

Section 8001. Safety Protocols for Social and Mental Health Workers

- (a) Any person or entity that employs social or mental health workers in connection with contracts, grants or awards funded in whole or in part by the Agency of Human Services or any of its Departments shall adopt, maintain and regularly assess protocols designed to ensure the safety and well-being of such social workers, mental health workers, volunteers, interns and other employees who work directly with clients and other beneficiaries of programs operated, administered or funded by the Agency.
- (b) Any safety protocol established or maintained subsection (a) shall ensure that:
 - i. adequate violence prevention and crisis response policies have been implemented consistent with the specific environmental and workplace conditions within which such social and mental health workers operate;
 - ii. the policies are reviewed at least annually and are modified when necessary and appropriate to reduce the risk of violence or other injury to such social and mental health workers;
 - iii. systems exist to record and respond to all incidents of workplace violence and threats of workplace violence against employees who work directly with clients, to include the maintenance of a log of all workplace violence incidents or threats sufficient to document with particularity the incident or threat, to identify the time, date, location of the incident and the workers effected, and to describe any responses to or remediation of the acts of violence or threats made;
 - iv. employees receive appropriate training regarding the protocol and means to reduce the risk of workplace violence;
 - v. social and mental health workers who work directly with clients have been adequately consulted and allowed input as to the elements and effectiveness of the protocol.
- (c) This section is not intended to apply to facilities licensed as hospitals under XX VSA XXXX or to any Agency or Department of the State of Vermont.
- (d) The Secretary of the Agency of Human Services may, after warning and a 30-day opportunity to cure, terminate any contract, grant or award by the Agency or any of its Departments based on the failure any person or entity subject to this Section, or subject to 33 VSA Section 7114(a), to adopt and maintain a violence prevention protocol that in the judgment of the Secretary adequately addresses, prevents, documents or responds to incidents of workplace violence and threats thereof.

Section 7114. Safety Protocols for Social and Mental Health Workers

- (a) Persons and entities that employ social or mental health workers to provide direct services to clients in connection with contracts, grants or awards funded in whole or in part by the Agency of Human Services or any of its Departments must establish a workplace violence prevention protocol pursuant to 33 VSA Section 8001.
- (b) Records created pursuant to 33 VSA Section 8001(b)(3) shall be kept for at least five years following the act reported, during which time they shall be available for inspection by the Agency upon request.