

H.289 – An act relating to professions and occupations regulated by the Office of Professional Regulation

Summary of the Senate Proposal of Amendment

1. Sec. 1 – 3 V.S.A. § 122

Senate proposal: revises this statutory provision to change the Director of OPR position from an exempt position to a classified position

House version: only made changes to the list of professions in 3 V.S.A. § 122 and did not address the Director’s position

2. Adds new Secs. 15 – 17 (mixed martial arts and boxing)

Senate proposal:

Sec. 15 - creates a new chapter in Title 26 (professions and occupations) for the regulation of Boxing (subchapter 1) and Mixed Martial Arts (subchapter 2) and outlines extensive regulations for MMA events and licensure for participants, contestants and promoters in subchapter 2.

Sec. 15a – removes the references to MMA in the definitions section of the Boxing subchapter for consistency with the provisions of the MMA subchapter.

Sec. 16 – redesignates the Boxing chapter provisions in Title 31 into the new Boxing subchapter in Title 26

Sec. 17 – directs legislative counsel to make conforming revisions consistent with this act

House version: [did not contain any sections relating to boxing or mixed martial arts]

3. Adds new Sec. 18 – 3 V.S.A. § 136a

Senate proposal: revises this statutory provision to clarify that the uniform process for endorsement can be made notwithstanding any other statute or rule to the contrary.

House version: [did not address this statutory provision at all]

4. Adds a new Sec. 19 - 2021 Acts and Resolves No. 6 (Session Law)

Senate proposal: Revises the COVID state of emergency bills - Act 90 (2020); Act 140 (2020); and Act 6 (2021) - to allow out of state health care professionals and health care professionals with inactive licenses to practice as part of the staff of an “other health care

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facility as 2 defined in 18 V.S.A. § 9432” so that professionals who do not provide care at a “licensed facility” or federally qualified health center may still provide care during the COVID state of emergency if they meet all other requirements.

House version: [did not include any sections on the COVID state of emergency bills]

5. Adds a new Sec. 20 - 3 V.S.A. § 129a

Senate proposal: codifies the existing application review and disciplinary process at OPR when an individual discloses a criminal conviction or is convicted of a crime while licensed uses when reviewing criminal history in subdivision (10) of 3 V.S.A. § 129a

House version: did not address subdivision (10) of 3 V.S.A. § 129a

6. Adds a new effective date section

Senate proposal: has some sections effective on passage, others effective on July 1, 2021

House version: had all sections effective on July 1, 2021