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H.552

Introduced by Representatives Koch of Barre Town and Fisher of Lincoln

Referred to Committee on

Date:

Subject: Health; mental health; hospitals; inpatient involuntary care

Statement of purpose: This bill proposes to create general and intensive hospital designations for hospitals providing inpatient care and treatment to individuals who are mentally ill.

An act relating to general and intensive hospital designations

It is hereby enacted by the General Assembly of the State of Vermont:

Sec. 1. 18 V.S.A. chapter 178 is added to read:

CHAPTER 178. HOSPITAL DESIGNATIONS

§ 7451. GENERALLY

(a) Pursuant to subdivision 7401(3) of this title, the commissioner of mental health shall establish designations for hospitals that provide inpatient care and treatment to individuals who are mentally ill.

(b) The commissioner shall adopt rules pursuant to chapter 25 of Title 3 to carry out the purposes of this chapter and to establish minimum program standards and other criteria necessary to ensure quality care that is consumer-directed, trauma-informed, and recovery-oriented.

1     § 7452. GENERAL HOSPITAL DESIGNATION

2         (a) Hospitals designated by the commissioner as general hospitals may  
3     provide involuntary inpatient care and treatment for individuals who are  
4     mentally ill pursuant to chapter 179 of this title and chapter 157 of Title 13.

5         (b) Hospitals designated as general hospitals pursuant to this chapter shall  
6     be licensed in accordance with chapter 43 of this title and shall operate a  
7     program that meets the requirements established by the commissioner pursuant  
8     to subsection 7451(b) of this title.

9     § 7453. INTENSIVE HOSPITAL DESIGNATION

10        (a) The commissioner shall establish a designation for hospitals that  
11     operate an intensive inpatient program that provides involuntary care and  
12     treatment to individuals who are mentally ill.

13        (b) The intensive hospital designation shall be granted only to those  
14     hospitals that operate a program meeting the following minimum criteria:

15            (1) Patients who meet admission criteria are served regardless of acuity,  
16     legal status, or ability to pay.

17            (2) Patients have access to comprehensive medical services.

18            (3) Nonemergency involuntary medication is provided consistent with  
19     statutes and rules.

1           (4) A stakeholder advisory panel comprising consumers, family  
2           members, and community members advises hospital management on the  
3           performance of the program.

4           (5) The program participates in the statewide system of programs  
5           providing care and treatment to individuals who are mentally ill.

6           (6) The program complies with the requirements established by the  
7           commissioner pursuant to subsection 7451(b) of this title.

8           (c) The commissioner may enter into contracts with hospitals that operate a  
9           program that has been designated as intensive as necessary to carry out the  
10           purposes of this chapter. Such contracts shall be based on a program plan and  
11           budget and a balanced plan of anticipated fees and receipts.

12           (d) Rules adopted pursuant to subsection 7451(b) of this chapter shall  
13           provide for an ongoing, consistent, and predictable relationship between the  
14           state and a hospital that operates a designated intensive program. The rules  
15           shall also ensure adequate notice and continuity of care prior to any intensive  
16           designation being revoked or withdrawn.