

1 TO THE HONORABLE SENATE:

2 The Committee on Health and Welfare to which was referred Senate Bill No.  
3 295 entitled “An act relating to pretrial services, risk assessments, and criminal  
4 justice programs” respectfully reports that it has considered the same and  
5 recommends that the report of the Committee on Judiciary be amended as  
6 follows:

7 First: In Sec. 2, 13 V.S.A. § 7554c, by striking out subdivision (d)(1)(C) in  
8 its entirety and inserting in lieu thereof comply with any level of treatment or  
9 recovery support recommended by the provider;

10 Second: In Sec. 3, risk and needs screening tools and services, in  
11 subsection (e)(3), following “rehabilitative services,” by inserting recovery  
12 supports,

13 and by adding a subsection (g) to read:

14 (g) The Secretary of Human Services, with staff and administrative support  
15 from the Criminal Justice Core Team, shall map services and assess the impact  
16 of court referrals to the current service provision system in each region. The  
17 Secretary, in collaboration with service providers and other stakeholders, shall  
18 consider regional resources, including services for assessment, early  
19 intervention, treatment, and recovery support. Building on existing models and  
20 data, the Secretary and the Criminal Justice Core Team shall develop a system  
21 for referral to appropriate level of need, identifying existing gaps to optimize

1 successful outcomes. Funding models for those services shall be examined by  
2 the appropriate State departments.

3 Third: In Sec. 4, alternatives to traditional criminal justice model, in  
4 subsection (a), in the last sentence, following “pretrial services and case  
5 management,” by inserting recovery support,

6 Fourth: In Sec. 5, 13 V.S.A. § 7554d, in subsection (a), in the first  
7 sentence, following “substance abuse,” by inserting addiction recovery,

8 Fifth: In Sec. 12, 18 V.S.A. § 4215c, in subsection (b), by adding a  
9 subdivision (4) to read:

10 (4)(A) The Board of Medical Practice shall inform physicians of the  
11 requirement to notify the Commissioner in writing of the physician’s intent to  
12 seek inclusion on the list of approved prescribers.

13 (B) The Board of Pharmacy shall inform pharmacists of the  
14 requirement to fill only those prescriptions written by physicians on the list of  
15 approved prescribers.

16 Sixth: By striking out Sec. 13 in its entirety and inserting in lieu thereof a  
17 new Sec. 13 to read:

18 Sec. 13. VPMS QUERY; MEDICAID PARTICIPATION; RULEMAKING

19 The Secretary of Human Services shall adopt rules requiring all Medicaid  
20 participating providers, whether licensed in or outside Vermont, who prescribe  
21 buprenorphine or a drug containing buprenorphine to a Vermont Medicaid

1 beneficiary to query the Vermont Prescription Monitoring System (VPMS) at  
2 regular intervals.

3 Seventh: By striking out Sec. 17 in its entirety and inserting in lieu thereof  
4 a new Sec. 17 to read:

5 Sec. 17. 18 V.S.A. § 4254 is amended to read:

6 § 4254. IMMUNITY FROM LIABILITY

7 \* \* \*

8 (d) A person who seeks medical assistance for a drug overdose or is the  
9 subject of a good faith request for medical assistance pursuant to subsection (b)  
10 or (c) of this section shall not be subject to any of the penalties for violation of  
11 13 V.S.A. § 1030 (violation of a protection order), for a violation of this  
12 chapter or 7 V.S.A §§ 656 and 657, for being at the scene of the drug overdose,  
13 or for being within close proximity to any person at the scene of the drug  
14 overdose.

15 (e) A person who seeks medical assistance for a drug overdose or is the  
16 subject of a good faith request for medical assistance pursuant to subsection (b)  
17 or (c) of this section shall not be subject to any sanction for a violation of a  
18 condition of pretrial release, probation, furlough, or parole for a violation of  
19 this chapter or 7 V.S.A §§ 656 and 657, for being at the scene of the drug  
20 overdose, or for being within close proximity to any person at the scene of the  
21 drug overdose.

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(Committee vote: \_\_\_\_\_)

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Senator \_\_\_\_\_

FOR THE COMMITTEE