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To: Senate Committee on Health and Welfare
From: Dawn O’Toole, AHS Chief Operations Officer
Date: March 24, 2016
Subject: H.74

Thank you for the opportunity to comment on H.74. In addition to my prepared remarks, I have included responses to questions about where Domestic Violence fits with this bill and how we define credible threats.

Section in H.74 as passed by the House	Comments	Suggested amendments
Sec. 1 (a) (2)	The bill title references social and mental health workers. In (2) the reference is providers that directly serve clients.	AHS recommends clarifying whether the bill includes only social and mental health workers or all workers providing direct services.
Sec. 1 (a)(1)	The department supports the requirement that AHS establish and maintain a written workplace violence prevention and crisis response policy but prefers the approach of one Agency policy rather than an Agency policy and individual policies in each of the six departments.	Suggestion – remove the language stating each department of the Agency.
Sec. 1(c)	The requirement to ensure the policy is consistent with the U.S. OSHA Guidelines for Preventing Workplace Violence was added when there was consideration that VOSHA would play an enforcement role. After testimony from DOL; it is clear that VOSHA is not resourced to play this role.	Suggestion – remove this language from the bill. The guidelines could not be achieved without considerable, additional resources including on site security for AHS and partner organizations.
Sec. 1 (2)	AHS must ensure that providers that contract with the Agency to provide direct services establish and maintain a workplace violence prevention policy	Suggestion – attach a fiscal note for additional resources for oversight/monitoring.

	requires the addition of language to contracts and grants as well as oversight. Additional resources would be needed to fulfill this obligation.	
Sec. 1(b)(1)	A question was raised about how to define a credible threat.	AHS worked with law enforcement to better define a credible threat. A credible threat generally means the individual expresses a specific act and intent to act on it. It is not a general statement but includes some specific detail.
Question	Will this bill make employees feel safe?	Employees want a physical security presence in the workplace.
A question was posed about the possibility of rulemaking as an alternative to H.74	Representative Pugh was interested in the possibility of rulemaking and shared the MA approach to rule-making regarding workplace violence prevention.	HHS voted for a bill instead of rulemaking.
Question	Does this bill include domestic violence?	AHS has a Domestic Violence Protocol for employees and provides comprehensive training.