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H.696

Introduced by Representative Brumsted of Shelburne

Referred to Committee on

Date:

Subject: Human services; Department for Children and Families; Critical
Incident Review Team

Statement of purpose of bill as introduced: This bill proposes to establish the
Critical Incident Review Team within the Department for Children and
Families' Family Services Division.

An act relating to establishing the Critical Incident Review Team

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

Sec. 1. 33 V.S.A. § 106 is added to read:

§ 106. CRITICAL INCIDENT REVIEW TEAM

(a) There is created the Critical Incident Review Team within the
Department for Children and Families' Family Services Division for the
purpose of internally evaluating and improving the services provided by the
Division and child protection system. The Team may:

(1) conduct reviews of critical incidents involving a child fatality, near
fatality, serious bodily injury as defined in 18 V.S.A. § 1912, or an event that

1 is outside the normal course of business and results in a poor outcome for the
2 Division's clients or employees;

3 (2) identify where increased or alternative supports or strategic
4 investments within the Division could improve outcomes;

5 (3) recommend policies, practices, and services that will improve
6 outcomes for children and families and provide support for Division staff;

7 (4) recommend training strategies for the Division that will increase
8 successful client interactions and interventions; and

9 (5) make systemic recommendations based on each review before the
10 Team.

11 (b) The Team shall comprise the Department's Child Safety Manager or
12 designee and any of the following individuals whom the Deputy Commissioner
13 of the Division invites to participate, not to exceed eight individuals:

14 (1) an employee of the Office of the Child, Youth, and Family
15 Advocate;

16 (2) any Department employee impacted by the critical incident under
17 review or who has expertise that may support the findings of the review; and

18 (3) any person under contract or other formal agreement with the
19 Department to provide expertise that may support the review process or
20 findings.

1 (c)(1) The Team shall be selected and led by the Department’s Child Safety
2 Manager or designee.

3 (2) Once the Team has been selected for a particular review, the Team
4 shall meet as may reasonably be necessary to carry out its duties, but not less
5 than once each month until the Team issues its findings and recommendations
6 to the Deputy Commissioner.

7 (d) In any case under review by the Team, upon written request of the
8 Team, an individual who possesses information or records that are necessary
9 and relevant to review an interaction may, as soon as practicable, provide the
10 Team with the information and records. A person who provides information or
11 records upon request of the Team is not criminally or civilly liable for
12 providing information or records in compliance with this section.

13 (e) The proceedings and records of the Team are confidential and are not
14 subject to subpoena, discovery, or introduction into evidence in a civil or
15 criminal action. The Team shall not use the information, records, or data for
16 purposes other than those designated by subsection (a) of this section.

17 (f) Team meetings are confidential and shall be exempt from 1 V.S.A.
18 chapter 5, subchapter 2 (the Vermont Open Meeting Law). Team records are
19 exempt from public inspection and copying under the Public Records Act and
20 shall be kept confidential. The Public Records Act exemptions created in this

1 subsection shall not be subject to the provisions of 1 V.S.A. § 317(e) (repeal of
2 Public Records Act exemptions).

3 Sec. 2. EFFECTIVE DATE

4 This act shall take effect on July 1, 2024.