



RI Department of Health
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TTY: 771
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March 27, 2025

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

RE: H 6036 – An Act Relating to Health and Safety -- The Rhode Island Clinician Wellness and Support Act

Dear Chair Donovan:

Please accept this letter, with concerns, regarding H 6036, legislation that would establish a health program for nurse practitioners to address issues impacting the clinician's personal and professional life.

The Rhode Island Department of Health (RIDOH) has concerns designating any single entity, in this case the Rhode Island Medical Society, to establish and administer the Physician Health Program (PHP) into law. All providers should be free to seek help from any entity that they choose, and employers and the Board of Medical Licensure and Discipline need to have the ability to seek outside monitoring if the PHP terminates a physician from the program.

Contrary to what the bill states, the Federation of State Medical Boards does not have licensing requirements; licensing requirements are established at the State level.

Regarding the establishment of the proposed Nurse Practitioner Health Program (NPHP), RIDOH believes that this is unnecessary. The Rhode Island Board of Nursing (BON) already provides licensed practical nurses, registered nurses, and all advanced practice registered nurses (APRNs) the ability to participate in the non-disciplinary alternative (NDA) program in situations involving substance use disorder or mental health issues, provided that the nurse agrees to voluntarily participate in a program of treatment and rehabilitation. APRNs include nurse practitioners, certified registered nurse anesthetists, certified nurse specialists, and certified nurse midwives.

Participation in the NDA program is voluntary. The nurse agrees, in writing, to comply with terms of the contract and to accept responsibility for all costs for assessment, treatment, and monitoring. The nurse also agrees to evaluations (including random body fluid testing) necessary to determine treatment and monitoring needs and agrees to enroll in a treatment program as approved by the BON.

All nurses active in the program are monitored by the Community Health Nurse Coordinator, a State employee who is not a BON member and is responsible for monitoring evaluations from the mental health/substance use disorder provider and the employer to ensure adequate worksite monitoring and compliance.

An investigative committee of the BON is responsible for meeting with the nurse before they enter into an NDA, and the full BON meets with the nurse when the NDA has been completed. The BON is responsible for maintaining confidentiality of all cases.

It is imperative that RIDOH be aware of any nurse partaking in the NDA program, because, as per the Nurse Licensure Compact, the nurse is not allowed to have a multistate license until the NDA is successfully completed.

The purpose and mission, as detailed in this bill, seems to be to separate the professional health program monitoring process from the related RIDOH Boards, who are, by statute and regulations, required to maintain confidentiality in all cases involving a healthcare professional with a mental health or substance use disorder. The Boards, not any health program entity, are responsible for ensuring public safety through the licensing and disciplinary process for all healthcare professionals and as detailed above, have processes in place for nurses (including nurse practitioners) to receive care and monitoring in a manner consistent with the requirements of this bill. Importantly, individual providers, employers, and the Boards governing physicians, physician assistants, podiatrists, and dentists should be able to obtain assessments, treatment, and monitoring from the program of their choice.

Thank you for the opportunity to comment on this legislation. RIDOH looks forward to working with the committee, sponsors, Rhode Island Medical Society, and Rhode Island State Nurses Association to ensure providers have access to these important resources.

Sincerely,

A handwritten signature in black ink that reads "Jerome M. Larkin" with a long horizontal flourish extending to the right.

Jerome M. Larkin, MD
Director

CC: The Honorable Members of the House Committee on Health and Human Services
The Honorable John G. Edwards
Nicole McCarty, Esquire, Chief Legal Counsel
Lynne Urbani, Director of House Policy