# US Attorney Reveals Over-Hospitalization of Children with Disabilities in Rhode Island State Care



On Monday in Providence, Rhode Island, US Attorney Zachary A. Cunha announced the findings from a federal investigation, revealing that the state has systematically over-hospitalized children with behavioral disabilities in state care, a violation of federal disability laws. Specifically, the state has failed to provide them with home or community-based care as mandated by law, opting instead for institutionalization.

The investigation, conducted from January 2017 to September 2022, focused on the placement of these children in Bradley Hospital, Rhode Island's sole acute-care psychiatric facility. It found that 527 children under the care of the Department of Children, Youth, and Families (DCYF) were admitted to Bradley Hospital for intended short-term emergency stabilization. Contrary to the typical 1-2 week stabilization period, the average hospital stay lasted 51 days. Some children experienced prolonged hospitalizations, with 116 of them hospitalized for more than 100 days, and seven for over a year.

Cunha noted that these hospitalizations contravened Title II of the Americans with Disabilities Act and Section 504 of the Rehabilitation Act of 1973, which require the provision of services in the most integrated setting appropriate to the individual's needs. The extended hospital stays denied children meaningful access to regular childhood experiences and increased their risk of future hospitalizations.

Despite the findings, there were no accusations of wrongdoing directed at Bradley Hospital. The investigation has prompted a call for Rhode Island to enhance the quality and responsiveness of its services for children with disabilities or face potential legal action. US Attorney Cunha and the US Department of Health and Human Services have sent a letter outlining these concerns to Governor Dan McKee and DCYF director Ashley Deckert, expecting a response within ten days. Meanwhile, systemic issues at other facilities like St. Mary's Home for Children, which has seen severe criticisms and incidents, highlight broader challenges in care standards for the state's vulnerable children.