
This act summary is provided for the convenience of the public and members of the General Assembly. It is intended to provide a general summary of the act and may not be exhaustive. It has been prepared by the staff of the Office of Legislative Counsel without input from members of the General Assembly. It is not intended to aid in the interpretation of legislation or to serve as a source of legislative intent.

Act No. 115 (S.189). An act relating to mental health response service guidelines and the safety of social service and home health providers

Subjects: Health; mental health; emergency response; protocol

Sec. 1 directs the Department of Mental Health to develop guidelines for use by municipalities recommending the best practices for de-escalation and mental health response services, including crisis response services. It provides a list of entities with which the Department must consult in developing the required guidelines.

Sec. 2 requires the Agency of Human Services, in collaboration with the Vermont chapter of the National Association of Social Workers, to convene one or more meetings related to social service provider safety with community-based social service organizations and other stakeholders. The Agency shall present any findings and recommendations resulting from the meeting or meetings to the General Assembly on or before January 31, 2025.

Sec. 3 adds 33 V.S.A. § 6309, which authorizes a home health agency that previously discharged an individual to protect staff safety to deny a subsequent admission or to decline to send an employee on a visit if the individual who exhibited the behavior may be present at the home, where the behavior or conditions causing the discharge cannot be reasonably mitigated or eliminated. It further requires a home health agency to provide notice of any denial of admission made in accordance with the section, which shall include the reason for the denial and complaint instructions.

Sec. 4 requires the Department of Disabilities, Aging, and Independent Living, in consultation with home health agencies, to provide an update to the General Assembly by February 15, 2025 regarding the implementation of 33 V.S.A. § 6309, including the number of safety discharges made by home health agencies during the previous year and the number of individuals denied subsequent admission to or services from a home health agency due to a previous safety discharge.

Effective Date: July 1, 2024