

1 H.759

2 Introduced by Committee on Judiciary

3 Date:

4 Subject: Health; judicial proceedings; involuntary treatment; continued
5 treatment; secure residential recovery facility

6 Statement of purpose: This bill proposes to permit the department of mental
7 health to use secure residential recovery facilities for continued involuntary
8 treatment. The bill defines secure residential recovery facility to mean a
9 residential facility for an individual who no longer requires acute inpatient care
10 but who does remain in need of treatment within a secure setting for an
11 extended period of time.

12 An act relating to permitting the use of secure residential recovery facilities
13 for continued involuntary treatment

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

15 Sec. 1. 18 V.S.A. § 7620 is amended to read:

16 § 7620. APPLICATION FOR CONTINUED TREATMENT

17 (a) If, prior to the expiration of any order issued in accordance with section
18 7623 of this title, the commissioner believes that the condition of the patient is
19 such that the patient continues to require treatment, the commissioner shall

1 apply to the court for a determination that the patient is a patient in need of
2 further treatment and for an order of continued treatment.

3 (b) An application for an order authorizing continuing treatment shall
4 contain a statement setting forth the reasons for the commissioner's
5 determination that the patient is a patient in need of further treatment, a
6 statement describing the treatment program provided to the patient and the
7 results of that course of treatment.

8 (c) Any order of treatment issued in accordance with section 7623 of this
9 title shall remain in force pending the court's decision on the application.

10 (d) If the commissioner seeks to have the patient receive the further
11 treatment in a secure residential recovery facility, the application for an order
12 authorizing continuing treatment shall expressly state that such treatment is
13 being sought. The application shall contain, in addition to the statements
14 required by subsection (b) of this section, a statement setting forth the reasons
15 for the commissioner's determination that clinically appropriate treatment for
16 the patient's condition can be provided safely only in a secure residential
17 recovery facility.

18 (e) As used in this chapter:

19 (1) "Secure residential recovery facility" means a residential facility for
20 an individual who no longer requires acute inpatient care but who does remain
21 in need of treatment within a secure setting for an extended period of time.

