Read and ordered to be placed on the Calendar.

Senate Bill No. 499**BY** DiPalma, Miller, Crowley, Goldin**ENTITLED**, AN ACT RELATING TO HEALTH AND SAFETY - REGISTRATION OF NURSING ASSISTANTS (Allows for a nurse to delegate tasks to nursing assistants and authorizes the department of health to promulgate regulations that delineate delegable tasks.)

{LC1104/1}

Read and ordered to be placed on the Calendar.

Senate Bill No. 500**BY** Doyle, Fogarty, Lynch Prata, Nesselbush**ENTITLED**, AN ACT RELATING TO BUSINESSES AND PROFESSIONS - PSYCHOLOGISTS (Increases psychology board from 5 to 7 members and allows delegations of disciplinary hearings to a hearing officer.)

{LC1612/1}

Read and ordered to be placed on the Calendar.

Senate Bill No. 502**BY** Jabour, Metts, Quezada**ENTITLED**, AN ACT RELATING TO HEALTH AND SAFETY - NURSING FACILITIES BED CAPACITY MORATORIUM (Establishes limited conditions that must be satisfied to permit an increase in the bed capacity of existing nursing facilities, despite the moratorium on expansion.)

{LC1774/1}

Read and ordered to be placed on the Calendar.

Senate Bill No. 544

(BHDDH)

BY Calkin, Miller, Goldin, Sosnowski, Satchell**ENTITLED**, AN ACT RELATING TO BEHAVIORAL HEALTHCARE, DEVELOPMENTAL DISABILITIES AND HOSPITALS -- GOVERNOR'S COUNCIL ON BEHAVIOR HEALTH (Increases membership of council from 26 to 31 voting members with amendments to reflect current names of state depts./divisions/agencies listed in statute.)

{LC1327/1}

Read and ordered to be placed on the Calendar.

Senate Bill No. 545

(Health)

BY Miller, Goldin, Sosnowski, Crowley, Nesselbush**ENTITLED**, AN ACT RELATING TO HEALTH AND SAFETY - SEXUALLY TRANSMITTED DISEASES (Repeals the law which provides enhanced penalties of a fine of not more than \$250/ imprisonment for not more than 6 months for disclosure of health care information with respect to an individual diagnosis and treatment of a sexually transmitted disease.)

{LC1353/1}

Read and ordered to be placed on the Calendar.

Senate Bill No. 577**BY** Sosnowski, Sheehan, Miller, Crowley, Goldin**ENTITLED**, AN ACT RELATING TO HEALTH CARE FACILITIES - LICENSING (Amends the definition of health care facility to allow a hospital or an affiliate of a hospital to own and operate ambulatory-care facilities.)

{LC1691/1}

Read and ordered to be placed on the Calendar.

Senate Bill No. 578**BY** Sosnowski, Crowley, Goldin, Miller, Calkin**ENTITLED**, AN ACT RELATING TO INSURANCE -- ACCIDENT AND SICKNESS

INSURANCE POLICIES (Prohibits insurance companies from varying the premium rates charged for a health coverage plan based on the gender of the individual policy holder, enrollee, subscriber, or member.)

{LC1757/1}

Read and ordered to be placed on the Calendar.

Senate Bill No. 740

(Dept. of Health)

BY Goodwin**ENTITLED**, AN ACT RELATING TO HEALTH AND SAFETY -- INSPECTIONS OF HEALTH CARE FACILITIES (Makes changes to the licensing procedures for health care facilities.)

{LC1738/1}

Read and ordered to be placed on the Calendar.

Senate Bill No. 788**BY** Miller, DiPalma**ENTITLED**, AN ACT RELATING TO HEALTH AND SAFETY - LONG-TERM CARE COORDINATING COUNCIL (Alters the membership of the long-term care coordinating council

and decrease membership from forty-one (41) members to thirty-one (31) members.)

{LC2029/1}

Read and ordered to be placed on the Calendar.

NEW BUSINESS**Senate Resolution No. 914****BY** DiPalma**ENTITLED**, SENATE RESOLUTION EXPRESSING CONDOLENCES ON THE PASSING OF MRS. GEORGIANNA ELIZABETH RODRIGUES

{LC2753/1}

Recommended for Immediate Consideration.

Senator DiPalma requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator DiPalma moves passage, seconded by Senators McCaffrey and Algiere.

The resolution is read and passed, upon a rising vote.

CONSENT CALENDAR

In order for the day is taken up as follows:

1. **2017-S 336**
 BY Lynch Prata
 ENTITLED, SENATE RESOLUTION RESPECTFULLY REQUESTING THE
 DEPARTMENT OF ADMINISTRATION TO PERFORM A COMPREHENSIVE
 STUDY AND ANALYSIS OF THE STAFFING NEEDS OF THE OFFICES OF THE
 CHILD ADVOCATE AND THE MENTAL HEALTH ADVOCATE

Committee on Judiciary recommends passage.

2. **2017-S 864**
 BY DiPalma
 ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage.

3. **2017-S 865**
 BY DiPalma
 ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage.

4. **2017-S 866**
 BY Seveney
 ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage.

5. **2017-S 895**
 BY Gallo
 ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage.

6. **2017-S 913**
 BY Miller
 ENTITLED, SENATE RESOLUTION CONGRATULATING RAINBOW BAKERY
 ON THE OCCASION OF ITS 100TH ANNIVERSARY

Ordered on the Consent Calendar

Upon motion of Senator McCaffrey, seconded by Senator Algiere, the following measures on today's Consent Calendar, by unanimous consent, are read and passed, upon a roll call vote:

YEAS - 34: The Honorable President Ruggerio and Senators Algiere, Archambault, Calkin, Ciccone, Conley, Cote, Coyne, Crowley, DiPalma, Felag, Fogarty, Gallo, Gee, Goldin, Goodwin, Jabour, Kettle, Lombardi, Lombardo, Lynch Prata, McCaffrey, Metts, Miller, Morgan, Nesselbush, Paolino, Pearson, Picard, Quezada, Satchell, Seveney, Sheehan, Sosnowski.

NAYS - 0:

CALENDAR

In order for the day is taken up as follows:

1. 2017-S 901

BY DiPalma

ENTITLED, JOINT RESOLUTION AMENDING THE MEMBERSHIP OF THE SPECIAL LEGISLATIVE COMMISSION ON DEFENSE ECONOMY PLANNING

Committee on Special Legislation and Veterans Affairs recommends passage.

Senator DiPalma moves passage of the act, seconded by Senators McCaffrey, Lynch Prata, Felag, Lombardi, Metts, Goodwin, Algiere, Satchell, Morgan, Paolino, and Coyne.

The act is read and passed, on a roll call vote, 34 members voting in the affirmative and 0 members voting in the negative as follows.

YEAS - 34: The Honorable President Ruggerio and Senators Algiere, Archambault, Calkin, Ciccone, Conley, Cote, Coyne, Crowley, DiPalma, Felag, Fogarty, Gallo, Gee, Goldin, Goodwin, Jabour, Kettle, Lombardi, Lombardo, Lynch Prata, McCaffrey, Metts, Miller, Morgan, Nesselbush, Paolino, Pearson, Picard, Quezada, Satchell, Seveney, Sheehan, Sosnowski.

NAYS - 0:

2. 2017-S 905 SUB A

BY Sosnowski

ENTITLED, AN ACT RELATING TO GENERAL ASSEMBLY - PERMANENT JOINT COMMITTEE ON NAMING ALL NEW BUILDINGS, BRIDGES, EDIFICES AND OTHER STATE CONSTRUCTIONS

Committee on Special Legislation and Veterans Affairs recommends indefinite postponement of the original bill and passage of Substitute A.

Senator Sosnowski moves passage of the act, seconded by Senators McCaffrey, Goodwin, Felag, Lombardi, Nesselbush, Algiere, Archambault, Sheehan, and Coyne

The bill marked substitute A is read and passed and the original bill indefinitely postponed, on a roll call vote, 34 members voting in the affirmative and 0 members voting in the negative as follows.

YEAS - 34: The Honorable President Ruggerio and Senators Algieri, Archambault, Calkin, Ciccone, Conley, Cote, Coyne, Crowley, DiPalma, Felag, Fogarty, Gallo, Gee, Goldin, Goodwin, Jabour, Kettle, Lombardi, Lombardo, Lynch Prata, McCaffrey, Metts, Miller, Morgan, Nesselbush, Paolino, Pearson, Picard, Quezada, Satchell, Seveney, Sheehan, Sosnowski.

NAYS - 0:

ANNOUNCEMENTS

Senator Metts announces that the Committee on Education will meet today at the rise, in Room 310 of the State House.

Senator Crowley announces that the Committee on Housing and Municipal Government will meet today at the rise, in Room 212 of the State House.

Senator Sheehan announces that the Committee on Rules, Government Ethics and Oversight will meet today at the rise, in Room 313 of the State House.

Senator Felag announces that the Committee on Finance will meet tomorrow at the rise, in Room 211 of the State House.

TRANSMITTAL

By unanimous consent, all matters on the Secretary's desk are ordered to be transmitted to Her Excellency, the Governor, the Honorable Secretary of State or to the Honorable House of Representatives forthwith.

ADJOURNMENT

Upon motion of Senator Goodwin, seconded by Senator Algieri and upon suggestion of Senator DiPalma the Senate adjourns at 4:22 o'clock P.M in memory of *Georgianna Elizabeth Rodrigues*.

Appendix

INVOCATION

SENATOR THOMAS J. PAOLINO

Dear God, we thank you for the gift of this new day with its opportunities for growth in nobility of character and in service to others. Amen.

Appendix**CALENDAR****IN ORDER FOR THURSDAY, MAY 25, 2017:**

1. **2017-S 398**
 BY McCaffrey
 ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT --
 APPOINTMENTS COMMISSIONS

Committee on Judiciary recommends passage.

IN ORDER FOR TUESDAY, MAY 30, 2017:

1. **2017-S 889**
 BY Felag
 ENTITLED, AN ACT RELATING TO TAXATION -- PROPERTY SUBJECT TO
 TAXATION--TOWN OF WARREN

Committee on Finance recommends passage.

2. **2017-S 890**
 BY Felag
 ENTITLED, AN ACT RELATING TO TAXATION - BRISTOL VOLUNTEER
 FIREFIGHTERS TAX RELIEF

Committee on Finance recommends passage.

3. **2017-S 146**
 BY Miller
 ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY - LICENSING OF
 HEALTH CARE FACILITIES

Committee on Health & Human Services recommends passage.

4. **2017-S 325**
 BY Goldin
 ENTITLED, AN ACT RELATING TO HUMAN SERVICES -- LONG-TERM
 MANAGED CARE ARRANGEMENTS

Committee on Health & Human Services recommends passage.

5. 2017-S 490 SUB A**BY** Calkin**ENTITLED**, AN ACT RELATING TO INSURANCE

Committee on Health & Human Services recommends indefinite postponement of the original bill and passage of Substitute A.

6. 2017-S 493 SUB A**BY** Archambault**ENTITLED**, AN ACT RELATING TO FOOD AND DRUGS - UNIFORM CONTROLLED SUBSTANCES ACT

Committee on Health & Human Services recommends indefinite postponement of the original bill and passage of Substitute A.

7. 2017-S 499**BY** DiPalma**ENTITLED**, AN ACT RELATING TO HEALTH AND SAFETY - REGISTRATION OF NURSING ASSISTANTS

Committee on Health & Human Services recommends passage.

8. 2017-S 500**BY** Doyle**ENTITLED**, AN ACT RELATING TO BUSINESSES AND PROFESSIONS - PSYCHOLOGISTS

Committee on Health & Human Services recommends passage.

9. 2017-S 502**BY** Jabour**ENTITLED**, AN ACT RELATING TO HEALTH AND SAFETY - NURSING FACILITIES BED CAPACITY MORATORIUM

Committee on Health & Human Services recommends passage.

10. 2017-S 544**BY** Calkin**ENTITLED**, AN ACT RELATING TO BEHAVIORAL HEALTHCARE, DEVELOPMENTAL DISABILITIES AND HOSPITALS -- GOVERNOR'S COUNCIL ON BEHAVIOR HEALTH

Committee on Health & Human Services recommends passage.

11. **2017-S 545**
 BY Miller
 ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY - SEXUALLY
 TRANSMITTED DISEASES

Committee on Health & Human Services recommends passage.

12. **2017-S 577 SUB A**
 BY Sosnowski
 ENTITLED, AN ACT RELATING TO HEALTH CARE FACILITIES - LICENSING

Committee on Health & Human Services recommends indefinite postponement of the original bill and passage of Substitute A.

13. **2017-S 578**
 BY Sosnowski
 ENTITLED, AN ACT RELATING TO INSURANCE -- ACCIDENT AND SICKNESS
 INSURANCE POLICIES

Committee on Health & Human Services recommends passage.

14. **2017-S 740**
 BY Goodwin
 ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- INSPECTIONS OF
 HEALTH CARE FACILITIES

Committee on Health & Human Services recommends passage.

15. **2017-S 788 SUB A**
 BY Miller
 ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY - LONG-TERM CARE
 COORDINATING COUNCIL

Committee on Health & Human Services recommends indefinite postponement of the original bill and passage of Substitute A.