H.74: An act relating to safety protocols for social and mental health workers Side by Side Summary

	As Passed House	As Passed Senate
Section Title	Safety Policies for Social and	Safety Policies for <i>Employees</i>
(Secs. 1 & 2)	Mental Health Workers	Delivering Direct Social
		Services
33 V.S.A.	AHS and each department of	The Secretary of AHS, in
§ 8201(a)(1)	AHS is required to create a	consultation with each
	policy for the benefit of	department of AHS, is required
	employees working directly with	to create a policy for the
	clients.	benefit of employees
		delivering direct social
		services.
33 V.S.A.	AHS shall ensure its contracts	The Secretary of AHS shall
§ 8201(a)(2)	with providers that <i>directly serve</i>	ensure its contracts with
	clients and that are administered	providers whose employees
	or designated by a department of	deliver direct social services
	AHS <i>require</i> the providers to	and that are administered or
	create a policy for the benefit of	designated but not otherwise
	employees working directly with	licensed by a department of
	clients.	AHS include the requirement
		that the providers create a
		policy for the benefit of
		employees delivering direct
		social services.
33 V.S.A.	Each policy must include the	[Same as House, with the
§ 8201(b)	following:	exception of substituting
	 Measures taken to 	"employees delivering direct
	respond to incidents or	social services" for "employees
	credible threats	working directly with clients"]
	 System for centrally 	
	recording incidents or	
	credible threats	
	 Training program for 	
	employees working	
	directly with clients on	
	ways to reduce risks of	
	workplace violence	
	 Creation of committee 	
	(whose membership	
	includes employees	
	working directly with	
	clients) that monitors	
	ongoing compliance with	
	the policy	

33 V.S.A. § 8201(c)	Policy must be <i>consistent with</i>	Preparation of policy must
	U.S. Occupational Safety and	consult U.S. Occupational
	Health Administration's	Safety and Health
	Guidelines for Preventing	Administration's Guidelines
	Workplace Violence <i>or any</i>	for Preventing Workplace
	subsequently adopted federal	Violence as amended
	regulations or State rules	
	governing workplace safety	
33 V.S.A.	Policy must be evaluated	[Same as House, with the
§ 8201(d)	annually and updated as needed	exception of substituting
	by the committee	"employees delivering direct
	-	social services" for "employees
		working directly with clients"]
33 V.S.A. § 8201(e)	This section neither waives	[Same as the House]
	sovereign immunity, nor creates	
	a new private right of action	
	against the State	
18 V.S.A. § 7114(a)	AHS and each department of	The Secretary of AHS, in
(Cross-reference)	AHS is required to create a	consultation with each
	policy for the benefit of	department of AHS, is required
	employees working directly with	to create a policy for the
	clients.	benefit of employees
		delivering direct social
		services.
18 V.S.A.	AHS shall ensure its contracts	The Secretary of AHS shall
§ 7114(b)	with providers described in 33	ensure its contracts with
(Cross-reference)	V.S.A. § 8201(a)(2) create a	providers described in 33
	policy for the benefit of	V.S.A. § 8201(a)(2) create a
	employees working directly with	policy for the benefit of
	clients.	employees delivering direct
		social services.
Effective Date	January 1, 2017	[Same as House]