

H.373 – Title 33 revisions bill – Roadmap

1. 33 V.S.A. chapter 1 - Changes title of chapter from PATH to DCF
2. 33 V.S.A. § 101 – DCF (social welfare) policy – merged with repealed § 301
3. 33 V.S.A. § 102 – Definitions – tech style changes
4. 33 V.S.A. § 103 – DCF composition – added language from repealed § 303
5. 33 V.S.A. § 104 – DCF functions/powers – merged with repealed § 305 and with § 306(a) and § 311; some terms updated per AHS
6. 33 V.S.A. § 105 – DCF commissioner – tech style, grammar; added language from repealed §§ 304, 306(c); Commissioner of Education to Secretary
7. 33 V.S.A. § 111(b) – records confidential – added comma
8. 33 V.S.A. § 113 (desertion, nonsupport) – repealed, moved to § 4105
9. 33 V.S.A. § 115 (OCS access to financial docs) – repealed, moved to § 4111
10. 33 V.S.A. § 116 – state-placed students – moved from § 310
11. 33 V.S.A. § 132 - credit balances; remedies – repealed (§ 131 re credit balances repealed in 1996; AHS says okay to repeal)
12. 33 V.S.A. § 141 – Technical/updating amendments to fraud statute
13. 33 V.S.A. chapter 1, NEW subchapter 6 – licensing and registration (was §§ 306(b) and 309 with some changes)
14. Repeals 33 V.S.A. chapter 3 (DCF chapter – sections reenacted elsewhere)
15. 33 V.S.A. chapter 13 – revises DAIL chapter heading
16. 33 V.S.A. § 502 – DAIL definitions – technical changes
17. Repeals 33 V.S.A. chapters 7 (ADAP) and 8 (drug/alcohol counselors) – moved to 18 V.S.A. chapter 19
18. 33 V.S.A. § 900 – rate setting definitions – technical corrections
19. 33 V.S.A. § 904(b) – rate setting – technical change
20. 33 V.S.A. § 905(a) – rate setting – technical change
21. 33 V.S.A. § 908(b) – DAIL powers and duties – add comma
22. 33 V.S.A. § 910 – rate setting – technical change
23. 33 V.S.A. § 1101 – Reach Up – technical corrections
24. 33 V.S.A. § 1103(g) – Reach Up eligibility – technical change
25. 33 V.S.A. § 1104 – Reach Up – technical change
26. 33 V.S.A. § 1107 – Reach Up – technical changes and corrections;
Department/Commissioner of Education to Agency/Secretary
27. 33 V.S.A. § 1108 – Reach Up – technical changes re parents' education
28. 33 V.S.A. § 1113 – Reach Up work reqts. – technical changes and corrections
29. 33 V.S.A. § 1116 – Reach Up sanctions – tech name/position changes
30. 33 V.S.A. § 1133(a) – Reach Up transfers – tech correction
31. 33 V.S.A. § 1134(a) – Program evaluation – tech corrections and food stamps
32. 33 V.S.A. § 1201(9) – Reach Ahead – food stamps
33. 33 V.S.A. § 1204(b) – Reach Ahead – food stamps
34. 33 V.S.A. § 1303 – ABD – tech corrections
35. 33 V.S.A. § 1304 – ABD – tech corrections
36. 33 V.S.A. § 1701(a) – supplemental nutrition – tech changes
37. 33 V.S.A. § 1900 – Medicaid - adds definitions section for all of chapter 19
38. 33 V.S.A. § 1901(e)(1) – tech changes (and updated OVHA to DVHA)

39. 33 V.S.A. § 1901b – Rx programs - tech changes, added VermontRx and VPharm
40. 33 V.S.A. § 1901e – Global Commitment Fund – tech changes
41. 33 V.S.A. § 1904 – repeals definitions for subchapter (put in § 1900)
42. 33 V.S.A. § 1906a – deletes outdated language re state plan amendment
43. 33 V.S.A. § 1907 – subrogation – technical change
44. 33 V.S.A. § 1921(a) – tobacco mfrs, reports – deleted “but not limited to”
45. 33 V.S.A. § 1951 – correction to cross-reference in definitions section
46. 33 V.S.A. § 1973(f)(3)(C) – VHAP – deletes language making domestic violence exception effective upon CMS granting waiver amendment
47. 33 V.S.A. § 1974 – ESIA – deletes language re domestic violence waiver, deletes outdated language limiting use of ESIA money without JFC/HAOC approval
48. 33 V.S.A. § 1982 – CHAP – deletes language re domestic violence waiver
49. 33 V.S.A. § 1983(a) – technical (style) corrections
50. 33 V.S.A. § 1998(f) and (g) – DUR board – technical (style, grammar, cross-reference) corrections
51. 33 V.S.A. § 1999(e)(1) – Rx prior auth
52. 33 V.S.A. § 2003 – Rx discount plans – technical (style, cross-refs) corrections
53. DELETED (changes to 33 V.S.A. § 2004a(a) made in Act 162 (2012 Big Bill))
54. 33 V.S.A. § 2071 – Rx program definitions – tech changes re federal citations
55. 33 V.S.A. § 2101 – GA definitions – defined commissioner for chapter as DCF; deleted definition of “district welfare director” (per AHS)
56. 33 V.S.A. § 2104 – GA application – deleted references to district welfare manager, requirement that town service officer report determinations, replaced with commissioner’s designee(s)
57. 33 V.S.A. § 2107(a) – GA – deleted reference to district welfare manager and tech correction (gender neutral)
58. 33 V.S.A. § 2109(b) – GA – tech corrections (added “of this section” twice)
59. 33 V.S.A. § 2301(d) – burials at public expense – defined department as DCF
60. 33 V.S.A. § 2501a – office of home energy assistance – moved to 33 V.S.A. § 2602a per e-mail from Susan Harritt 2/23/10
61. 33 V.S.A. § 2503 – fuel tax – tech corrections (deleted repealed subsec./renumbered)
62. 33 V.S.A. § 2604(b) – home heating assistance – changed cross-ref
63. 33 V.S.A. § 2607(f) – fuel supplier payments – tech correction (deletes extra “and” and replaces with comma)
64. 33 V.S.A. § 3303(a) – prevention program council – changed cross-ref
65. 33 V.S.A. § 3304 – primary prevention plan – replaced with up-to-date language
66. 33 V.S.A. § 3305 – primary prevention policies – with § 3304, updated provisions
67. 33 V.S.A. § 3501 – foster care – deleted and moved to § 4905; replaced with child development division, duties (recodified from § 307)
68. 33 V.S.A. § 3502 – child care –tech changes (comma, changed “deleted” to “repealed”)
69. 33 V.S.A. § 3511 – child care definitions – added definitions of “child care facility” and “family child care home” from § 4902
70. 33 V.S.A. § 3513 – protective services child care subsidy– added comma

71. 33 V.S.A. § 3521 – child care facilities – deleted reference to advisory board in catchline because not in section
72. 33 V.S.A. § 3531 – building bright spaces – SRS to DCF
73. 33 V.S.A. § 3901(2) – child support – SRS to DCF
74. 33 V.S.A. § 4105(e) – child support; utilities – added new (e) (same as old § 113)
75. 33 V.S.A. § 4111 – child support; financial records – same as old § 115
76. 33 V.S.A. § 4302 – state interagency team – updated agency names, style
77. 33 V.S.A. § 4303 – local interagency teams –agency names, style
78. 33 V.S.A. § 4304a(a) – advisory board; emotional disturbance – agency names
79. 33 V.S.A. § 4305 – coordinated system of care – agency names, style, including rearranging language
80. 33 V.S.A. chapter 31 (children’s dental health program) – repealed (program does not exist)
81. 33 V.S.A. § 4902 – child welfare services – definitions – alphabetized, removed child care facility and family child care home because not used in this chapter; expands definition of “child” for foster care up to age 18 (current law defines up to age 16, but DCF already regulates foster care for all children under age 18 in DCF custody so change doesn’t affect practice)
82. 33 V.S.A. § 4905 – foster care and placement licensing – moved from § 3501, added commas
83. 33 V.S.A. § 4912 – child abuse reporting – definitions – alphabetized
84. DELETED
85. 33 V.S.A. § 4915a(c) – reference to chapter 55 changed to chapters 51 and 53
86. DELETED
87. 33 V.S.A. § 5922 – Interstate Compact on Placement of Children – SRS to DCF
88. 33 V.S.A. § 5923 – Interstate Compact on Placement of Children – SRS to DCF
89. 33 V.S.A. § 6303(a) – Home health services – corrected DAIL’s name
90. 33 V.S.A. § 6504 – Medicare beneficiary statement – strikes DAIL involvement (DAIL hasn’t been involved in this in many years)
91. 33 V.S.A. § 6506 – Medicare physician to post summary – Sec. of State division changed to Board of Medical Practice; strikes language requiring DAIL to write summary language (DAIL hasn’t done this for many years)
92. 33 V.S.A. § 6507 – Medicare grievances – changed Sec. of State to Board of Medical Practice, tech change to style
93. 33 V.S.A. § 6508 – Medicare billing report, due through 1992 – repealed
94. 33 V.S.A. § 6902 – vulnerable adults, definitions – tech grammar, style
95. 33 V.S.A. § 6903 - vulnerable adults, abuse reporting – tech grammar, style
96. 33 V.S.A. § 6909 – retaliatory action prohibited – tech grammar
97. 33 V.S.A. § 6914 – vulnerable adults, access to criminal records – clarified department names, tech changes
98. 33 V.S.A. § 6937 – vulnerable adults, service of process – added comma
99. 33 V.S.A. § 7106(b) – nursing home licensing – variances – added comma
100. 33 V.S.A. § 7108(e) – NH licensing – inspections – added comma
101. 33 V.S.A. § 7116 – NH licensing – violations – added comma
102. 33 V.S.A. § 7117 – nursing home licensing – tech grammar, dept name

103. 33 V.S.A. § 7303 – nursing home residents’ bill of rights – repeals language giving reasonable period of time after 1986 to provide copy of notice
104. 33 V.S.A. § 7306(a) – NH bill of rights – representative – added comma
105. 33 V.S.A. § 7501 – LTC ombudsman – added “Section” re 1115 waiver
106. 33 V.S.A. § 7508(b) – LTC ombudsman – retaliation – added commas
107. 33 V.S.A. § 7509(b) – LTC ombudsman, conflict of interest – corrected
DAIL
108. 1 V.S.A. § 145 – construction of statutes – adds definition of “include,” “includes,” and “including”
109. 3 V.S.A. § 128(a) – OPR reports – changed MH/MR to DMH, Dept. of Health, and DAIL
110. 3 V.S.A. § 212 – list of departments of state government – added DAIL and DVHA
111. 3 V.S.A. § 3083 – repeals Dept. of Developmental & MH Services
112. 3 V.S.A. § 3085c – juvenile justice commission – SRS to DCF, commas
113. 4 V.S.A. § 311a(17) – venue for adoptions – SRS to DCF
114. 4 V.S.A. § 464(a) – family court representation – changed 33 V.S.A. § 5533 to § 5116 to reflect recodification of Chapter 55
115. 7 V.S.A. § 505 – sale of liquor – deleted outdated provision allowing PATH commissioner to forbid sale of liquor to certain individuals
116. 12 V.S.A. § 5611 – court procedure – Ch. 55 changed to Chs. 51, 52, 53
117. 12 V.S.A. § 7151(b) – emancipated minors – ANFC to Reach Up/Reach First; SRS to DCF; deleted outdated concept of commissioner’s guardianship
118. 12 V.S.A. § 7154(d) – emancipation, parties – SRS to DCF
119. 13 V.S.A. § 1311(c) – runaway children – updated references to reflect repeal of Ch. 55 and enactment of Chapters 52 and 53
120. 13 V.S.A. § 1460(a) – juvenile court records – updated reference to confidentiality provision to reflect repeal of Ch. 55 and enactment of Ch. 51
121. 13 V.S.A. § 4822 – criminal procedure, mentally ill persons – dept. of developmental and mental health services to DMH; tech style/grammar
122. 13 V.S.A. § 5236 – crim. pro., determination of financial need – expanded reference to Chapter 52 to include Chapters 51 and 53 (was originally Ch. 55)
123. 13 V.S.A. § 5318 – victim statement – updated reference to reflect repeal of Ch. 55 and enactment of Ch. 52
124. 15 V.S.A. § 901 – parents’ liability for damages – updated reference to confidentiality provision to reflect repeal of Ch. 55 and enactment of Ch. 51
125. 15 V.S.A. § 1140(b) – domestic violence fatality review commission – SRS to DCF, tech style change, capitals
126. 15 V.S.A. § 1151(5) – abuse prevention, definitions – Ch. 55 to Chapters 51, 52, 53; tech grammar
127. 15A V.S.A. § 1-101(7) – adoption act, definitions – SRS to DCF
128. DELETED
129. 18 V.S.A. § 1751 – lead poisoning, definitions – changed cross-reference to child care facility to reflect change made in this bill

130. 18 V.S.A. § 1754(a) - changed “ANFC” to “programs established under 33 V.S.A. chapters, 10, 11, and 12” and 130a. 18 V.S.A. § 1758(c) – lead poisoning, housing registry - tech corrections
131. 18 V.S.A. chapter 94 – office of alcohol and drug abuse – recodified from 33 V.S.A. chapters 7 and 8; AHS secretary and commissioners can appoint designees to council; changes office/director of ADAP division/deputy commissioner of ADAP; Dept/Commissioner of Education to Agency/Secretary; minor tech grammatical/style changes (alphabetized definitions, added his/her and he/she, added commas, Ch. 55 to Ch. 53, etc.)
132. 18 V.S.A. § 5087 – birth information network - deleted subsection (c) containing cross-reference to repealed section on birth information council report
133. 18 V.S.A. § 7628 – mental health, judicial proceedings – DDMHS-DMH
134. 18 V.S.A. § 9471(2) – HCA, definitions – Vermont Rx to VermontRx
135. 18 V.S.A. § 9504(g) –tobacco evaluation/review board – tech grammar
136. 18 V.S.A. § 9505 – tobacco evaluation and review board, duties – changed “to” to “regarding” in (5) and (6), deleted “annually” in (8) for redundancy, shortened committee names in (10), rearranged list in (10)
137. 18 V.S.A. § 9506 – tobacco evaluation and review board, allocation system – style and tech corrections to grammar
138. 18 V.S.A. § 9507 - tobacco evaluation and review board, annual report – tech style change for readability
139. 21 V.S.A. § 1314(e) – unemployment compensation – updated references to TANF and SNAP, made corresponding updates and tech corrections
140. 21 V.S.A. § 1367b – unemployment compensation, food stamps – updated references to SNAP, updated references to federal law, tech corrections
141. 23 V.S.A. § 304c – building bright futures license plates – SRS to DCF and tech correction
142. 24 V.S.A. § 4412(5) – land development – corrected cross-reference to reflect change made in this bill
143. 26 V.S.A. chapter 28 – added subchapter on sexual assault nurse examiners – moved from 33 V.S.A. §§ 321-324 – minor changes to member names in § 1622, to grammar in § 1623
144. 26 V.S.A. chapter 62 – alcohol and drug abuse counselors – moved from Title 33 – in § 3231, minor tech corrections; in § 3235(b), deleted “and advisor appointees” to reflect 2010 repeal of section appointing them; changed “director” to “deputy commissioner” throughout (had already said “division”)
145. 28 V.S.A. § 3(1) – department of corrections, definitions – SRS to DCF; updated definitions to reflect repeal of 33 V.S.A. Ch. 55 and enactment of Ch. 51; deleted reference to repealed Weeks School provisions
146. 28 V.S.A. § 702(a) – DOC transfer authority – 33 V.S.A. Ch. 55 to Ch. 52
147. 28 V.S.A. § 1003 – DOC transfers to DMH – 33 V.S.A. Ch. 55 to Ch. 52
148. 28 V.S.A. § 1101 – DOC juvenile authority – 33 V.S.A. Ch. 55 to Ch. 52, tech corrections
149. Statutory Revision
150. Interpretation
151. Effective Dates