

1 TO THE HOUSE OF REPRESENTATIVES:

2 The Committee on Human Services to which was referred Senate Bill No.
3 186 entitled “An act relating to the systemic evaluation of recovery residences
4 and recovery communities” respectfully reports that it has considered the same
5 and recommends that the House propose to the Senate that the bill be amended
6 by striking out all after the enacting clause and inserting in lieu thereof the
7 following:

8 * * * S.186 as Passed Senate * * *

9 Sec. 1. RECOMMENDATION; RECOVERY RESIDENCE

10 CERTIFICATION

11 (a) The Department of Health, in consultation with State agencies and
12 community partners, shall develop and recommend a certification program for
13 recovery residences operating in the State. The certification program shall
14 incorporate those elements of the existing certification program operated by
15 the Vermont Alliance for Recovery Residences. The recommended
16 certification program shall also:

17 (1) identify an organization to serve as the certifying body for recovery
18 residences in the State;

19 (2) propose certification fees for recovery residences;

20 (3) establish a grievance and review process for complaints pertaining to
21 certified recovery residences;

1 (4) identify certification levels, which may include distinct staffing or
2 administrative requirements, or both, to enable a recovery residence to provide
3 more intensive or extensive services;

4 (5) identify eligibility requirements for each level of recovery residence
5 certification, including:

6 (A) staff and administrative requirements for recovery residences,
7 including staff training and supervision;

8 (B) compliance with industry best practices that support a safe,
9 healthy, and effective recovery environment; and

10 (C) data collection requirements related to resident outcomes; and

11 (6) establish the required policies and procedures regarding the
12 provision of services by recovery residences, including policies and procedures
13 related to:

14 (A) resident rights, including:

15 (i) contents of initial resident agreements;

16 (ii) resident discharge policies; and

17 (iii) length of time a bed shall be held for a resident who

18 temporarily exits a recovery residence;

19 **OR**

20 (A) resident rights, including minimum standards for residential
21 agreements;

1 (B) resident use of legally prescribed medications; and

2 (C) promoting quality and positive outcomes for residents; and

3 (7) recommend an appropriate term for a noncertified recovery
4 residence.

5 (8) identify minimum reporting requirements about recovery residences
6 by the certifying body, including reports on the temporary and permanent
7 removal of residents, which the certifying body shall aggregate for regular
8 submission to the Department.

9 (b) In developing the certification program recommendations required
10 pursuant to this section, the Department shall consider:

11 (1) available funding streams to sustainably maintain and expand
12 recovery residence services throughout the State;

13 (2) how to address barriers that limit the availability of recovery
14 residences;

15 (3) recovery residence models used in other states and their applicability
16 to Vermont; and

17 (4) how to engage noncertified recovery residences in the certification
18 process.

19 (c) On or before January 15, 2025, the Department shall submit a written
20 report describing its recommended recovery residence certification program

1 and containing corresponding draft legislation to the House Committee on
2 Human Services and to the Senate Committee on Health and Welfare.

3 (d) As used in this section, “recovery residence” means a shared living
4 residence supporting persons recovering from a substance use disorder that
5 provides tenants with peer support and assistance accessing support services
6 and community resources available to persons recovering from substance use
7 disorders.

8 Sec. 1. ASSESSMENT; GROWTH AND EVALUATION OF RECOVERY
9 RESIDENCES

10 (a) The Department of Health shall complete an assessment of certified and
11 noncertified recovery residences in the State, which shall:

12 (1) create a comprehensive inventory of all recovery residences in
13 Vermont, including assessments of proximity to employment, recovery, and
14 other community resources;

15 (2) assess the current capacity, knowledge, and ability of recovery
16 residences to inform data collection and improve outcomes for residents;

17 (3) assess recovery residences’ potential for future data collection
18 capacity; and

19 (4) assess the types of data systems currently in use in Vermont’s
20 recovery residences and defining the minimum core components of a data
21 system.

1 (b) The Department may obtain technical assistance to complete the
2 assessment required pursuant to subsection (a) of this section.

3 (c) On or before January 15, 2025, the Department shall submit the results
4 of the assessment required pursuant to this section and any recommendations
5 for legislative action to the House Committee on Human Services and to the
6 Senate Committee on Health and Welfare.

7 (d) As used in this section, “recovery residence” means a shared living
8 residence supporting persons recovering from a substance use disorder that
9 provides tenants with peer support and assistance accessing support services
10 and community resources available to persons recovering from substance use
11 disorders.

12 * * * Excerpts from H.639 * * *

13 Sec. 3. 9 V.S.A. § 4452 is amended to read:

14 § 4452. EXCLUSIONS

15 (a) Unless created to avoid the application of this chapter, this chapter does
16 not apply to any of the following:

17 * * *

18 (b)(1) Notwithstanding sections 4467 and 4468 of this chapter, a recovery
19 residence that has adopted a written exit and transfer policy approved by the
20 Vermont Alliance for Recovery Residences may immediately exit or transfer a
21 resident in accordance with the policy if:

- 1 (A) the exit or transfer is necessary for the resident’s welfare;
2 (B) the resident’s needs cannot be met at the recovery residence; or
3 (C) the health and safety of other residents or recovery resident
4 employees would be at risk if the resident continues to reside at the recovery
5 residence.

6 (2) As used in this subsection, “recovery residence” means a shared
7 living residence supporting persons recovering from a substance use disorder
8 that:

9 (A) provides tenants with peer support and assistance accessing
10 support services and community resources available to persons recovering
11 from substance use disorders; and

12 (B) is certified by an organization approved by the Department of
13 Health and that is either a Vermont affiliate of the National Alliance for
14 Recovery Residences or another approved organization or is pending such
15 certification.

16 Sec. 4. LEGISLATIVE INTENT; RECOVERY RESIDENCES;

17 LANDLORD-TENANT EXEMPTION

18 It is the intent of the General Assembly upon passage of legislation
19 codifying the recovery residence certification program recommended by the
20 Department of Health:

1 (1) to repeal 9 V.S.A. § 4452(b) (recovery residence exit or transfer
2 exemption from eviction laws); and

3 (2) to add an exemption from the application of 9 V.S.A. chapter 137
4 (residential rental agreements) for occupancy in a recovery residence that has
5 been certified by the Vermont Alliance for Recovery Residences according to
6 the requirements of the certification process recommended by the Department
7 of Health.

8 Sec. 5. 18 V.S.A. § 4812 is added to read:

9 § 4812. RECOVERY RESIDENCES; EXIT AND TRANSFER REPORTING

10 (a) Annually on or before January 1, a recovery residence shall report to the
11 certifying body for the recovery residence any exit or transfer of a resident by
12 the recovery residence in the previous year and the asserted basis for exiting or
13 transferring the resident.

14 (b) Annually on or before January 15, the certifying body for a recovery
15 residence shall report to the Department of Health the data received under
16 subsection (a) of this section.

17 (c) Annually on or before February 1, the Department of Health shall
18 submit the data received under subsection (b) of this section to the House
19 Committees on General and Housing and on Human Services and the Senate
20 Committees on Economic Development, Housing and General Affairs and on
21 Health and Welfare.

1 (d) As used in this section, “recovery residence” means a shared living
2 residence supporting persons recovering from a substance use disorder that:
3 (1) provides tenants with peer support and assistance accessing support
4 services and community resources available to persons recovering from
5 substance use disorders; and
6 (2) is certified by an organization approved by the Department of Health
7 and that is either a Vermont affiliate of the National Alliance for Recovery
8 Residences or another approved organization or is pending such certification.

9 * * * Effective Date * * *

10 Sec. 6. EFFECTIVE DATE

11 This act shall take effect on July 1, 2024.

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(Committee vote: _____)

Representative _____
FOR THE COMMITTEE