

1 TO THE HONORABLE SENATE:

2 The Committee on Health and Welfare to which was referred Senate Bill
3 No. 203 entitled “An act relating to systemic improvements in the mental
4 health system” respectfully reports that it has considered the same and
5 recommends that the bill be amended by striking out all after the enacting
6 clause and inserting in lieu thereof the following:

7 Sec. 1. ORDER OF NON-HOSPITALIZATION STUDY COMMITTEE

8 (a) Creation. There is created the Order of Non-Hospitalization Study
9 Committee to examine the strengths and weaknesses of Vermont’s orders of
10 non-hospitalizations.

11 (b) Membership. The Committee shall be composed of the following 10
12 members:

13 (1) the Commissioner of Mental Health or designee;

14 (2) the Commissioner of Public Safety or designee;

15 (3) the Chief Superior Judge or designee;

16 (4) a member appointed by the Vermont Care Partners;

17 (5) a member appointed by the Vermont Association of Hospitals and
18 Health Systems;

19 (6) a member appointed by Vermont Legal Aid’s Mental Health Project;

20 (7) a member appointed by the Executive Director of the Department of
21 State’s Attorneys and Sheriffs;

1 (8) the Vermont Defender General or designee;

2 (9) an individual who was previously under an order of non-

3 hospitalization, appointed by Vermont Psychiatric Survivors; and

4 (10) the family member of an individual who is currently or was

5 previously under an order of non-hospitalization, appointed by the Vermont

6 chapter of the National Alliance on Mental Illness.

7 (c) Powers and duties. The Committee shall examine the strengths and

8 weaknesses of Vermont’s orders of non-hospitalization and may propose a

9 pilot project that seeks to redress any weaknesses and build upon any existing

10 strengths. The Committee shall:

11 (1) review and understand existing laws pertaining to orders of non-

12 hospitalization, including 1996 Acts and Resolves No. 114;

13 (2) review the 2017 Treatment Advocacy Center report entitled

14 “Reimagining ONH,” including the efficacy of each recommendation in the

15 report;

16 (3) review existing data pertaining to orders of non-hospitalization,

17 including data pertaining to individuals entering the mental health system

18 through both civil and forensic procedures;

19 (4) if appropriate, propose a pilot project for the purpose of improving

20 the efficacy of orders of non-hospitalization;

1 (5) if appropriate, recommend any changes necessary to approve the
2 efficacy of orders of non-hospitalization; and

3 (6) identify statutory changes necessary to implement recommended
4 changes to orders of non-hospitalization, if any.

5 (d) Assistance. The Committee shall have the administrative, technical,
6 and legal assistance of the Department of Mental Health.

7 (e) Report. On or before November 1, 2018, the Committee shall submit a
8 written report to the House Committee on Health Care and the Senate
9 Committee on Health and Welfare with its findings and any recommendations
10 for legislative action.

11 (f) Meetings.

12 (1) The Commissioner of Mental Health or the Commissioner's
13 designee shall call the first meeting of the Committee to occur on or before
14 August 1, 2018.

15 (2) The Commissioner of Mental Health or the Commissioner's
16 designee shall be the Chair.

17 (3) A majority of the membership shall constitute a quorum.

18 (4) The Committee shall cease to exist on December 1, 2018.

19 (g) Compensation and reimbursement. Members of the Committee who are
20 not employees of the State of Vermont and who are not otherwise compensated
21 or reimbursed for their attendance shall be entitled to per diem compensation

1 and reimbursement of expenses pursuant to 32 V.S.A. § 1010 for not more than
2 four meetings. These payments shall be made from monies appropriated to the
3 Department of Mental Health.

4 Sec. 2. EFFECTIVE DATE

5 This act shall take effect on July 1, 2018.

6

7

8 (Committee vote: _____)

9

10

Senator _____

11

FOR THE COMMITTEE