

Rhode Island State Report Card

***Last Updated:** January 1, 2024*

Method and scoring: State involuntary civil commitment laws are evaluated using a 100-point grading scale. The scoring criteria are in accordance with the Treatment Advocacy Center’s values and policy preferences. Up to 50 points are awarded to a state based on the quality of its inpatient commitment law, and up to 50 points are awarded based on the state’s assisted outpatient treatment (AOT) law. Final letter grades are computed using the following scale:

97 or above	A+	87–89	B+	77–79	C+	67–69	D+	59 or below	F
93–96	A	83–86	B	73–76	C	63–66	D		
90–92	A-	80–82	B-	70–72	C-	60–62	D-		

PART ONE: Inpatient Commitment Statute (up to 50 points)			
Criterion	Citation	Specifications	Points
1. Citizen access to court, emergency evaluation (5 pts)	R.I. Gen. Laws § 40.1-5-7(a)(1)	<input type="checkbox"/> Authorizes family/enumerated adults (3 pts) <input type="checkbox"/> Authorizes any responsible adult (2 pts)	0
2. Quality of emergency petition process (5 pts)	R.I. Gen. Laws § 40.1-5-7	<input checked="" type="checkbox"/> Process specified and reasonable (2 pts) <input checked="" type="checkbox"/> Timelines specified and reasonable (2 pts) <input checked="" type="checkbox"/> Responsible entities identified (1 pt) <input type="checkbox"/> Requires certification by more than one professional (-2 pts) <input type="checkbox"/> Emergency evaluation criteria inconsistent with inpatient commitment criteria (-5 pts) (See comment below)	5
3. Emergency hold duration (5 pts)	R.I. Gen. Laws § 40.1-5-7(f)	<input checked="" type="checkbox"/> At least 48-hour hold allowed (3 pts) <input checked="" type="checkbox"/> At least 72-hour hold allowed (2 pts) 72 hours for evaluation, maximum of 10 days without court order	5
4. Citizen access to court, inpatient petition (5 pts)	R.I. Gen. Laws § 40.1-5-8	<input checked="" type="checkbox"/> Authorizes family/enumerated adults (3 pts) <input type="checkbox"/> Authorizes any responsible adult (2 pts)	3
5. Quality of criteria for harm or violence to self or others (up to 10 pts)	R.I. Gen. Laws § 40.1-5-2(8)	<input checked="" type="checkbox"/> Contains explicit criteria (10 pts) <input type="checkbox"/> Language is vague/ambiguous (-3 pts) <input type="checkbox"/> Harm must be imminent (-3 pts)	10
6. Quality of criteria for grave disability/basic needs (up to 10 pts)	R.I. Gen. Laws § 40.1-5-2(8)	<input checked="" type="checkbox"/> Contains explicit criteria (10 pts) <input type="checkbox"/> Language is vague/ambiguous (-3 pts) <input checked="" type="checkbox"/> Endangerment must be imminent (-3 pts) <input type="checkbox"/> Criteria require family to turn person out of home to receive treatment (-3 pts)	7
7. Quality of criteria for psychiatric deterioration (up to 10 pts)		<input type="checkbox"/> Contains explicit criteria (up to 10 pts) <input type="checkbox"/> Language is vague/ambiguous (-3 pts)	0
SUBTOTAL			30
PART ONE: Extra Credit			
1. Specifies court to petition for inpatient commitment (1 pt)	R.I. Gen. Laws § 40.1-5-8	District court	1
PART ONE TOTAL			31

PART TWO: Outpatient Commitment Statute (up to 50 points)			
Criterion	Citation	Specifications	Points
1. AOT explicitly authorized (5 pts)	R.I. Gen. Laws § 40.1-5-2(1)	<input type="checkbox"/> Requires local government to adopt (-3 pts)	5
2. Citizen access to court for AOT (5 pts)	R.I. Gen. Laws § 40.1-5-8	<input checked="" type="checkbox"/> Authorizes family/enumerated adults (3 pts) <input type="checkbox"/> Authorizes any responsible adult (2 pts) <input type="checkbox"/> Authorizes citizen petition to mental health system only (-2 pts)	3

3. Criteria sufficiently broad to provide actual access (up to 10 pts)	R.I. Gen. Laws § 40.1-5-8	<p>Evaluate applicable provision only:</p> <p><input checked="" type="checkbox"/> If inpatient/outpatient criteria are the same:</p> <p style="padding-left: 20px;"><input type="checkbox"/> Inpatient criteria include psychiatric deterioration standard (10 pts)</p> <p style="padding-left: 20px;"><u>or</u></p> <p style="padding-left: 20px;"><input checked="" type="checkbox"/> No psychiatric deterioration standard, adequate grave disability standard (5 pts) (See comment below)</p> <p style="padding-left: 20px;"><u>or</u></p> <p><input type="checkbox"/> If outpatient criteria are distinct from inpatient criteria:</p> <p style="padding-left: 20px;"><input type="checkbox"/> Allows consideration of length of treatment history ≥ 36 months (2 pts)</p> <p style="padding-left: 40px;"><input type="checkbox"/> Does not exclude periods of incarceration or hospitalization (-1 pt)</p> <p style="padding-left: 20px;"><input type="checkbox"/> Does not limit application to individuals who are currently dangerous or unstable (4 pts)</p> <p style="padding-left: 20px;"><input type="checkbox"/> Does not limit application to patients who are refusing service or currently lacking insight (4 pts)</p>	5
4. Authorizes AOT directly from community (5 pts)	R.I. Gen. Laws § 40.1-5-8		5
5. Procedures sufficiently detailed to guide practitioners (up to 5 pts)		<input type="checkbox"/> Process specified and reasonable (1 pt) <input type="checkbox"/> Timelines specified and reasonable (1 pt) <input type="checkbox"/> Responsible entities identified (1 pt) <input type="checkbox"/> Periodic reporting to court required (1 pt) <input type="checkbox"/> Renewal process expressly specified (1 pt)	0
6. Procedures require the treatment plan to be shared with the court (5 pts)			0
7. Specifies procedures and consequences for nonadherence (5 pts)			0
8. Duration of initial order	R.I. Gen. Laws § 40.1-5-8(j)	<input type="checkbox"/> = 90 days (2 pts) <u>or</u> <input checked="" type="checkbox"/> > 90 days (5 pts) Six months	5
9. Duration of continued order	R.I. Gen. Laws § 40.1-5-8(j)	<input checked="" type="checkbox"/> = 180 days (2 pts) <u>or</u> <input type="checkbox"/> > 180 days (5 pts)	2
SUBTOTAL			25
PART TWO: Extra Credit			
1. Specifies in which court a petition for outpatient commitment shall be filed (1 pt)	R.I. Gen. Laws § 40.1-5-8	District court	1
2. Court monitoring of voluntary settlement agreements (5 pts)			
Extra Credit			1
PART TWO TOTAL			26

FINAL SCORE	
PART ONE TOTAL	31
PART TWO TOTAL	26
TOTAL	57
GRADE	F