



Michael Sroczynski
President

April 9, 2026

The Honorable Melissa A. Murray
Chairperson, Senate Health and Human Services Committee
Rhode Island State House
82 Smith Street
Providence, Rhode Island 02903

Re: Oppose S.2380

Dear Chairperson Murray,

On behalf of the Hospital Association of Rhode Island (HARI) and our member hospitals, I respectfully submit this letter in opposition to S.2380, an act related to the closure or reduction of services of a birthing center.

Hospitals share the General Assembly's commitment to ensuring access to high-quality maternal and newborn care. We recognize that this legislation is being considered in response to real and understandable community concerns regarding access to maternal health services. At the same time, it introduces a new regulatory structure that overlaps with existing regulations and may not fully account for operational and financial realities.

Rhode Island already requires strong oversight through the Department of Health's Certificate of Need (CON) process. Under current regulations (216-RICR-40-10-22), hospitals must file what is effectively a "reverse CON" when reducing or eliminating services. This framework appropriately recognizes that removing an essential service—such as obstetrics—can have impacts similar to adding one, and therefore already subjects these decisions to state review, public input, and regulatory scrutiny. S.2380 goes well beyond this existing structure by layering on additional requirements, including third-party analysis, and a heightened evidentiary standard that requires hospitals to prove, by clear and convincing evidence, that closure is unavoidable.

Equally important, this approach sets a broader precedent. By establishing a separate, heightened process for one category of service, the legislation invites the expansion of requirements to other clinical services. This creates uncertainty for hospitals and risks a patchwork regulatory structure where different service lines are subject to different—and potentially conflicting—approval standards, despite already being governed under the CON framework.

Most importantly, the legislation does not address the underlying issue driving these difficult decisions: **financial sustainability**. Hospitals across Rhode Island are operating under significant fiscal pressure, shaped by reimbursement rates that often do not cover the cost of care, rising labor and supply expenses, and aging infrastructure that requires ongoing investment.

By imposing additional procedural barriers without addressing funding challenges, this legislation risks delaying necessary transitions, increasing administrative costs, and further destabilizing an already fragile system. In some cases, it may inadvertently prolong unsustainable service lines, which could ultimately lead to more abrupt and disruptive changes in access to other services.

For these reasons HARI respectfully urges the Committee to oppose S.2380.

We appreciate your consideration and continued partnership in improving the healthcare system in Rhode Island.

Sincerely,

A handwritten signature in black ink, appearing to read "Lisa P. Tomasso", written over a horizontal line.

Lisa P. Tomasso
Senior Vice President