H.397

Introduced by Representatives Colburn of Burlington, Kornheiser of Brattleboro, and Whitman of Bennington

Referred to Committee on

Date:

Subject: Human services; substance use disorder; syringe service programs; recovery stabilization

Statement of purpose of bill as introduced: This bill proposes to: (1) expand the locations in which an organized community-based needle exchange program can operate; and (2) establish the Recovery Stabilization Study Committee.

An act relating to recovery supports for individuals experiencing substance use disorder

It is hereby enacted by the General Assembly of the State of Vermont:

Sec. 1. FINDINGS

The General Assembly finds that:

(1) according to the Centers for Disease Control and Prevention, “Nearly 30 years of research has shown that comprehensive syringe service programs (SSPs) are safe, effective, and cost-saving, do not increase illegal drug use or crime, and play an important role in reducing the transmission of
viral hepatitis, HIV, and other infections. Research shows that new users of SSPPs are five times more likely to enter drug treatment and about three times more likely to stop using drugs than those who don’t use the programs. SSPPs that provide naloxone also help decrease opioid overdose deaths. SSPPs protect the public and first responders by facilitating the safe disposal of used needles and syringes”;

(2) relapse is a common experience for individuals with substance use disorder, as it is for people with other chronic health conditions such as asthma or hypertension. Forty to 60 percent of people with substance use disorders will experience relapse; and

(3) rates of relapse can be even higher for individuals experiencing opioid use disorder; for example, a 2010 study found that 91 percent of participants experienced a relapse following “residential addiction treatment service for detoxification.”

Sec. 2. 18 V.S.A. § 4475 is amended to read:

§ 4475. DEFINITIONS

(a)(1) The term “drug paraphernalia” means all equipment, products, devices, and materials of any kind that are used, or promoted for use or designed for use, in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing,
injecting, ingesting, inhaling, or otherwise introducing into the human body a
regulated drug in violation of chapter 84 of this title. “Drug paraphernalia”
does not include needles and syringes distributed or possessed as part of an
organized community-based needle exchange program.

(2) “Organized community-based needle exchange program” means a
program approved by the Commissioner of Health under section 4478 of this
title, the purpose of which is to provide access to clean needles and syringes,
and which is operated by an AIDS service organization, a substance abuse
treatment provider, or a licensed health care provider or facility. Such
programs shall be operated in a manner that is consistent with the provisions of
10 V.S.A. chapter 159 (waste management; hazardous waste), and any other
applicable laws.

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Sec. 3. RECOVERY STABILIZATION STUDY COMMITTEE

(a) Creation. There is created the Recovery Stabilization Study
Committee for the purpose of examining the statistically high likelihood of
relapse associated with substance use disorder and to make recommendations
that strengthen recovery stabilization supports across Vermont’s system of
care.

(b) Membership. The Study Committee shall be composed of the
following members:
(1) the Commissioner of Health or designee;
(2) the Commissioner of Corrections or designee;
(3) the Commissioner for Children and Families or designee;
(4) two individuals with lived experience of substance use disorder,
nominated by syringe services programs and appointed by the Commissioner
of Health;
(5) the program directors from the Consortium on Substance Use, the
Howard Center’s Safe Recovery Program, the HIV/HCV Resource Center,
and Vermont CARES, or their designees;
(6) the Executive Director of Vermonters for Criminal Justice Reform
or designee;
(7) two providers of medication-assisted treatment, representing both
the hub and spoke component of Vermont’s treatment system, appointed by
the Commissioner of Health;
(8) a representative, appointed by the Vermont Alliance for Recovery
Residences;
(9) a representative, appointed by Vermont Legal Aid; and
(10) a representative, appointed by Disability Rights Vermont.

(c) Powers and duties. The Study Committee shall:
(1) examine the statistically high likelihood of relapse associated with
substance use disorder:
(2) study restorative, nonpunitive models used successfully in other jurisdictions to address occurrences of relapse; and

(3) make recommendations for stronger recovery stabilization supports in the hub and spoke system, residential treatment settings, Department of Corrections’ policies, Department for Children and Families’ policies, housing assistance programs, and other social services.

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

(e) Report. On or before January 1, 2022, the Study Committee shall submit a written report to the House Committee on Human Services and to the Senate Committee on Health and Welfare with its findings and any recommendations for legislative action.

(f) Meetings.

(1) The Commissioner of Health or designee shall call the first meeting of the Study Committee to occur on or before September 1, 2021.

(2) The Committee shall select a chair from among its members at the first meeting.

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

(4) The Study Committee shall cease to exist on January 1, 2022.
(g) Compensation and reimbursement. Members of the Study Committee shall be entitled to per diem compensation and reimbursement of expenses as permitted under 32 V.S.A. § 1010 for not more than 6 meetings.

(h) Appropriation. The sum of $4,545.00 is appropriated to the Study Committee from the General Fund in fiscal year 2022 for per diem compensation and reimbursement of expenses for members of the Study Committee.

Sec. 4. EFFECTIVE DATE

This act shall take effect on July 1, 2021.