1	TO THE HONORABLE SENATE:
2	The Committee on Government Operations to which was referred Senate
3	Bill No. 220 entitled "An act relating to educating specified professionals on
4	the State's energy goals" respectfully reports that it has considered the same
5	and recommends that the bill be amended by striking out all after the enacting
6	clause and inserting in lieu thereof the following:
7	* * * Office of Professional Regulation * * *
8	Sec. 1. 3 V.S.A. § 122 is amended to read:
9	§ 122. OFFICE OF PROFESSIONAL REGULATION
10	The Office of Professional Regulation is created within the Office of the
11	Secretary of State. The Office shall have a director who shall be appointed by
12	the Secretary of State and shall be an exempt employee. The following boards
13	or professions are attached to the Office of Professional Regulation:
14	* * *
15	(28) Audiologists and Hearing Aid Dispensers
16	* * *
17	(41) Audiologists and Speech-Language Pathologists
18	* * *
19	Sec. 2. 3 V.S.A. § 123 is amended to read:
20	§ 123. DUTIES OF OFFICE

1	(a) The Office shall provide administrative, secretarial, financial,
2	investigatory, inspection, and legal services to the boards. The services
3	provided by the Office shall include:
4	* * *
5	(12) With the assistance of the boards, establishing a schedule of license
6	renewal and termination dates so as to distribute the renewal work in the Office
7	as effectively as possible.
8	(A) Licenses may be issued and renewed according to that schedule
9	for periods of up to two years with an appropriate pro rata adjustment of fees.
10	(B) A person whose initial license is issued within 90 days prior to
11	the set renewal date shall not be required to renew the license until the end of
12	the first full biennial licensing period following initial licensure.
13	***
14	(i)(1) The Director shall actively monitor the actions of boards attached to
15	the Office and shall ensure that all board actions pursued or decided are lawful
16	consistent with State policy, reasonably calculated to protect the public, and
17	not an undue restraint of trade.
18	(2) If the Director finds a <u>an exercise of</u> board action <u>authority or</u>
19	discretion does not meet those standards, the Director may, except in the case
20	of disciplinary actions:

1	(A) provide written notice to the board explaining the perceived
2	inconsistency, which notice shall have the effect of staying that action and
3	implementing any alternative prescribed by the Director;
4	(B) schedule a public meeting with the board to resolve questions
5	about the action and explore alternatives; and
6	(C) within 60 days following that meeting, issue a written directive
7	finding that:
8	(i) the action exercise of board authority or discretion is consistent
9	with State policy, in which case the action shall be reinstated;
10	(ii) the action exercise of board authority or discretion is
11	inconsistent with State policy in form, but may be modified to achieve
12	consistency, in which case the board may issue a modified action consistent
13	with the Director's recommendation; or
14	(iii) the action exercise of board authority or discretion is
15	inconsistent with State policy in purpose, in which case the board shall
16	terminate efforts to implement the action and shall not spend further funds
17	toward its implementation any alternative prescribed by the Director shall
18	stand as the regulatory policy of the State.
19	(j)(1) The Office may inquire into the criminal background histories of
20	applicants for initial licensure and for biennial license renewal for the
21	following professions:

1	(A) licensed nursing assistants, licensed practical nurses, registered
2	nurses, and advanced practice registered nurses licensed under 26 V.S.A.
3	chapter 28;
4	(B) private investigators, security guards, and other persons licensed
5	under 26 V.S.A. chapter 59;
6	(C) real estate appraisers and other persons or business entities
7	licensed under 26 V.S.A. chapter 69; and
8	(D) osteopathic physicians licensed under 26 V.S.A. chapter 33.
9	(2)(A) The Office may inquire directly of the Vermont Crime
10	Information Center, the Federal Bureau of Investigation, the National Crime
11	Information Center, or other holders of official criminal record information,
12	and may arrange for such inquiries to be made by a commercial service.
13	(B) Background checks may be fingerprint supported, and
14	fingerprints so obtained may be retained on file and used to notify the Office of
15	future triggering events.
16	(3) Applicants subject to background checks shall be notified that a
17	check is required, if fingerprints will be retained on file, and that criminal
18	convictions are not an absolute bar to licensure, and shall be provided such
19	other information as may be required by federal law or regulation Prior to
20	acting on an initial or renewal application, the Office may obtain with respect
21	to the applicant a Vermont criminal history record, an out-of-state criminal

1	history record, and a criminal history record from the Federal Bureau of
2	Investigation. Federal Bureau of Investigation background checks shall be
3	fingerprint-supported, and fingerprints so obtained may be retained on file and
4	used to notify the Office of future triggering events. Each applicant shall
5	consent to the release of criminal history records to the Office on forms
6	developed by the Vermont Crime Information Center.
7	(k) When, by reason of disqualification, resignation, vacancy, or necessary
8	absence, a board is unable to form a quorum or assign one or more members to
9	assist in the investigation and prosecution of complaints or license
10	applications, or to adjudicate a contested case, the Secretary of State may
11	appoint ad hoc members, either as voting members to establish a quorum at a
12	specific meeting or as nonvoting members to assist Office investigators and
13	prosecutors.
14	Sec. 3. 3 V.S.A. § 125 is amended to read:
15	§ 125. FEES
16	* * *
17	(b) Unless otherwise provided by law, the following fees shall apply to all
18	professions regulated by the Director in consultation with advisor appointees
19	under Title 26:
20	(1) Application for registration, \$75.00, except application for:

1	(A) Private investigator and security services employees, unarmed
2	<u>registrants, \$60.00</u> .
3	(B) Private investigator and security service employees, transitory
4	permits, \$60.00.
5	(C) Private investigator and security service employees, armed
6	<u>registrants</u> , \$120.00.
7	(2) Application for licensure or certification, \$100.00, except application
8	for:
9	* * *
10	(F) Private investigator or security services agency, \$340.00.
11	(G) Private investigator and security services agency, \$400.00.
12	(H) Private investigator or security services sole proprietor, \$250.00.
13	(I) Private investigator or security services unarmed licensee,
14	<u>\$150.00.</u>
15	(J) Private investigator or security services armed licensee, \$200.00.
16	(K) Private investigator and security services instructor, \$120.00.
17	(3) Optician trainee registration, \$50.00.
18	(4) Biennial renewal, \$240.00, except biennial renewal for:
19	* * *
20	(M) Private investigator or security services agency, or both,
21	<u>\$300.00.</u>

1	(N) Private investigator or security services unarmed licensee,
2	<u>\$120.00.</u>
3	(O) Private investigator or security services armed licensee, \$180.00.
4	(P) Private investigator or security services unarmed registrant,
5	<u>\$80.00.</u>
6	(Q) Private investigator or security services armed registrant,
7	<u>\$130.00.</u>
8	(R) Private investigator or security services sole proprietor, \$250.00.
9	(S) Private investigator or security services instructor, \$180.00.
10	* * *
11	Sec. 4. 3 V.S.A. § 129 is amended to read:
12	§ 129. POWERS OF BOARDS <u>OR OF DIRECTOR IN ADVISOR</u>
13	PROFESSIONS; DISCIPLINE PROCESS
14	(a) In addition to any other provisions of law, a board or the Director, in the
15	case of professions that have advisor appointees, may exercise the following
16	powers:
17	* * *
18	(c)(1) Boards and administrative law officers sitting in disciplinary cases
19	shall do so impartially and without ex parte knowledge of the case in
20	controversy.

(2) A State prosecuting attorney assigned by the Office of Professional
Regulation shall be responsible for prosecuting disciplinary cases before
boards or administrative law officers.

* * *

- (d) A board <u>or the Director</u> shall notify parties, in writing, of their right to appeal final decisions of the board. A board or the Director shall also notify complainants in writing of the result of any disciplinary investigation made with reference to a complaint brought by them to the board or Director. When a disciplinary investigation results in a stipulation filed with the board, the board or the Director shall provide the complainant with a copy of the stipulation and notice of the stipulation review scheduled before the board. The complainant shall have the right to be heard at the stipulation review.
- (e)(1) When a board or the Director, in the case of professions that have advisor appointees, intends to deny an application for a license, the board or Director shall send the applicant written notice of the decision by certified mail. The notice shall include a statement of the reasons for the action and shall advise the applicant that the applicant may file a petition within 30 days of the date on which the notice is mailed with the board or the Director for review of its or his or her preliminary decision.
- (2) At the hearing, the applicant shall bear the burden of proving that the preliminary denial should be reversed and that the license should be granted.

20

1	(3) After the hearing, the board of Director shall affirm of reverse the
2	preliminary denial, explaining the reasons therefor in writing.
3	(f)(1)(A) A board The Director may appoint a hearing officer, who shall be
4	an attorney admitted to practice in this State, to conduct a hearing that would
5	otherwise be heard by the a board. A hearing officer appointed under this
6	subsection may administer oaths and exercise the powers of the board properly
7	incidental to the conduct of the hearing.
8	(B) When disciplinary charges are pending concurrently against a
9	single individual or entity, in one profession or multiple, the Director is
10	authorized to order that the matters be consolidated in a single proceeding.
11	(2) When In board professions, when a hearing is conducted by a
12	hearing officer, the officer shall report findings of fact and conclusions of law
13	to the board. The report shall be made within 60 days of the conclusion of the
14	hearing unless the board grants an extension. The provisions of section 811 of
15	this title regarding proposals for decision shall not apply to the hearing officer
16	report.
17	(3) The board may take additional evidence and may accept, reject, or
18	modify the findings and conclusions of the hearing officer. Judgment on the
19	findings shall be rendered by the board.

1	(h)(1) A board member, hearing officer, or administrative law officer
2	having a personal or pecuniary interest or the appearance of a personal or
3	pecuniary interest in the outcome of any board decision shall not participate in
4	deciding the matter.
5	(2)(A) A board member, hearing officer, or administrative law officer
6	whose disqualification is sought shall either disqualify himself or herself or,
7	without ruling on the request for disqualification, refer the request to the
8	Secretary of State, who shall rule on the request.
9	(B) The ruling of the Secretary of State on a request for
10	disqualification shall be final and shall be subject to review only upon appeal
11	of a final order of a board under section 130a of this title or of an
12	administrative law officer under subsection (j) of this section. When a board is
13	unable to convene a quorum by reason of disqualification, resignation,
14	vacancy, or necessary absence, the Secretary of State shall appoint ad hoc
15	members to serve on the board for that matter only, after consulting with the
16	chair of the board involved. Ad hoc members shall have the same
17	qualifications as required by law for the absent members.
18	* * *
19	(j) Notwithstanding the provisions of section 130a of this title, hearings
20	Hearings involving denials of licensure or disciplinary matters concerning

1	persons in professions that have advisor appointees shall be heard by an
2	administrative law officer appointed by the Secretary of State.
3	(k)(1) Whenever completion of certain continuing education requirements
4	is a condition of renewal, the board may require the applicant to develop and
5	complete a specific corrective action plan, to be completed within 90 days.
6	(1)(2) A board may grant a temporary renewal license pending the
7	completion of the required continuing education.
8	(l) Unless a disciplinary order expressly provides to the contrary, discipline
9	against any license or credential issued by a regulatory body attached to the
10	Office to an individual or entity shall be applicable as a matter of law to all
11	other licenses issued to that licensee by that regulatory body.
12	* * *
13	* * * Accountants * * *
14	Sec. 5. 26 V.S.A. chapter 1 is amended to read:
15	CHAPTER 1. ACCOUNTANTS
16	* * *
17	Subchapter 2. Board of Public Accountancy
18	* * *
19	§ 54. GENERAL POWERS AND DUTIES OF THE BOARD
20	* * *

1	(c) The Board annually may submit a proposed budget to the Secretary of
2	State. [Repealed.]
3	* * *
4	§ 56. FEES
5	Applicants and persons regulated under this chapter shall pay the following
6	fees:
7	* * *
8	(4) Registration of foreign firm for temporary practice \$ 50.00
9	[Repealed.]
10	* * *
11	Subchapter 3. Licenses
12	* * *
13	§ 74. FIRMS; REGISTRATION AND OWNERSHIP
14	(a) A firm shall be required to obtain registration pursuant to this section if
15	the firm:
16	* * *
17	(3) does not have an office in this State but performs services described
18	in subdivision 13(1)(A)(i), (iii), or (iv) of this title chapter for a client with a
19	home office in this State.
20	(b) A firm that does not have an office in this State may perform those
21	services set forth in subdivision 13(1)(A)(ii), 13(1)(A)(v), or 13(3) of this

1	chapter for a client with a home office in this State, may otherwise practice
2	public accounting as authorized under this chapter, and may use the title
3	"CPA" or "CPA firm" without a registration issued only if the firm:
4	(1) meets the qualifications set forth in subsections (c) and (d) of this
5	section;
6	(2) meets the requirements of section 75c subsection 75(c) of this title
7	chapter, as applicable; and
8	(3) performs services through an individual with practice privileges set
9	forth under section 74c of this title chapter.
10	* * *
11	(d) Any CPA or RPA firm as defined in this chapter may include
12	nonlicensee owners, provided that:
13	(1) The firm designates a licensee of this State or, in the case of a firm
14	that is required to have a registration pursuant to subsection (a) of this section,
15	a licensee who meets the requirements set forth in section 74c of this title
16	chapter who is responsible for the proper registration of the firm, and identifies
17	that individual to the Board.
18	* * *
19	(f) Any individual exercising practice privileges pursuant to section 74c of
20	this title chapter, and who is responsible for supervising attest services and
21	signs or authorizes someone to sign the accountant's report on behalf of the

1	firm, shall meet the experience and competency requirements set forth in the
2	professional standards for those services.
3	* * *
4	Subchapter 4. Discipline
5	* * *
6	§ 78. DISCIPLINARY MATTERS
7	(a) In addition to other powers specifically established by law, the Board
8	may:
9	(1) Refuse to accept the return of a license tendered by the subject of a
10	disciplinary investigation;
11	(2) Refuse to license a person who is under investigation in another
12	jurisdiction for an offense that would constitute unprofessional conduct in this
13	State; and
14	(3) Issue warnings and reprimands, condition, suspend, revoke, or
15	reinstate licenses, and order restitution to aggrieved consumers.
16	(b) The Board shall accept complaints from any member of the public, any
17	licensee, any state or federal agency, or the Attorney General. The Board may
18	initiate disciplinary action in any complaint against a licensee and may act
19	without having received a complaint.
20	(c) After hearing, the Board may take disciplinary action against a licensee,
21	registrant, or applicant found guilty of unprofessional conduct.

l	(d) On petition, the Board may reinstate any license or registration it earlie
2	conditioned, revoked, or suspended.
3	(e) Appeals from final Board decisions shall be taken in accordance with
4	3 V.S.A. § 130a. [Repealed.]
5	* * * Funeral Services * * *
6	Sec. 6. 26 V.S.A. § 1252 is amended to read:
7	§ 1252. APPLICATION; QUALIFICATIONS
8	(a) Funeral director.
9	(1) Any person holding a high school certificate or its equivalent shall
10	be entitled to take an examination as a funeral director provided that he or she
11	has:
12	***
13	(3) Notwithstanding the provisions of subdivision (1)(A) of this
14	subsection (a), the Director may by rule prescribe an alternative pathway to
15	licensure for individuals who have not attended a school of funeral service but
16	who have demonstrated through an approved program of apprenticeship and
17	study the skills deemed necessary by the Director to ensure competence as a
18	funeral director.
19	(b) Embalmer.
20	(1) Any person holding a high school certificate or its equivalent shall
21	be entitled to take an examination in embalming provided that he or she has:

1	* * *
2	(3) Notwithstanding the provisions of subdivision (1)(A) of this
3	subsection, the Director may by rule prescribe an alternative pathway to
4	licensure for individuals who have not attended a school of funeral service but
5	who have demonstrated through an approved program of apprenticeship and
6	study the skills deemed necessary by the Director to ensure competence as an
7	embalmer.
8	* * *
9	* * * Nursing * * *
10	Sec. 7. 26 V.S.A. chapter 28 is amended to read:
11	CHAPTER 28. NURSING
12	Subchapter 1. General Provisions
13	* * *
14	§ 1573. VERMONT STATE BOARD OF NURSING
15	* * *
16	(c) Each member of the Board shall be a citizen of the United States and a
17	resident of this State.
18	* * *
19	§ 1574. POWERS AND DUTIES
20	(a) In addition to the powers granted by 3 V.S.A. § 129, the Board shall:
21	* * *

I	(3) Adopt rules setting standards for approval of medication nursing
2	assistant and nursing education programs in Vermont, including all clinical
3	facilities. The Board may require reimbursement for actual and necessary
4	costs incurred for site surveys.
5	(A) After an opportunity for a hearing, the Board may deny or
6	withdraw approval or take lesser action when a program fails to meet the rules
7	requirements.
8	(B) The Board may reinstate a program whose approval has been
9	denied or withdrawn when the Board is satisfied that deficiencies have been
10	remedied and the requirements have been met.
11	(C) Standards for nursing education programs and clinical facilities
12	shall:
13	(i) rely upon the standards of recognized national accrediting
14	bodies without duplicating the function of those bodies;
15	(ii) call for the annual reporting of data, including graduation rates
16	and examination pass rates, appropriate to verify that programs are capable of
17	meeting national standards and sustaining responsible operation in the interests
18	of the public; and
19	(iii) be waivable by the Director of Professional Regulation if the
20	Director finds that a program has exhausted reasonable efforts to comply and
21	that such waiver will not compromise a program's educational integrity.

1	(4) [Repealed.]
2	(A) After an opportunity for a hearing, the Board may deny or
3	withdraw approval or take lesser action when a program fails to meet the rule
4	requirements.
5	(B) The Board may reinstate a program whose approval has been
6	denied or withdrawn when the Board is satisfied that deficiencies have been
7	remedied and the requirements have been met.
8	* * *
9	Sec. 8. REPEAL OF BOARD OF NURSING FACULTY REQUIREMENTS
10	IN RULE
11	The rules of the Board of Nursing governing the faculty of bachelor and
12	associate degree programs and the faculty of practical nursing programs, set
13	forth in Administrative Rules of the Board of Nursing, CVR 03-030-170,
14	§§ 4.23 (faculty, bachelor and associate degree programs) and 4.24 (faculty,
15	practical nursing programs), are repealed.
16	* * * Optometry * * *
17	Sec. 9. 26 V.S.A. chapter 30 is amended to read:
18	CHAPTER 30. OPTOMETRY
19	Subchapter 1. General Provisions
20	§ 1703. DEFINITIONS
21	As used in this chapter:

1	* * *
2	(2) The "practice of optometry" means any one or combination of the
3	following practices:
4	* * *
5	(F) For those licensees holding an advanced procedures endorsement
6	from the Director, performing minor surgical procedures as set forth in
7	subchapter 7 of this chapter and as further described by the Board by rule.
8	* * *
9	§ 1704. PENALTIES
10	A person who obtains a license by fraud or misrepresentation or who
11	practices or attempts to practice optometry or optometric advanced procedures
12	or hold holds himself or herself out as being able to do so in this State without
13	first having obtained the license or advanced procedures endorsement required
14	by this chapter shall be subject to the penalties provided in 3 V.S.A. § 127.
15	* * *
16	§ 1708. POWERS AND DUTIES
17	(a) The Board shall:
18	(1) Adopt rules under the Vermont Administrative Procedure Act
19	necessary for the performance of its duties, ensuring that at least the following
20	are established by statute or rule:
21	* * *

1	(C) standards for acceptance of continuing education, which may	
2	identify mandatory content specific to pharmacology, and management of	
3	adverse drug reactions, and advanced procedures.	
4	* * *	
5	Subchapter 3. Examinations and Licenses	
6	* * *	
7	§ 1718. FEES	
8	Applicants and persons regulated under this chapter shall pay the following	ng
9	fees:	
10	(1) Application \$225.00)
11	(2) Biennial renewal \$425.00 \(\frac{\$350.00}{2} \)	<u>)</u>
12	* * *	
13	Subchapter 6. Therapeutic Pharmaceutical Agents	
14	§ 1728. USE OF THERAPEUTIC PHARMACEUTICAL AGENTS	
15	* * *	
16	Subchapter 7. Advanced Procedures	
17	§ 1729. ADVANCED PROCEDURES ENDORSEMENT	
18	(a) Generally. The Board shall provide an advanced procedures	
19	endorsement to an applicant who meets the requirements of this section and	
20	Board rules adopted in accordance with this section.	

1	(b) Qualifications for endorsement. To be eligible for endorsement, an
2	optometrist licensed and in good standing under this chapter shall provide to
3	the Board evidence that he or she meets the following qualifications:
4	(1) Examination. Passage of the injection skills and the laser and
5	surgical procedures examinations administered by the National Board of
6	Examiners in Optometry or other similarly accredited body or substantially
7	similar examinations administered by a school or college of optometry
8	approved by the Board.
9	(2) Education. Satisfactory completion of education provided by an
10	accredited optometry, osteopathy, or medical school that is at least 32 clock
11	hours in length that includes the following and that is approved by the Board:
12	(A) Classroom instruction in:
13	(i) laser physics, hazards, and safety;
14	(ii) biophysics of laser;
15	(iii) laser application in clinical optometry;
16	(iv) laser tissue interactions;
17	(v) laser indications, contraindications, and potential
18	complications;
19	(vi) gonioscopy;
20	(vii) laser therapy for open angle glaucoma;
21	(viii) laser therapy for angle closure glaucoma;

1	(ix) posterior capsulotomy;
2	(x) common complications: lids, lashes, and lacrimal;
3	(xi) medicolegal aspects of anterior segment procedures;
4	(xii) peripheral iridotomy;
5	(xiii) laser trabeculoplasty
6	(xiv) minor surgical procedures;
7	(xv) overview of surgical instruments, asepsis, and OSHA
8	(xvi) surgical anatomy of the eyelids;
9	(xvii) emergency surgical procedures;
10	(xviii) chalazion management;
11	(xix) epiluminescence microscopy;
12	(xx) local anesthesia: techniques and complications;
13	(xxi) anaphylaxsis and other office emergencies;
14	(xxii) radiofrequency surgery; and
15	(xxiii) post-operative wound care.
16	(B) Laboratory instruction in:
17	(i) laser instruction on:
18	(I) selective laser trabeculoplasty;
19	(II) peripheral laser iridotomy; and
20	(III) YAP capsulotomy;

1	(ii) injection instruction on:
2	(I) injections into the eyelid;
3	(II) injections of the subconjunctival space;
4	(III) intramuscular injection;
5	(IV) subcutaneous injections;
6	(V) intravenous injections; and
7	(VI) intralesional injections; and
8	(iii) surgical instruction on management of lid lesions.
9	(C) In vivo instruction for each procedure by an ophthalmologist or
10	optometrist who is currently licensed to perform these procedures.
11	(c) Waiver. The Board may waive the requirements of subsection (b) of
12	this section for an applicant who is currently licensed and in good standing in
13	another jurisdiction of the United States that has license requirements for
14	optometric advanced procedures that are substantially equivalent to those of
15	subsection (b).
16	(d) Authorized procedures. An optometrist endorsed under this section
17	may perform the following advanced procedures:
18	(1) the following anterior segment laser procedures:
19	(A) selective laser trabeculoplasty;
20	(B) peripheral laser iridotomy:
21	(C) peripheral laser iridoplasty; and

1	(D) YAG capsulotomy;
2	(2) injections applicable to the diagnostic care or treatment of the eye
3	and its adnexa;
4	(3) the following eyelid surgical procedures:
5	(A) removal of benign eyelid and eye growths; and
6	(B) chalazion excision; and
7	(4) other procedures as defined by the Board, provided they are taught at
8	a recognized school or college of optometry and are not otherwise prohibited
9	by this section.
10	(e) Prohibited procedures. The following procedures are prohibited to be
11	performed by any optometrist, except for the pre- and postoperative care of
12	these procedures:
13	(1) the following procedures:
14	(A) retina laser procedures;
15	(B) penetrating keratoplasty or corneal transplant;
16	(C) the administration of general anesthesia; and
17	(D) surgery done with general anesthesia; and
18	(2) the following non-laser surgical procedures:
19	(A) surgery related to removal of the eye from a living human being;

1	(B) surgery requiring full thickness incision or excision of the cornea
2	or sclera, excluding anterior chamber paracentesis to reduce intraocular
3	pressure in patients with acute closed-angle glaucoma;
4	(C) surgery requiring incision of the iris and ciliary body, including
5	diathermy or cryotherapy;
6	(D) surgery requiring incision of the vitreous;
7	(E) surgery requiring incision of the retina;
8	(F) surgical extraction of the crystalline lens;
9	(G) surgical intraocular implants;
10	(H) incisional or excisional surgery of the extraocular muscles;
11	(I) surgery of the eyelid for suspect malignancies or for incisional
12	cosmetic or mechanical repair of blepharochalasis, ptosis, and tarsorrhaphy;
13	(J) surgery of the bony orbit, including orbital implants;
14	(K) incisional or excisional surgery of the lacrimal system other than
15	probing or related procedures:
16	(L) surgery requiring full thickness conjunctivoplasty with graft or
17	flap; and
18	(M) pterygium surgery.
19	(f) Rules. The Board may adopt any rules that are necessary to administer
20	the provisions of this subchapter.

1	* * *	
2	* * * Osteopathy * * *	
3	Sec. 10. 26 V.S.A. § 1794 is amended to read:	
4	§ 1794. FEES	
5	(a) Applicants and persons regulated under this chapter shall pay the	
6	following fees:	
7	(1) Application	
8	(A) Licensure \$500.00	
9	(B) Limited temporary license \$ 50.00	
10	(2) Biennial license renewal \$350.00 \$300.00	<u>C</u>
11	* * *	
12	* * * Pharmacy * * *	
13	Sec. 11. 26 V.S.A. chapter 36 is amended to read:	
14	CHAPTER 36. PHARMACY	
15	Subchapter 1. General Provisions	
16	* * *	
17	§ 2022. DEFINITIONS	
18	As used in this chapter:	
19	* * *	
20	(15)(A) "Practice of pharmacy" means:	
21	* * *	

1	(vii) optimizing drug therapy through the practice of clinical
2	pharmacy; and
3	* * *
4	(B) "Practice of clinical pharmacy" or "clinical pharmacy" means:
5	(i) the health science discipline in which, in conjunction with the
6	patient's other practitioners, a pharmacist provides patient care to optimize
7	medication therapy and to promote disease prevention and the patient's health
8	and wellness;
9	(ii) providing patient care services within the pharmacist's
10	authorized scope of practice, including medication therapy management,
11	comprehensive medication review, and postdiagnostic disease state
12	management services; or
13	(iii) practicing pharmacy pursuant to a collaborative practice
14	agreement; or
15	(iv) prescribing as provided under section 2023 of this subchapter.
16	* * *
17	(21) "Self-administered hormonal contraceptive" means a contraceptive
18	medication or device approved by the U.S. Food and Drug Administration that
19	prevents pregnancy by using hormones to regulate or prevent ovulation and
20	that uses an oral, transdermal, or vaginal route of administration.

1	* * *
2	§ 2023. CLINICAL PHARMACY; PRESCRIBING
3	(a) In accordance applicable with rules adopted by the Board, a pharmacist
4	may engage in the practice of clinical pharmacy, including prescribing as set
5	forth in subsection (b) of this section, provided that a pharmacist shall not:
6	(1) prescribe a regulated drug as defined in 18 V.S.A. § 4201;
7	(2) prescribe a biological product as defined in 18 V.S.A. § 4601, other
8	than a vaccine or insulin medication; or
9	(3) initiate antibiotic therapy, except pursuant to a collaborative practice
10	agreement.
11	(b) A pharmacist may prescribe in the following contexts:
12	(1) Collaborative practice agreement. A pharmacist may prescribe, for
13	the patient or patients of a prescribing practitioner licensed pursuant to this
14	title, within the scope of a written collaborative practice agreement with that
15	primary prescriber.
16	(A) The collaborative practice agreement shall require the pharmacist
17	and collaborating practitioner to contemporaneously notify each other of any
18	change in the patient's pharmacotherapy or known medical status.
19	(B) Under a collaborative practice agreement, a pharmacist may
20	select or modify antibiotic therapy for a diagnosed condition under the
21	direction of the collaborating practitioner.

1	(2) State protocol.
2	(A) A pharmacist may prescribe in a manner consistent with valid
3	State protocols that are approved by the Commissioner of Health after
4	consultation with the Director of Professional Regulation and the Board and
5	the ability for public comment:
6	(i) opioid antagonists;
7	(ii) epinephrine auto-injectors;
8	(iii) tobacco cessation products;
9	(iv) tuberculin purified protein derivative products;
10	(v) self-administered hormonal contraceptives;
11	(vi) dietary fluoride supplements;
12	(vii) influenza vaccines; and
13	(viii) emergency prescribing of albuterol or glucagon while
14	contemporaneously contacting emergency services.
15	(B)(i) State protocols shall be valid if signed by the Commissioner of
16	Health and the Director of Professional Regulation, and the Board of Pharmacy
17	shall feature the active protocol conspicuously on its website.
18	(ii) The Commissioner of Health may invalidate a protocol if the
19	Commissioner finds that the protocol's continued operation would pose an
20	undue risk to the public health, safety, or welfare and signs a declaration to that
21	effect. Upon such a declaration, the Director shall remove the invalidated

1	protocol from the Board website and shall cause electronic notice of the
2	protocol's discontinuation to be transmitted to all Vermont drug outlets.
3	(3) Accessory devices. A pharmacist may prescribe accessory-type
4	devices, such as spacers, needles, and diabetic testing supplies, where
5	clinically indicated in the judgment of the pharmacist.
6	(4) Prescriber-authorized substitution. A prescribing practitioner
7	licensed pursuant to this title may authorize a pharmacist to substitute a drug
8	with another drug in the same therapeutic class that would, in the opinion of
9	the pharmacist, have substantially equivalent therapeutic effect even though
10	the substitute drug is not a therapeutic equivalent drug, provided:
11	(A) the prescriber has clearly indicated that drug product substitution
12	is permissible by indicating "therapeutic substitution allowed" or similar
13	designation;
14	(B) the drug product substitution is intended to ensure formulary
15	compliance with the patient's health insurance plan or otherwise to minimize
16	cost to the patient;
17	(C) the patient's voluntary, informed consent is obtained in writing;
18	<u>and</u>
19	(D) the pharmacist or designee notifies the prescriber which drug was
20	dispensed as a substitute within five days of dispensing.

1	(5) Over-the-counter availability. A pharmacist may prescribe over-the-
2	counter drugs where appropriate to reduce costs to the patient, such as by
3	drawing from a health savings account or flexible spending account.
4	(6) Short-term extensions.
5	(A) A pharmacist may extend a previous prescription in the absence
6	of a collaborative practice agreement or a State protocol so long as the
7	pharmacist provides only sufficient quantity to the patient until the patient is
8	able to consult with another practitioner, not to exceed a five-day supply or the
9	smallest available unit, and takes all reasonable measures to notify the patient's
10	primary care provider of record or the appropriate original prescriber, if the
11	original prescriber is different from the primary care provider of record.
12	(B) A short-term extension shall be provided on a one-time basis.
13	(c) Board rules shall:
14	(1) specify the required elements of a collaborative practice agreement;
15	(2) prohibit conflicts of interest and inappropriate commercial incentives
16	related to prescribing, such as reimbursement based on brands or numbers of
17	prescriptions filled, renewing prescriptions without request by a patient,
18	steering patients to particular brands or selections of products based on any
19	commercial relationships, or acceptance of gifts offered or provided by
20	manufactures in violation of 18 V.S.A. § 4631a;
21	(3) define appropriate bounds of short-term extension prescribing; and

1	(4) establish minimum standards for patient privacy in clinical
2	consultation.
3	* * *
4	Subchapter 5. Registration of Facilities <u>Drug Outlets</u>
5	§ 2061. REGISTRATION AND LICENSURE
6	* * *
7	(g) Any nonpharmacist owner of a retail or institutional drug outlet may be
8	denied the right to own another pharmacy for a period to be determined by the
9	Board, if he or she is found to be in violation of any of the grounds listed under
10	section 2051 of this title 3 V.S.A. § 129a.
11	* * *
12	§ 2063. NOTIFICATIONS
13	(a) All licensed drug outlets shall report to the Board of Pharmacy within
14	48 hours the occurrence of any of the following changes:
15	* * *
16	(3) any and all other matters and occurrences as the Board may properly
17	require by rules and regulations <u>rule</u> .
18	* * *
19	Subchapter 6. Wholesale Distributors and Manufacturers
20	* * *

1	Sec. 12. PROTOCOL IMPLEMENTATION; TARGET DATES;
2	RULEMAKING
3	(a) On or before January 1, 2021, the Commissioner of Health shall:
4	(1) approve State protocols respecting opioid antagonists, self-
5	administered hormonal contraceptives, and influenza vaccines in accordance
6	with the procedure for establishing valid protocols set forth in 26 V.S.A.
7	§ 2023(b)(2) in Sec. 11 of this act; or
8	(2) provide affirmative notice to the Senate Committees on Government
9	Operations and on Health and Welfare and the House Committees on
10	Government Operations and on Health Care that the Commissioner was unable
11	to approve those protocols by that date.
12	(b) On or before January 1, 2021, the Board of Pharmacy shall adopt rules
13	consistent with the provisions of 26 V.S.A. § 2023(c) as set forth in Sec. 11 of
14	this act. If the Board is unable to adopt rules by that date, the Board shall
15	adopt an emergency rule until such time as it completes the rulemaking
16	process.
17	* * * Physical Therapists * * *
18	Sec. 13. 26 V.S.A. § 2103 is amended to read:
19	§ 2103. EXAMINATION
20	* * *

1	(e) An applicant for licensure who does not pass the examination on the
2	first attempt may retake the examination one additional time without
3	reapplication for licensure within six months of the first or examination.
4	Before the Director may approve an applicant for subsequent testing beyond
5	two attempts, an applicant shall reapply for licensure and shall submit evidence
6	satisfactory to the Director of having successfully completed additional clinical
7	training or course work, or both, as determined by the Director.
8	* * *
9	* * * Veterinary Medicine * * *
10	Sec. 14. 26 V.S.A. § 2414 is amended to read:
11	§ 2414. FEES
12	Applicants and persons regulated under this chapter shall pay the following
13	fees:
14	(1) Application \$ 100.00
15	(2) Biennial renewal \$200.00 <u>\$175.00</u>
16	* * * Landscape Architects * * *
17	Sec. 15. 26 V.S.A. § 2613 is amended to read:
18	§ 2613. EXEMPTIONS
19	(a) This chapter shall not affect or prevent:
20	* * *
21	(7) the design of irrigation systems; and or

1	(8) officers or employees of the federal government from working in
2	connection with their employment.
3	* * *
4	* * * Review of Regulatory Laws * * *
5	Sec. 16. 26 V.S.A. chapter 57 is amended to read:
6	CHAPTER 57. REVIEW OF REGULATORY LAWS
7	* * *
8	§ 3105. CRITERIA AND STANDARDS
9	(a) A profession or occupation shall be regulated by the State only when:
10	(1) it can be demonstrated that the unregulated practice of the profession
11	or occupation can clearly harm or endanger the health, safety, or welfare of the
12	public, and the potential for the harm is recognizable and not remote or
13	speculative;
14	(2) the public can reasonably be expected to benefit from an assurance
15	of initial and continuing professional ability; and
16	(3) the public cannot be effectively protected by other means.
17	* * *
18	(d) Prior to review under this chapter and consideration by the General
19	Assembly of any bill to regulate a profession or occupation and upon the
20	request of the House or Senate Committee on Government Operations, the
21	Office shall make, in writing, a preliminary assessment of whether any

1	particular request for regulation meets the criteria set forth in subsection (a) of
2	this section. The Office shall report its preliminary assessment to the
3	appropriate House or and Senate Committee Committees on Government
4	Operations.
5	(e) After the review of a proposal to regulate a profession or to amend the
6	scope of a regulated profession, the Office may decline to conduct an analysis
7	and evaluation of the proposed regulation if it finds that:
8	(1) the proposed regulatory scheme appears to regulate fewer than 250
9	individuals; and
10	(2) the Office previously conducted an analysis and evaluation of the
11	proposed regulation of the same profession or occupation, and no new
12	information has been submitted that would cause the Office to alter or modify
13	the recommendations made in its earlier report on that proposed regulation; or
14	(3) a proposal presented by petition would, in the opinion of the
15	Director, call for the unwarranted expenditure of State resources.
16	* * *
17	§ 3107. INFORMATION REQUIRED OF APPLICANTS
18	Prior to review under this chapter and prior to consideration by the General
19	Assembly of any bill that proposes to regulate a profession or occupation, the
20	profession or occupation being reviewed or seeking regulation shall explain

1	each of the following factors, in writing, to the extent requested by the House
2	or Senate Committee on Government Operations:
3	(1) Why regulation is necessary, including:
4	* * *
5	(2) The extent to which practitioners are autonomous, as indicated by:
6	* * *
7	(3) The efforts that have been made to address the concerns that give
8	rise to the need for regulation, including:
9	***
10	(4) Why the alternatives to licensure specified in this subdivision would
11	not be adequate to protect the public interest:
12	* * *
13	(5) The benefit to the public if regulation is granted, including:
14	***
15	(6) The form and powers of the regulatory entity, including:
16	***
17	(7) The extent to which regulation might harm the public, including:
18	* * *
19	(8) How the standards of the profession or occupation will be
20	maintained, including:
21	* * *

1	(9) A profile of the practitioners in this State, including a list of
2	associations, organizations, and other groups representing the practitioners and
3	including an estimate of the number of practitioners in each group.
4	(10) The effect that registration, certification, or licensure will have on
5	the costs of the services to the public.
6	* * *
7	§ 3108. PRELIMINARY ASSESSMENT OF SCOPE OF PRACTICE
8	(a) Office preliminary assessment.
9	(1) Prior to review under this chapter and consideration by the General
10	Assembly of any bill to materially amend the scope of practice permitted for a
11	regulated profession or occupation, and upon the request of the House or
12	Senate Committee on Government Operations or upon the direct petition from
13	a regulated profession or occupation, the Office shall make, in writing, a
14	preliminary assessment of whether the proposed scope of practice amendment
15	is consistent with the principles and standards set forth in this chapter.
16	(2) The Office shall report its preliminary assessment to the House and
17	Senate Committees on Government Operations and, where a report pertains to
18	a health care profession, to the House Committee on Health Care and the
19	Senate Committee on Health and Welfare.
20	(b) Required supporting information. A profession proposing by petition a
21	material amendment of a scope of practice shall explain each of the following

1	factors, in writing, to the extent requested by the Office of the House of Senate
2	Committee on Government Operations, not later than July 1 of the year
3	preceding the next regular session of the General Assembly:
4	(1) A description of the practices and activities that the profession or
5	occupation would be permitted to engage in if the scope of practice is
6	amended.
7	(2) Public health, safety, or welfare benefits, including economic
8	benefits that the requestor believes will be achieved if the request is
9	implemented and, if applicable, a description of any harm to public health if
10	the request is implemented.
11	(3) The impact the amendment of the scope of practice will have on the
12	public's access to occupational services.
13	(4) A description of the current laws and regulations, both federal and
14	State, pertaining to the profession, including a description of the current
15	education, training, and examination requirements and any relevant
16	certification requirements applicable to the profession for which the amended
17	scope of practice is being sought.
18	(5) The extent to which the public can be confident that a practitioner is
19	competent to perform the activities and practices permitted under the amended
20	scope of practice, including a description of the nature and duration of the
21	education and training for performing these activities and practices, if any.

1	The description of the education and training shall include the following
2	information:
3	(A) whether the educational requirement includes a substantial
4	amount of supervised practical experience;
5	(B) a description of the courses and professional educational
6	programs, including relevant syllabi and curricula, training professionals to
7	perform the activities and practices being proposed under the expanded scope
8	of practice;
9	(C) whether educational programs exist in this State;
10	(D) whether there will be an experience requirement;
11	(E) whether the experience must be acquired under a registered,
12	certified, or licensed practitioner;
13	(F) whether there are alternative routes of entry or methods of
14	satisfying the eligibility requirements and qualifications; and
15	(G) whether all applicants will be required to pass an examination
16	and, if an examination is required, by whom it will be developed and how the
17	costs of development will be met.
18	(6) A description of how the request relates to the profession's ability to
19	practice to the full extent of the profession's education and training.
20	(7) For health care professionals, a description of the impact an
21	amendment to the scope of practice will have within the health care system,

1	including:
2	(A) the anticipated economic impact such an expansion will have for
3	the system, for patients, and for other health care providers; and
4	(B) identification of any health care professions that can reasonably
5	be anticipated to be directly impacted by the request, the nature of the impact,
6	and efforts made by the requestor to discuss the request with such health care
7	professionals.
8	(8) A summary of the known scope of practice changes either requested
9	or enacted in the State concerning the profession in the five-year period
10	preceding the date of the current request.
11	(9) A summary of regional and national trends, legislation, laws, and
12	regulations concerning licensure of the profession making the request, and a
13	summary of relevant scope of practice provisions enacted in other states.
14	(10) How the standards of the profession or occupation will be
15	maintained, including whether effective quality assurance standards pertaining
16	to the activities and practices permitted under the proposed expanded scope of
17	practice exist in the profession or occupation, such as legal requirements
18	associated with specific programs that define or enforce standards.
19	(11) A profile of the practitioners in this State, including a list of
20	associations, organizations, and other groups representing the practitioners and

including an estimate of the number of practitioners in each group.

1	(c) Exemption. In lieu of submitting a scope of practice request as
2	described in subsection (b) of this section, a person proposing an amendment
3	to a scope of practice may submit a request for an exemption. The request for
4	exemption shall be submitted to the Office not later than July 1 of the year
5	preceding the next regular session of the General Assembly and shall include a
6	plain language description of the request. The Office may grant the exemption
7	<u>if:</u>
8	(1) there exist exigent circumstances that necessitate an immediate
9	response to the request, and the delay imposed by analysis would threaten the
10	public health, safety, or welfare;
11	(2) there is not substantial dispute concerning the scope of practice
12	request; or
13	(3) the requested amendment is not material, meaning the amendment
14	would not alter the balance of risks and harms to the public health, safety, or
15	welfare; the regulatory burdens on any other group; or the enforcement
16	authority or character of the regulatory program.
17	(d) Impacted persons.
18	(1) Any person acting on behalf of a profession that may be directly
19	impacted by a scope of practice request submitted pursuant to this section may
20	submit to the Office a written statement identifying the nature of the impact no
21	later than October 1 of the year preceding the next regular session of the

1	General Assembly. That person shall indicate the nature of the impact by
2	taking into consideration the criteria set forth in subsection (b) of this section
3	and shall provide a copy of the written impact statement to the requestor.
4	(2) Not later than October 15 of that year, the requestor shall submit a
5	written response to the Office and the person that provided the written impact
6	statement. The requestor's written response shall include a description of areas
7	of agreement and disagreement between the respective professions.
8	* * * Private Investigative and Security Services * * *
9	Sec. 17. 26 V.S.A. chapter 59 is amended to read:
10	CHAPTER 59. PRIVATE INVESTIGATIVE AND SECURITY SERVICES
11	Subchapter 1. General Provisions
12	§ 3151. DEFINITIONS
13	As used in this chapter:
14	(1)(A) "Director" means the Director of the Office.
15	(B) "Board" means the State Board of Private Investigative and
16	Security Services "Office" means the Office of Professional Regulation.
17	* * *
18	Subchapter 2. State Board of Private Investigative and Security Services
19	<u>Administration</u>
20	§ 3161. STATE BOARD REGULATION OF PRIVATE INVESTIGATIVE
21	AND SECURITY SERVICES; DIRECTOR; ADVISOR

APPOINT	ΓEES
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2	The State Board of Private Investigative and Security Services is created.
3	The Board shall consist of five members appointed by the Governor: one shall
4	be a provider of private investigative services; one shall be a provider of
5	private security services; two shall be members of the public with no financial
6	interest in either service other than as a consumer or potential consumer. The
7	remaining member shall be a provider of private investigative services or a
8	provider of private security services, or a provider of both types of services.
9	Board members shall be appointed by the Governor pursuant to 3 V.S.A. §§
10	129b and 2004.
11	(a)(1) The Director shall administer the provisions of this chapter.
12	(2) The Director shall consult the advisor appointees prior to exercising
13	interpretive discretion, adopting or amending rules, and determining any
14	substantial regulatory question presented in the course of administering this
15	chapter.
16	(b)(1) The Secretary of State shall appoint five persons of suitable
17	qualifications in accordance with this section to advise the Director in matters
18	concerning private investigative and security services.
19	(A) Two advisors shall be members of the public with no financial
20	interest, either personally or through a spouse, in private investigative services
21	or security services.

1	(B) One advisor shall be a provider of private investigative services.
2	(C) One advisor shall be a provider of private security services.
3	(D) The remaining member shall be a provider of private
4	investigative services or a provider of private security services, or a provider of
5	both types of services.
6	(2) The Secretary of State shall appoint the advisors for five-year
7	staggered terms. Four of the initial appointments shall be for four-, three-,
8	two-, and one-year terms.
9	§ 3162. BOARD RULEMAKING AUTHORITY DIRECTOR; POWERS
10	AND DUTIES
11	The Board may Director shall adopt rules necessary for the performance of
12	its duties effective administration of this chapter, including rules prescribing
13	minimum standards and qualifications for:
14	* * *
15	Subchapter 3. Licensing
16	§ 3171. LICENSING
17	* * *
18	(c) Individual registrations may be transferred upon approval by the Board
19	<u>Director</u> .

I	§ 3172. LICENSES
2	The Board Director shall issue agency licenses for private investigative
3	services, private security guard services, or combination guard agency licenses
4	to applicants that submit all of the following:
5	* * *
6	§ 3173. PRIVATE INVESTIGATOR LICENSES
7	(a) A person shall not engage in the business of private investigation or
8	provide private investigator services in this State without first obtaining a
9	license. The Board Director shall issue a license to a private investigator after
10	obtaining and approving all of the following:
11	(1) an application filed in proper form evidence that the applicant has
12	attained the age of majority;
13	(2) the application fee evidence that the applicant has successfully
14	passed any examination required by rule; and
15	(3) evidence that the applicant has attained the age of majority; and
16	(4) evidence that the applicant has successfully passed any examination
17	required by rule the application fee.
18	(b) The Board Director may make inquiries it he or she deems necessary
19	into the character, integrity, and reputation of the applicant.
20	(c) The Board Director shall require that a person licensed seeking
21	licensure to practice independently as a private investigator has had

1	appropriate experience in investigative work, for a period of not less than two
2	years, as determined by the Board Director. Such experience may include
3	having been regularly employed as a private detective investigator licensed in
4	another state or as an investigator for a private detective investigative agency
5	licensed in this or another state or having been a sworn member of a federal,
6	state, or municipal law enforcement agency.
7	* * *
8	§ 3174. SECURITY GUARD LICENSES
9	(a) A person shall not engage in the business of a security guard or provide
10	guard services in this State without first obtaining a license. The Board
11	<u>Director</u> shall issue a license to a security guard after obtaining and approving
12	all of the following:
13	(1) an application filed in proper form evidence that the applicant has
14	attained the age of majority;
15	(2) the application fee evidence that the applicant has successfully
16	passed any examination required by rule; and
17	(3) evidence that the applicant has attained the age of majority;
18	(4) evidence that the applicant has successfully passed any examination
19	required by rule the application fee.
20	(b) The Board Director may make inquiries it he or she deems necessary
21	into the character, integrity, and reputation of the applicant.

(c) The Board Director shall require that a person licensed seeking
licensure to practice independently as a security guard has had experience
satisfactory to the Board Director in security work for a period of not less than
two years. Such experience may include having been licensed as a security
guard in another state or regularly employed as a security guard for a security
agency licensed in this or another state or having been a sworn member of a
federal, state, or municipal law enforcement agency.
* * *
§ 3175. EXAMINATIONS
The Board Director shall prepare, or have prepared, and administer,
separate examinations for private investigators and private security services.
Each examination shall be designed to test the competency of the applicant
with respect to the lawful and safe provision of each respective service to the
public.
§ 3175a. FIREARMS INSTRUCTOR LICENSURE; PROGRAM OF
INSTRUCTION
(a) The Board Director shall license firearms training course instructors of
private investigators and security guards licensed under this chapter and shall
adopt rules governing the licensure of instructors and the approval of firearms
and guard dog training programs.

1	(b) The Board <u>Director</u> shall not issue a license as a firearms training
2	program instructor without first obtaining and approving all of the following:
3	(1) the application filed in the proper form evidence that the applicant
4	has attained the age of majority;
5	(2) the application fee established in subdivision 3178a(a)(5)(A) of this
6	title a copy of the applicant's training program;
7	(3) evidence that the applicant has obtained the age of majority proof of
8	certification as an instructor from an instructor's course approved by the
9	Director;
10	(4) a copy of the applicant's training program federal background check
11	<u>and</u>
12	(5) proof of certification as an instructor from an instructor's course
13	approved by the Board;
14	(6) a federal background check the application fee.
15	(c) Instructors licensed under this section are subject to the same renewal
16	requirements as others licensed under this chapter, and prior to renewal are
17	required to show proof of current instructor licensure and pay the renewal fee
18	established in subdivision 3178a(a)(5)(B) of this title. [Repealed.]
19	§ 3175b. GUARD DOG TRAINING INSTRUCTOR LICENSE
20	(a) An applicant for a license to provide guard dog services shall
21	demonstrate to the Board Director competence in the handling of guard dogs in

1	a guard dog training program approved by the Board Director and taught by an
2	instructor currently licensed under this section.
3	(b) The Board Director shall not issue a license as a guard dog training
4	program instructor without first obtaining and approving all of the following:
5	(1) the application filed in the proper form evidence that the applicant
6	has attained the age of majority;
7	(2) the application fee set forth in section 3178 of this title a copy of the
8	applicant's training program;
9	(3) evidence that the applicant has obtained the age of majority proof of
10	certification as an instructor from an instructor's course approved by the
11	Director;
12	(4) a copy of the applicant's training program federal background check;
13	<u>and</u>
14	(5) proof of certification as an instructor from an instructor's course
15	approved by the Board;
16	(6) a federal background check the application fee.
17	§ 3175c. FIREARMS TRAINING AND CERTIFICATION
18	(a) A licensee seeking a firearms certification shall meet the following
19	requirements:
20	(1) An applicant for a private investigator or security guard license to
21	provide armed services shall demonstrate to the Board Director competence in

1	the safe use of firearms by successfully completing a firearms training program
2	approved by the Board. Director;
3	(2) An applicant shall pay the required fee-;
4	(3) An applicant shall obtain provide the Director with evidence that the
5	applicant has attained the age of majority-; and
6	(4) An applicant shall receive a satisfactory federal background check.
7	(b) No A licensee may shall not possess a firearm while performing
8	professional services unless certified and in good standing under this section.
9	§ 3176. EMPLOYEES OF AGENCIES
10	* * *
11	(b) An agency shall register all agency investigative and security
12	employees with the Board Office. Employees shall carry identification in a
13	form satisfactory to the Board indicating the licensee by whom the person is
14	employed.
15	(c) An employee of a licensee shall not function as an armed private
16	investigator, armed guard, armed courier, or handler of guard dogs unless the
17	employee demonstrates to the Board competency in a manner deemed
18	appropriate by the Board holds an active specialty designation authorizing the
19	use of firearms or guard dogs, as applicable.
20	(d) The Board Director may make inquiries it deems necessary into the
21	character, integrity, and reputation of the employee.

(e) As a prerequisite to registration, all investigative and security
employees shall take and successfully complete a training program approved
by the Board Director.

(f) A licensed agency or other entity conducting a training program approved by the Board Director pursuant to this section shall maintain training records for not less than five years. The retained records shall include, at a minimum, records of the courses taught, subjects covered, and persons who have received instruction. Training records shall be made available to the Office of Professional Regulation upon request. A licensed agency shall maintain its training records at its regular place of business within the State of Vermont.

§ 3176a. TRANSITORY PRACTICE

The Director of the Office of Professional Regulation, under rules adopted by the Board Director, may grant a transitory permit to practice as a private investigator to a person who is not a resident of Vermont and has no established place of business in this State, if that person is legally qualified by license to practice as a private investigator in any state or country that regulates such practice. Practice under a transitory permit shall not exceed 30 days in any calendar year.

20 ***

1	§ 3178a. FEES
2	(a) Applicants and persons regulated under this chapter shall pay the
3	following fees:
4	(1) Application for agency license:
5	(A) Investigative agency \$ 340.00
6	(B) Security agency \$ 340.00
7	(C) Investigative/security agency \$ 400.00
8	(D) Sole proprietor \$ 250.00
9	(2) Application for individual license:
10	(A) Unarmed licensee \$ 150.00
11	(B) Armed licensee \$ 200.00
12	(3) Application for employee registration:
13	(A) Unarmed registrants \$ 60.00
14	(B) Armed registrants \$ 120.00
15	(C) Transitory permits \$ 60.00
16	(4) Biennial renewal:
17	(A) Investigative agency \$ 300.00
18	(B) Security agency \$300.00
19	(C) Investigative/security agency \$ 300.00
20	(D) Unarmed licensee \$ 120.00
21	(E) Armed licensee \$ 180.00

1	(F) Unarmed registrants (agency employees)	\$ 80.00
2	(G) Armed registrants (agency employees)	\$ 130.00
3	(H) Sole proprietor	\$ 250.00
4	(5) Instructor licensure:	
5	(A) Application for licensure	\$ 120.00
6	(B) Biennial renewal	\$ 180.00
7	(b) A sole proprietor of an investigative agency or sec	curity agency shall
8	only pay the sole proprietor fees pursuant to this section,	provided the agency
9	has no other registered investigative or security employee	es. [Repealed.]
10	* * *	
11	Subchapter 4. Unprofessional Conduct and I	Discipline
12	§ 3181. UNPROFESSIONAL CONDUCT	
13	(a) It shall be unprofessional conduct for a licensee, re	egistrant, or applicant
14	to engage in conduct prohibited by this section, or by 3 V	Y.S.A. § 129a.
15	(b) Unprofessional conduct means any of the following	ng:
16	* * *	
17	(13) failing to provide information requested by the	e Board <u>Director</u> ;
18	* * *	
19	(15) failing to notify the Board Director of a change	ge in ownership,
20	partners, officers, or qualifying agent;	
21	* * *	

1	* * * Real Estate Appraisers * * *
2	Sec. 18. 26 V.S.A. chapter 69 is amended to read:
3	CHAPTER 69. REAL ESTATE APPRAISERS
4	* * *
5	Subchapter 3. Licenses, Certifications, and Registrations
6	§ 3316. LICENSING AND REGISTRATION FEES
7	In addition to the fees otherwise authorized by law, the Director may charge
8	the fees for professions Applicants and persons regulated by the Director as
9	under this chapter shall pay those fees set forth in 3 V.S.A. § 125(b).
10	* * *
11	§ 3321. RENEWALS
12	(a) A Except for a license issued to an appraisal management company, a
13	licensed issued under this chapter shall be renewed biennially upon payment of
14	the required fee and upon satisfactory completion of the minimum continuing
15	education requirements established by AQB during the immediately preceding
16	two-year period. An appraisal management company shall renew its license
17	annually in compliance with State and federal regulations.
18	(b) If an individual or an appraisal management company fails to renew in
19	a timely manner, he or, she, or it may renew the license within 30 days of the
20	renewal date by satisfying all requirements set forth in law, including, as

1	applicable, those requirements of AQB for reactivation and payment of an
2	additional late renewal penalty.
3	(c) The Director may reactivate the license of an individual or an appraisal
4	management company whose license has lapsed for more than 30 days upon
5	payment of the renewal fee, the reactivation fee, and the late renewal penalty,
6	provided the individual has satisfied all or appraisal management company has
7	satisfied all the requirements set forth in law, including, as applicable, those
8	requirements of AQB for reactivation.
9	(d) The Director may require, by rule, as a condition of reactivation, that an
10	applicant, other than an appraisal management company, undergo review of
11	one or more aspects of the applicant's professional work in the practice of real
12	estate appraising, provided that the manner and performance results of the
13	review be specified by the Director. Such a review requirement shall:
14	* * *
15	(e) An appraisal management company shall renew its registration
16	biennially. [Repealed.]
17	* * *

1	* * * Dieticians * * *
2	Sec. 19. 26 V.S.A. § 3387 is amended to read:
3	§ 3387. APPLICATION
4	A person who desires to be certified as a dietitian shall apply to the Director
5	in writing, on a form furnished by the Director, accompanied by payment of a
6	the required fee required pursuant to section 3388 of this title and evidence that
7	the applicant meets the requirements set forth in section 3385 of this title
8	chapter.
9	* * * Naturopathic Physicians * * *
10	Sec. 20. 26 V.S.A. § 4126 is amended to read:
11	§ 4126. ADVISOR APPOINTEES
12	* * *
13	(d) Notwithstanding 3 V.S.A. § 129(j), when an advisor appointee is unable
14	to serve as an administrative law officer by reason of disqualification or
15	necessary absence, the Secretary of State may appoint a suitable person to
16	serve as the administrative law officer in lieu of the advisor appointee.
17	[Repealed.]

1	* * * Midwives * * *
2	Sec. 21. 26 V.S.A. chapter 85 is amended to read:
3	CHAPTER 85. MIDWIVES
4	§ 4181. DEFINITIONS
5	The definitions contained in this section shall apply throughout this chapte
6	unless the context clearly requires otherwise:
7	* * *
8	(6) "VMA" means the Vermont Midwives Alliance.
9	* * *
10	§ 4185. DIRECTOR; DUTIES
11	* * *
12	(b)(1) The Director shall adopt general rules necessary to perform his or
13	her duties under this chapter, maintain and make available a list of approved
14	programs for continuing education, and, by January 1, 2001, in consultation
15	with the Commissioner of Health, the Vermont Medical Society, and the
16	Vermont chapter of the American College of Nurse-Midwives, adopt specific
17	rules defining the scope and practice standards, including risk-assessment
18	criteria, based at a minimum, on the practice standards of the Vermont
19	Midwives Alliance (VMA) and the Midwives Alliance of North America
20	(MANA), and defining a protocol and formulary for drug use by licensed
21	midwives, including anti-hemorrhagic drugs and oxygen.

1	(2)(A) Once initially established by rule, the formulary for medication
2	use by licensed midwives, including anti-hemorrhagic agents and oxygen, shall
3	be updated by the Director as necessary, subject to the approval of the
4	Commissioner of Health and notwithstanding the provisions of 3 V.S.A.
5	chapter 25.
6	(B) The Director shall update the protocol and formulary, in
7	consultation with the Commissioner of Health or his or her designee, the
8	Vermont Midwives Association, the Vermont Medical Society, and the
9	Vermont chapter of the American College of Nurse-Midwives to ensure
10	licensed midwives have available those medications deemed necessary to
11	maintain best practice standards and deemed necessary for licensed midwives
12	to provide prenatal and postpartum care consistent with accepted and
13	prevailing standards of care for mothers and their babies.
14	* * *
15	Sec. 22. MIDWIVES, DEPARTMENT OF HEALTH; REPEAL OF DATA
16	SUBMISSION AND DATA ACCESS REQUIREMENTS
17	2011 Acts and Resolves No. 35, Secs. 7 (requiring midwives and APRN
18	certified nurse midwives to submit data on home births) and 8(a) (requiring the
19	Department of Health to access midwife data) are repealed.

1	* * * Electrologists * * *
2	Sec. 23. 26 V.S.A. § 4404 is amended to read:
3	§ 4404. DIRECTOR; DUTIES
4	* * *
5	(b) The Director may inspect electrology offices used for the practice of
6	electrology. No \underline{A} fee shall \underline{not} be charged for $\underline{initial}$ inspections under this
7	subsection; however, if the Director determines that it is necessary to inspect
8	the same premises under the same ownership more than once in any two year
9	period, a reinspection fee may be charged, as provided in section 4410 of this
10	title. The Director may waive all or a part of the reinspection fee in
11	accordance with criteria established by rule.
12	* * *
13	* * * Respiratory Care * * *
14	Sec. 24. 26 V.S.A. § 4712 is amended to read:
15	§ 4712. EXEMPTIONS FROM LICENSURE
16	(a) No \underline{A} person shall <u>not</u> practice respiratory care or represent himself or
17	herself to be a respiratory care practitioner unless he or she is licensed under
18	this chapter, except that this chapter shall not prohibit:
19	(1) A person matriculated in an education program approved by the
20	board Director who is pursuing a degree in respiratory care or respiratory
21	therapy from satisfying supervised clinical education requirements related to

1	the person's respiratory care education while under direct supervision of a
2	respiratory care practitioner or physician.
3	* * *
4	* * * Motor Vehicle Racing * * *
5	Sec. 25. 26 V.S.A. § 4801 is amended to read:
6	§ 4801. DEFINITIONS
7	As used in this chapter:
8	* * *
9	(8) "Regulation," unless otherwise specified, means a regulation or rule
10	or amendment, revision, or repeal of a regulation or rule adopted by the
11	commission Director.
12	* * *
13	* * * Pollution Abatement Facility Operators * * *
14	Sec. 26. 26 V.S.A. § 5121 is amended to read:
15	§ 5121. ELIGIBILITY FOR LICENSURE
16	(a) To be eligible for licensure as a pollution abatement facility operator, an
17	applicant shall be at least 18 years of age; be able to read and write the English
18	language; hold a high school diploma, General Equivalency Diploma (GED),
19	or equivalent; and demonstrate such specific education, training, experience,
20	and examination performance as the Director may by rule require to hold the
21	class of license sought.

1	* * *
2	* * * Notaries Public * * *
3	Sec. 27. 24 V.S.A. § 183 is amended to read:
4	§ 183. CERTIFICATE OF APPOINTMENT OF NOTARY PUBLIC
5	Immediately after the appointment of a notary public, the county clerk shall
6	send to the Secretary of State a certificate of such appointment, on blanks
7	furnished by the Secretary, containing the name, signature, and legal residence
8	of the appointee, and the term of office of each notary public. The Secretary
9	shall cause such certificates to be bound in suitable volumes and to be indexed.
10	Upon request, the Secretary may certify the appointment, qualification, and
11	signature of a notary public on tender of his or her legal fees. [Repealed.]
12	* * * Massage Therapists, Bodyworkers, and Touch Professionals * * *
13	Sec. 28. 3 V.S.A. § 122 is amended to read:
14	§ 122. OFFICE OF PROFESSIONAL REGULATION
15	The Office of Professional Regulation is created within the Office of the
16	Secretary of State. The Office shall have a director who shall be appointed by
17	the Secretary of State and shall be an exempt employee. The following boards
18	or professions are attached to the Office of Professional Regulation:
19	* * *
20	(49) Massage Therapists, Bodyworkers, and Touch Professionals

1	Sec. 29. 26 V.S.A. chapter 105 is added to read:
2	CHAPTER 105. MASSAGE THERAPISTS, BODYWORKERS, AND
3	TOUCH PROFESSIONALS
4	Subchapter 1. General Provisions
5	§ 5401. DEFINITIONS
6	As used in this chapter:
7	(1) "Director" means the Director of the Office of Professional
8	Regulation.
9	(2)(A) "Establishment" means any place of business that:
10	(i) offers the practice of massage or the practice of bodywork or
11	where the practice of massage or the practice bodywork is conducted on the
12	premises of the business; or
13	(ii) represents itself to the public by any title or description of
14	services incorporating the words "touch professional," "bodywork,"
15	"massage," "massage therapy," "massage therapist," "massage practitioner,"
16	"massagist," "masseur," "masseuse," "energy work," or other words identified
17	by the Director in rules.
18	(B) A "place of business" includes any office, clinic, facility, salon,
19	spa, or other location not otherwise exempted under section 5404 of this
20	chapter where a person or persons engage in the practice of massage or the
21	practice of bodywork.

1	(3) "Practice of massage" and "practice of bodywork" mean offering or
2	engaging in massage or bodywork in exchange for consideration.
3	(4)(A) "Massage" and "Bodywork" mean systems of structured touch
4	that are:
5	(i)(I) applied to the superficial, soft or deep tissue, muscle, or
6	connective tissue of another person by manual means, including friction,
7	gliding, rocking, tapping, kneading, and nonspecific stretching; or
8	(II) designed to affect the energy fields of the body for the
9	purpose of promoting and maintaining health and well-being; and
10	(ii) provided to clients in a manner in which the clients remove
11	street clothing and have a reasonable expectation of privacy.
12	(B) Massage and bodywork may include the use of therapies such as
13	heliotherapy or hydrotherapy; the use of moist, hot, and cold external
	nonotherapy of nyurotherapy, the use of moist, not, and cold external
14	applications; and the use of oils or other lubricants.
14 15	
	applications; and the use of oils or other lubricants.
15	applications; and the use of oils or other lubricants. (C) Neither massage nor bodywork include the diagnosis of illness,
15 16	applications; and the use of oils or other lubricants. (C) Neither massage nor bodywork include the diagnosis of illness, disease, impairment, or disability.

1	§ 5402. PROHIBITIONS
2	(a) An individual shall not engage in or offer the practice of massage or the
3	practice of bodywork unless the individual is registered with the Office.
4	(b) It shall be a violation of this chapter for any individual to engage in the
5	practice of massage or the practice of bodywork, or to offer to engage in the
6	practice of massage or the practice of bodywork, if the individual's registration
7	has been suspended or revoked.
8	(c) An individual shall not use in connection with the individual's name
9	any letters, words, titles, or insignia indicating or implying that the individual
10	is offering or engaging in the practice of massage or the practice of bodywork,
11	including the terms "massage therapist," "bodyworker," or "touch
12	professional," unless the individual holds a registration in accordance with this
13	chapter.
14	§ 5403. UNAUTHORIZED PRACTICE
15	Any individual who engages in the practice of massage or the practice of
16	bodywork without a registration from the Office shall be subject to the
17	penalties provided in 3 V.S.A. § 127 (unauthorized practice).
18	§ 5404. EXEMPTIONS
19	(a) The following shall not require a registration under this chapter:
20	(1) the practice of massage or the practice of bodywork by a student as
21	part of a professional massage or bodywork education program;

1	(2) the practice of massage or the practice of bodywork by an apprentice
2	as part of a massage or bodywork apprenticeship; or
3	(3) the practice of massage or the practice of bodywork provided to
4	clients in a manner in which the clients do not remove street clothing and do
5	not have a reasonable expectation of privacy.
6	(b) The provisions of this chapter requiring individuals to be registered
7	shall not apply to individuals who engage in or offer the practice of massage or
8	the practice of bodywork in the course of their customary duties as physicians,
9	podiatrists, physician assistants, nurses, osteopaths, acupuncturists, athletic
10	trainers, barbers, cosmetologists, estheticians, electrologists, chiropractors,
11	midwives, naturopathic physicians, occupational therapists, physical therapists,
12	or respiratory care practitioners.
13	(c) Nothing in this chapter shall prohibit a massage therapist, bodyworker,
14	or touch professional from engaging in or offering the practice of massage or
15	the practice of bodywork at a location that is not an establishment, so long as
16	prior to engaging in that practice at that location, the registrant and his or her
17	client agree that the location is acceptable.

1	Subchapter 2. Administration
2	§ 5411. DUTIES OF THE DIRECTOR
3	(a) Generally. The Director shall:
4	(1) provide general information to applicants for registration as a
5	massage therapist, bodyworker, or touch professional;
6	(2) receive applications for registration and provide registrations to
7	applicants qualified under this chapter;
8	(3) administer fees as established by law;
9	(4) refer all disciplinary matters to an administrative law officer;
10	(5) explain appeal procedures to applicants and registrants; and
11	(6) explain complaint procedures to the public.
12	(b) Rules.
13	(1) The Director shall adopt rules requiring a massage therapist,
14	bodyworker, or touch professional to disclose to each new client before the
15	first treatment the following information:
16	(A) the professional qualifications and experience of the registrant;
17	(B) actions that constitute unprofessional conduct;
18	(C) the method for filing a complaint against a registrant; and
19	(D) the method for making a consumer inquiry with the Office.

1	(2) The Director shall adopt rules regarding the display of:
2	(A) the registrations of employed or contracted massage therapists,
3	bodyworkers, or touch professionals at an establishment; and
4	(B) information regarding unprofessional conduct and filing
5	complaints with the Office.
6	(3) The rules described in this subsection (b) shall include provisions
7	relating to the manner in which the information disclosed shall be distributed
8	or displayed, and a requirement that a massage therapist, bodyworker, or touch
9	professional and his or her client sign an acknowledgement that the
10	information was disclosed.
11	(4) The Director may adopt other rules as necessary to perform his or
12	her duties under this chapter.
13	§ 5412. ADVISOR APPOINTEES
14	(a) The Secretary of State shall appoint three advisors of suitable
15	qualifications, as described in this section, to advise the Director on matters
16	relating to the practice of massage and the practice of bodywork.
17	(b) The Secretary shall appoint the advisors to serve, at the Secretary's
18	pleasure, for five-year staggered terms. To stagger the advisors' terms, the
19	Secretary may initially appoint two of the advisors for less than a five-year
20	term.

1	(c) Two of the three advisors shall be massage therapists, bodyworkers, or
2	touch professionals registered under this chapter who have been actively
3	engaged in the practice of massage or the practice of bodywork, or both for the
4	three-year period immediately preceding appointment. These two advisors
5	shall maintain their registrations in this State and be actively engaged in the
6	practice of massage or the practice of bodywork, or both during their
7	incumbency.
8	(d) The Director shall seek the advice of the advisors in carrying out the
9	provisions of this chapter.
10	Subchapter 3. Registrations
11	§ 5421. APPLICATION
12	A person who desires to be registered under this chapter shall apply for a
13	registration in the manner specified by the Director, accompanied by payment
14	of the required fee.
15	§ 5422. REGISTRATION BY ENDORSEMENT
16	The Director may issue a registration to an individual under this chapter if
17	the individual holds a license, registration, certification, or other authorization

1	§ 5423. ESTABLISHMENTS; DESIGNEE AND INSPECTION
2	(a) An establishment shall designate a massage therapist, bodyworker, or
3	touch professional to be responsible for ensuring the establishment complies
4	with the requirements of this chapter and the rules adopted by the Director.
5	(b) A person authorized by the Director may enter any establishment for
6	the purpose of inspection when a complaint has been filed with the Office
7	regarding the practice of massage or the practice of bodywork at that
8	establishment. A fee shall not be charged for any inspection under this
9	subsection.
10	§ 5424. REGISTRATION RENEWAL
11	(a) A registration under this chapter shall be renewed every two years by
12	submission of a new, completed application and shall be accompanied by
13	payment of the required fee.
14	(b) A registration that has lapsed shall be renewed upon payment of the
15	biennial renewal fee and the late renewal penalty.
16	<u>§ 5426. FEES</u>
17	Applicants and persons regulated under this chapter shall pay those fees set
18	forth in 3 V.S.A. § 125(b).

1	§ 5427. DISPLAY OF REGISTRATION
2	A massage therapist, bodyworker, or touch professional shall conspicuously
3	display his or her registration in any establishment where the registrant is
4	engaged in the practice of massage or the practice of bodywork.
5	§ 5428. UNPROFESSIONAL CONDUCT
6	Unprofessional conduct means the conduct set forth in 3 V.S.A. § 129a and
7	the following:
8	(1) engaging in activities in violation of 13 V.S.A. § 2605 (voyeurism);
9	(2) engaging in a sexual act with a client;
10	(3) conviction of a crime committed while engaged in the practice of
11	massage or the practice of bodywork;
12	(4) performing massage or bodywork that the massage therapist,
13	bodyworker, or touch professional knows or has reason to know has not been
14	authorized by a client or the client's legal representative; and
15	(5) engaging in conduct of a character likely to deceive, defraud, or
16	harm the public.
17	Sec. 30. TRANSITIONAL PROVISION; ADVISOR APPOINTEES
18	Notwithstanding the provisions of 26 V.S.A. § 5412 in Sec. 29 of this act
19	that require a massage therapist, bodyworker, or touch professional advisor
20	appointee to be registered under 26 V.S.A. chapter 105, the Secretary of State
21	may initially appoint advisor appointees who are not registered under this

1	chapter because the law has yet to take effect, provided those advisor	
2	appointees otherwise meet the requirements of 26 V.S.A. § 5412.	
3	Sec. 31. CREATION OF POSITIONS WITHIN THE OFFICE OF	
4	PROFESSIONAL REGULATION; LICENSING.	
5	(a) There are created within the Secretary of State's Office of Professional	
6	Regulation one new position in the licensing division and one new position in	
7	the enforcement division.	
8	(b) Any funding necessary to support the positions created in subsection (a)	
9	of this section and the implementation of 26 V.S.A. chapter 105 set forth in	
10	Sec. 29 of this act shall be derived from the Office's Professional Regulatory	
11	Fee Fund and not from the General Fund.	
12	Sec. 32. OFFICE OF PROFESSIONAL REGULATION; REGULATORY	
13	REVIEW	
14	On or before November 1, 2023, the Office of Professional Regulation shall	
15	assess the manner in which the public is protected by the registration of	
16	massage therapists, bodyworkers, and touch professionals as set forth in this	
17	act and submit any recommended amendments to the law to the Senate and	
18	House Committees on Government Operations.	

1	* * * Climate Change and State Energy Goals * * *		
2	Sec. 33. SPECIFIED REGULATORY ENTITIES; OFFICE OF		
3	PROFESSIONAL REGULATION; REPORT ON CURRENT AND		
4	RECOMMENDED CONTINUING EDUCATION; CLIMATE		
5	CHANGE AND STATE ENERGY GOALS		
6	(a)(1) On or before November 15, 2020, the regulatory entity for each of		
7	the following professions shall submit to the Director of the Office of		
8	Professional Regulation the information described in subdivision (2) of this		
9	subsection:		
10	(A) architects licensed under 26 V.S.A. chapter 3;		
11	(B) landscape architects licensed under 26 V.S.A. chapter 46;		
12	(C) pollution abatement facility operators licensed under 26 V.S.A.		
13	chapter 99;		
14	(D) potable water supply and wastewater system designers licensed		
15	under 26 V.S.A. chapter 97;		
16	(E) professional engineers licensed under 26 V.S.A. chapter 20;		
17	(F) property inspectors licensed under 26 V.S.A. chapter 19;		
18	(G) real estate appraisers licensed under 26 V.S.A. chapter 69;		
19	(H) real estate brokers and salespersons licensed under 26 V.S.A.		
20	chapter 41;		

1	(I) gas appliance installers, inspectors, and servicers certified under		
2	20 V.S.A. § 2731(c)(4)(C);		
3	(J) oil burning equipment installers, inspectors, and servicers certified		
4	under 20 V.S.A. § 2731(c)(4)(D); and		
5	(K) limited oil burning equipment installers, inspectors, and services		
6	certified under 20 V.S.A. § 2731(c)(4)(F);		
7	(L) boiler inspectors authorized under 20 V.S.A. chapter 173,		
8	subchapter 5;		
9	(M) each type of electrician licensed under 26 V.S.A. chapter 15; and		
10	(N) each type of plumber licensed under 26 V.S.A. chapter 39.		
11	(2) In accordance with subdivision (1) of this subsection, each		
12	regulatory entity shall submit to the Director of the Office the following		
13	information regarding its regulated profession:		
14	(A) any current continuing education relating to climate change or		
15	the State's energy goals or both that a professional is required to obtain in		
16	order to renew his or her authorization to practice the profession, including the		
17	number of hours of that required continuing education and a specific		
18	description of it;		
19	(B) any continuing education relating to climate change or the State's		
20	energy goals or both that is not currently required but that the regulatory entity		

1	recommends be required, including the number of hours recommended for that	
2	continuing education and a specific description of it; and	
3	(C) a description of how the regulatory entity perceives the	
4	profession's role in mitigating the effects of climate change and in furthering	
5	the State's energy goals, and how any current and recommended continuing	
6	education addresses those issues.	
7	(3) "Regulatory entity" has the same meaning as in 26 V.S.A. § 3101a.	
8	(b) On or before January 15, 2021, the Director of the Office of	
9	Professional Regulation shall compile the information submitted to the	
10	Director under subsection (a) of this section and report it, along with any	
11	further recommendations, to the Senate and House Committees on	
12	Government Operations.	
13	* * * Effective Dates * * *	
14	Sec. 34. EFFECTIVE DATES	
15	This act shall take effect on July 1, 2020, except that Secs. 28 and 29	
16	(massage therapists, bodyworkers, and touch professionals) shall take effect on	
17	November 1, 2020.	
18	and that after passage the title of the bill be amended to read: "An act relating	
19	to professional regulation"	

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1	(Committee vote:)	
2		
3		Senator
4		FOR THE COMMITTEE