



April 9, 2026

Senate Committee on Health and Human Services  
Rhode Island State House  
slegislation@rilegislature.gov

Re: **Testimony regarding SB 2107,**

Dear Chair Murray and Honorable Committee Members,

ABC-RI advocates for the rights and interests of all Rhode Islanders residing in long-term care facilities. We have concerns regarding SB 2107 because **“gig platforms” for healthcare workers pose myriad risks for residents/patients and workers alike.**

SB2107 dictates that RIDOH promulgate rules for healthcare worker platforms that do not exceed the requirements for nursing service agencies. For the safety of patients and workers, **we strongly encourage regulations that DO exceed those for traditional nursing service agencies.**

Traditional agency relationships, even when imperfect, tend to involve a recruiter who places a worker repeatedly at the same facility, creating some familiarity over time. Gig platforms are explicitly designed for maximum worker mobility. From a resident care standpoint, this maximizes the problem of unfamiliar staff: a worker might appear at a facility once, never having met the residents or read their care plans. The gig model produces the **worst version of the continuity problem** that agency staffing already creates.

Traditional agencies generally maintain a credentialing file on each worker, and the agency is contractually responsible for keeping it current. On marketplace-style gig platforms, especially bidding models, the credentialing layer is thinner and often self-reported at onboarding with less ongoing verification. The speed and volume of the gig model makes **credential drift** more likely and harder to detect than in a traditional agency relationship.

When a traditional agency worker causes harm, there is a clear legal relationship: the agency is the employer, the facility has a contract with the agency, and there are parties to hold accountable. Traditional staffing agencies, even imperfect ones, typically employ workers as W2 employees. This means the agency is responsible for payroll taxes, workers' comp, unemployment insurance, and often some benefits. Gig platforms like Clipboard Health and ShiftKey classify workers as 1099 independent contractors. This **classification shifts legal responsibility off the platform entirely.** When a 1099 contractor causes harm to a resident, there is no employer of record to hold accountable. The facility bears the liability, the platform bears none, and the worker may have no malpractice coverage.

Traditional agencies are visible, licensed entities with ongoing state relationships. A gig platform operating across 40 states with thousands of 1099 workers is much harder for any single state regulator to surveil. The **scale and opacity of the gig model requires affirmatively stricter regulation** to achieve the same effective oversight that less stringent rules achieve for traditional agencies.

For these reasons, we respectfully encourage the committee to consider amendments to SB 2107 that will allow for stricter regulations based on and exceeding those for nursing service agencies, and including protections for workers.

Thank you for your time and attention, and for all of your work on behalf of Rhode Islanders.

Sincerely,  
Kathleen Gerard, ABC-RI

Please see attached article from Stat health news detailing the risks of the healthcare gig economy.

<https://www.statnews.com/2025/03/31/uber-for-nurses-gig-economy-nursing-assistants-research/>