

1 TO THE HONORABLE SENATE:

2 The Committee on Health and Welfare to which was referred House Bill
3 No. 123 entitled “An act relating to Lyme disease and other tick-borne
4 illnesses” respectfully reports that it has considered the same and recommends
5 that the Senate propose to the House that the bill be amended as follows:

6 First: By striking out Sec. 3 in its entirety and inserting in lieu thereof a
7 new Sec. 3 to read as follows:

8 Sec. 3. POLICY STATEMENT

9 A policy statement clearly communicating the following shall be issued by
10 the Vermont State Board of Medical Practice to physicians licensed pursuant
11 to 26 V.S.A. chapter 23 and to physician assistants licensed pursuant to
12 26 V.S.A. chapter 31; the Vermont Board of Osteopathic Physicians to
13 physicians licensed pursuant to 26 V.S.A. chapter 33; the Office of
14 Professional Regulation to naturopathic physicians licensed pursuant to 26
15 V.S.A. chapter 81; and the Vermont Board of Nursing to advanced practice
16 registered nurses licensed pursuant to 26 V.S.A. chapter 28:

17 (1) a physician, physician assistant, naturopathic physician, or nurse
18 practitioner, as appropriate, shall document the basis for diagnosis of and
19 treatment for Lyme disease, other tick-borne illness, or coinfection in a
20 patient’s medical record;

1 (2) a physician, physician assistant, naturopathic physician, or nurse
2 practitioner, as appropriate, shall obtain a patient’s informed consent regarding
3 the potential inaccuracy of a diagnostic Lyme disease test prior to its
4 administration;

5 (3) a physician, physician assistant, naturopathic physician, or nurse
6 practitioner, as appropriate, shall obtain a patient’s informed consent in writing
7 prior to administering any proposed long-term treatment for Lyme disease,
8 other tick-borne illness, or coinfection; and

9 (4) the Board or Office of Professional Regulation shall not pursue
10 disciplinary action against a physician, physician assistant, naturopathic
11 physician, or nurse practitioner, as appropriate, solely for the use of medical
12 care recognized by the guidelines of the Centers for Disease Control and
13 Prevention, Infectious Diseases Society of America, or International Lyme and
14 Associated Diseases Society for the treatment of a patient’s symptoms when
15 the patient is clinically diagnosed with Lyme disease or other tick-borne
16 illness; however, this does not preclude discipline for errors, omissions, or
17 other unprofessional conduct when practicing within such guidelines.

18 Second: By inserting a new Sec. 4 after Sec. 3 to read as follows:

19 Sec. 4. REPORT

1 On or before January 15, 2016, the Commissioner of Health shall report to
2 the House Committee on Health Care and to the Senate Committee on Health
3 and Welfare on the following:

4 (1) the trends in the spread of Lyme disease and other tick-borne
5 illnesses throughout Vermont, including a description of the surveillance
6 criteria used in evaluating the spread of these diseases; and

7 (2) the Department of Health’s public education initiatives to date
8 regarding the prevention and treatment of Lyme disease and other tick-borne
9 illnesses, including an assessment of each initiative’s effectiveness.

10 and by renumbering the remaining section to be Sec. 5.

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13 (Committee vote: _____)

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Senator _____

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FOR THE COMMITTEE