

1 TO THE HOUSE OF REPRESENTATIVES:

2 The Committee on Human Services to which was referred House Bill No.
3 74 entitled “An act relating to safety protocols for social and mental health
4 workers” respectfully reports that it has considered the same and recommends
5 that the bill be amended by striking out all after the enacting clause and
6 inserting in lieu thereof the following:

7 Sec. 1. 33 V.S.A. chapter 82 is added to read:

8 CHAPTER 82. SAFETY PROVISIONS FOR WORKERS

9 § 8201. SAFETY POLICIES FOR SOCIAL AND MENTAL HEALTH

10 WORKERS

11 (a) The Agency of Human Services shall ensure that programs providing
12 direct services to clients and that are administered, licensed, or certified by a
13 department of the Agency have a workplace violence prevention and crisis
14 response policy that meets or exceeds the requirements of this chapter in place
15 for the benefit of employees working directly with clients. This section shall
16 not apply to hospitals licensed pursuant to 18 V.S.A. chapter 43.

17 (b) A workplace violence prevention and crisis response policy shall meet
18 the following minimum requirements:

19 (1) Each workplace shall have a committee to address workplace safety,
20 monitor ongoing compliance with the workplace violence prevention and crisis
21 response policy, and assist any employees that may have been victimized by or

1 threatened with workplace violence. The committee shall include employees
2 working directly with clients.

3 (2) The policy shall include provisions for regular, periodic review of
4 the policy, including consultation and input from impacted employees.

5 (3) The policy shall address workplace safety concerns, including the
6 following factors as appropriate:

7 (A) work conducted alone;

8 (B) home or community visits;

9 (C) appropriate staffing;

10 (D) health and safety trainings;

11 (E) requirements regarding notification, including guidelines for
12 notifying others of the workers' whereabouts;

13 (F) use of available communication technology;

14 (G) work conducted with people in crisis; and

15 (H) work conducted with people with known histories of violent
16 behavior.

17 (4) The policy shall include a system to record and respond to incidents
18 of workplace violence or credible threats of workplace violence against
19 employees who work directly with clients.

20 (c) A workplace's committee shall provide:

1 (1) Each employee with a copy of the workplace violence prevention
2 and crisis response policy.

3 (2) Training to new employees who are deemed at risk due to their
4 direct work with clients who are potentially engaged in dangerous behaviors.

5 (3) Training each year on strategies to reduce workplace risks to
6 employees who are deemed at risk due to their direct work with clients who are
7 potentially engaged in dangerous behaviors.

8 (d)(1) Critical incident records kept pursuant to subdivision (b)(4) of this
9 section shall include at least the following:

10 (A) the date and time of the incident or credible threat;

11 (B) a description of the person responsible for the incident or credible
12 threat;

13 (C) a detailed description of the incident or credible threat; and

14 (D) a description of the actions taken in response to the incident or
15 credible threat.

16 (2) Critical incident records shall be kept for at least five years
17 following the reporting of the incident or credible threat during which time
18 they shall be available for inspection upon request by the Agency.

1 Sec. 2. 18 V.S.A. § 7114 is added to read:

2 § 7114. SAFETY POLICIES FOR SOCIAL AND MENTAL HEALTH

3 WORKERS

4 Programs providing direct services to clients and that are administered,

5 licensed, or certified by a department of the Agency of Human Services shall

6 establish a workplace violence prevention and crisis response policy for the

7 benefit of employees working directly with clients pursuant to 33 V.S.A.

8 § 8201.

9 Sec. 3. EFFECTIVE DATE

10 This act shall take effect on July 1, 2016.

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19 (Committee vote: _____)

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Representative _____

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FOR THE COMMITTEE