

Rhode Island

General Public Assistance

The General Public Assistance (“GPA”) program (under the Department of Human Services) provides medical assistance, including hospital based services, to eligible Rhode Island adult residents who are either citizens, legal permanent residents, or are Permanently Residing Under Color of Law (“PRUCOL”).¹

Eligibility Rules

Provider of Last Resort

GPA is a provider of last resort. As a result, GPA will not provide services to those persons eligible for SSI, Medicaid, or AFDC.² In all cases in which the Department of Human Services believes that the applicant may qualify for medical assistance under another state or federal program it shall require the person as a condition of coverage under GPA to apply for those other programs within thirty days of the date the GPA application was submitted.³

Medical Conditions of Eligibility

GPA services are restricted to those persons of at least 18 years in age⁴ who are suffering from an illness, injury or medical condition that qualified physicians reasonably expected to last for a period of at least thirty days from the date the application was submitted, and which precludes the individual from working. Said illness, injury, or medical condition may be based on a primary diagnosis of alcoholism or substance abuse.⁵

Income and Resource Rules

Eligible applicants may not possess or control non-exempt resources, and must have incomes below certain levels. Allowable resources include a house used as the primary residence,⁶ a car which is valued

¹RIGL 40-6-3.1 (Michie 1996 Supp).

²RIGL 40-6-3 (Michie 1996 Supp).

³RIGL 40-6-3.1(e) (Michie 1996 Supp).

⁴RIGL 40-6-3.1(a)(1) (Michie 1996 Supp).

⁵RIGL 40-6-3.1(a)(1) (Michie 1996 Supp).

⁶RIGL 40-6-3.1(b)(1) (Michie 1996 Supp).

at \$1500 or less,⁷ cash or liquid assets not exceeding four hundred dollars,⁸ and income generating property, such as tools, valued at no more than \$1000.⁹

Unlike the case with resources, where possession or control of non-exempt resources renders the applicant ineligible for assistance under this program, applicants may have some income. A one-person household may have income of approximately \$327 per month, while a three-person household may earn approximately \$554.¹⁰

Students Attending Post-Secondary Educational Facilities Full-Time

Generally, an individual eighteen years of age or older attending a post-secondary institution on a full-time basis shall not be eligible for GPA.¹¹ Alternatively, if the student is attending a post-secondary education institution part-time and is actively seeking employment, she or he may be eligible for coverage under this program.¹²

Period of Coverage

The Department of Human Services is required to render a determination of eligibility on the application for assistance within thirty days of the submission of a complete application.¹³ Those persons found eligible for GPA services shall be eligible for an initial period of up to six months, renewable for an additional six month period of coverage if conditions so warrant.¹⁴ After twelve months of continuous coverage, program beneficiaries must submit a new application in order to obtain further assistance.¹⁵

Form of Assistance

Non hospital-based physician services and a limited array of prescription drugs and supplies shall be provided by authorized health centers or providers, which in turn shall be reimbursed by the Department

⁷RIGL 40-6-3.1(b)(2) (Michie 1996 Supp).

⁸RIGL 40-6-3.1(b)(3) (Michie 1996 Supp).

⁹RIGL 40-6-3.1(b)(4) (Michie 1996 Supp).

¹⁰RIGL 40-6-3.1(c)(1), 40-6-3.3 (Michie 1996 Supp).

¹¹RIGL 40-6-3.1(d)(1) (Michie 1996 Supp).

¹²RIGL 40-6-3.1(d)(2) (Michie 1996 Supp).

¹³RIGL 40-6-3.1(a)(1) (Michie 1996 Supp).

¹⁴RIGL 40-6-3.1(a)(1) (Michie 1996 Supp).

¹⁵RIGL 40-6-3.1(a)(1) (Michie 1996 Supp).

of Human Services according to a pre-arranged fee schedule.¹⁶ Eligibility for non-hospital based services relate back to the date of application, but not before.¹⁷

Hospitals, since July 1, 1992, have been required to provide free services and charity care for reasonable and necessary inpatient and outpatient hospital services to persons approved by the Department of Human Services for GPA coverage.¹⁸ If a hospital chooses to render care to an indigent who has not yet qualified for GPA, however, the indigent shall simply be receiving services on the hospital's general charitable care program.

Beginning in 1996, hospitals which receive new licenses must meet statewide community standards for the provision of charity care services as a condition of initial and continued licensure.¹⁹ Although, on its face this provision does necessarily provide for services not otherwise provided under the pre-existing requirement of a hospital to provide to GPA eligible patients, it might.

Mental Health

The state has constructed institutions for the inpatient care and treatment of the mentally ill and developmentally disabled at Zambarano Hospital (Wallum Lake)²⁰ and the State of Rhode Island Medical Center (Cranston).²¹ No person shall be denied care and treatment at any state facility because the patient is unable to pay for the care and treatment.²² However, patients or those legally responsible for them who are able to pay for the patient's board, in whole or part, shall be so charged.²³ In such cases where neither the patient nor his or her family is able to pay for board, the city or town of the patient's settlement shall be so obligated.²⁴

Comprehensive Treatment for Alcoholism

The Rhode Island Department of Human Services is required to develop statewide, regional and local

¹⁶RIGL 40-6-3.2(c) (Michie 1996 Supp).

¹⁷RIGL 40-6-3.2 (Michie 1996 Supp).

¹⁸RIGL 40-6-3.2(b) (Michie 1996 Supp).

¹⁹RIGL 23-17-43 (Michie 1996).

²⁰RIGL 40.1-3-3 (Michie 1990).

²¹RIGL 40.1-3-8 (Michie 1996 Supp).

²²RIGL 40.1-5-35 (Michie 1990).

²³RIGL 40.1-3-6 (Michie 1990).

²⁴RIGL 40.1-3-6 (Michie 1990).

plans and programs for the prevention and treatment of alcoholism.^{25,26} The programs shall include emergency, inpatient, and outpatient hospital treatment, and follow-up care, including diagnostic evaluation, medical, psychiatric, psychological, and social service care, vocational rehabilitation and career counseling, which may be extended to alcoholics and intoxicated persons.²⁷ The department will pay for approved services²⁸ rendered to patients who are unable to pay in whole or part, if no third-party payor (private or public) or other person (such as a legal guardian) is legally obligated to pay for the services rendered.²⁹

Tuberculosis (“TB”) Control

When the Department of Human Services obtains a court order to confine and isolate a person with active TB, then all necessary services shall be provided with no restrictions as to the quarantined person's ability to pay.³⁰ Persons infected with TB, or suspected as such, who are of limited financial means, should be eligible for services under the General Public Assistance (“GPA”) program (under the Department of Human Services). This program provides medical assistance, including hospital based services, to eligible Rhode Island adult residents who are either citizens, legal permanent residents, or are Permanently Residing Under Color of Law (“PRUCOL”).³¹

The Department of Human Services is required to do all in its power to prevent and control the spread of disease in the state.³² It is arguable, therefore, that undocumented immigrants should also be provided services, either through the GPA, or simply paid for by the department.

²⁵RIGL 23-1.10-4(1) (Michie 1996).

²⁶Statute declares that an Alcoholic is “a person who habitually lacks self-control as to the use of alcoholic beverages, or uses alcoholic beverages to the extent that his or her health is substantially impaired or endangered or his or her social or economic function is substantially disrupted.” RIGL 23-1.1-2(1) (Michie 1996).

²⁷RIGL 23-1.10-6, 23-1.10-3(9) (Michie 1996).

²⁸Services must be rendered in approved treatment centers. RIGL 23-1.10-15(a); 23-1.10-7; 23-1.10-2(2),(3).

²⁹RIGL 23-1.10-15 (Michie 1996)—Payment methodology.

³⁰RIGL 23-10-6(1) (Michie 1996).

³¹RIGL 40-6-3.1 (Michie 1996 Supp).

³²RIGL 23-1-1 (Michie 1996).

Sexually Transmitted Disease³³ Control

As stated above, the Department of Human Services must control the spread of infectious diseases, including sexually transmitted diseases. It is arguable that the prompt and effective treatment of disease helps control its spread. If the cost of care poses a financial barrier to those who might otherwise receive medical care, then it is arguable that the department's obligation to adopt effective disease prevention and control measures would require it to provide services on a sliding-fee scale to all state residents, including to undocumented aliens.³⁴

Vaccinations

The Department of Human Services operates an immunization program which includes childhood vaccinations, as recommended by the Academy of Pediatrics.³⁵ The costs of the program shall be covered, in part, through a tax levied on health insurer organizations.³⁶ Licensed hospitals are required to administer vaccinations to children free of charge through outpatient clinics.³⁷

Town councils are required to pay appropriate fees to physicians for the provision of vaccinations to town inhabitants on an annual basis at a specified time and place.³⁸ It is unclear whether hospitals and towns are required simply to provide for the physical administration of the vaccination materials, or whether they are obligated as well to pay for the actual vaccines.

Cancer

The Department of Human Services is required to formulate a plan for the care and treatment of indigent persons suffering from cancer.³⁹ To the extent funds are appropriated by the general assembly, the department shall pay for diagnostic and treatment medical services rendered at approved Rhode Island hospitals to state residents who through no fault of their own are financially unable to pay for said services themselves.⁴⁰

³³Sexually transmitted diseases (STDs) include, but are not limited to, syphilis, gonorrhea, chancroid, granuloma inguinale and lymphogranuloma venereum. RIGL 23-11-1 (Michie 1996).

³⁴RIGL 23-1-1 (Michie 1996).

³⁵RIGL 23-1-44 (Michie 1996).

³⁶RIGL 23-1-45, 46 (Michie 1996).

³⁷RIGL 23-1-47 (Michie 1996).

³⁸RIGL 23-6-3, 4 (Michie 1996).

³⁹RIGL 23-12-1 (Michie 1996).

⁴⁰RIGL 23-12-3 (Michie 1996).

Hemophilia

The Department of Human Services is required to establish a program for the care and treatment of persons suffering from hemophilia,⁴¹ and to financially assist them in obtaining the services and products necessarily related to the treatment of their disease.⁴²

⁴¹RIGL 23-12.1-2 (Michie 1996).

⁴²RIGL 23-12.1-3 (Michie 1996).