

1 S.186

2 An act relating to the systemic evaluation of recovery residences and  
3 recovery communities

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

5 Sec. 1. RECOMMENDATION; RECOVERY RESIDENCE

6 CERTIFICATION

7 (a) The Department of Health, in consultation with State agencies and  
8 community partners, shall develop and recommend a certification program for  
9 recovery residences operating in the State that choose to obtain certification.

10 The certification program shall incorporate those elements of the existing  
11 certification program operated by the Vermont Alliance for Recovery  
12 Residences. The recommended certification program shall also:

13 (1) identify an organization to serve as the certifying body for recovery  
14 residences in the State;

15 (2) propose certification fees for recovery residences;

16 (3) establish a grievance and review process for complaints pertaining to  
17 certified recovery residences;

18 (4) identify certification levels, which may include distinct staffing or  
19 administrative requirements, or both, to enable a recovery residence to provide  
20 more intensive or extensive services;

21 (5) identify eligibility requirements for each level of recovery residence  
22 certification, including:

1           (A) staff and administrative requirements for recovery residences,  
2           including staff training and supervision;

3           (B) compliance with industry best practices that support a safe,  
4           healthy, and effective recovery environment; and

5           (C) data collection requirements related to resident outcomes;

6           (6) establish the required policies and procedures regarding the  
7           provision of services by recovery residences, including policies and procedures  
8           related to:

9           (A) resident rights, including the following minimum standards for  
10          residential agreements:

11           (i) contents of initial resident agreements;

12           (ii) resident discharge policies;

13           (iii) length of time a bed shall be held for a resident who  
14          temporarily exits a recovery residence; and

15           (iv) criteria by which a resident can return to the recovery  
16          residence in the event of a temporary removal;

17           (B) resident use of legally prescribed medications; and

18           (C) promoting quality and positive outcomes for residents;

19           (7) recommend an appropriate term for a noncertified recovery  
20          residence; and

1           (8) identify minimum reporting requirements about recovery residences  
2           by the certifying body, including reports on the temporary and permanent  
3           removal of residents, which the certifying body shall aggregate for regular  
4           submission to the Department.

5           (b) In developing the certification program recommendations required  
6           pursuant to this section, the Department shall consider:

7           (1) available funding streams to sustainably maintain and expand  
8           recovery residence services throughout the State;

9           (2) how to address barriers that limit the availability of recovery  
10          residences;

11          (3) recovery residence models used in other states and their applicability  
12          to Vermont; and

13          (4) how to engage noncertified recovery residences in the certification  
14          process.

15          (c) On or before January 15, 2025, the Department shall submit a written  
16          report describing its recommended recovery residence certification program  
17          and containing corresponding draft legislation to the House Committee on  
18          Human Services and to the Senate Committee on Health and Welfare.

19          (d) As used in this section, “recovery residence” means a shared living  
20          residence supporting persons recovering from a substance use disorder that  
21          provides tenants with peer support and assistance accessing support services

1 and community resources available to persons recovering from substance use  
2 disorders.

3 Sec. 2. ASSESSMENT; GROWTH AND EVALUATION OF RECOVERY  
4 RESIDENCES

5 (a) The Department of Health shall complete an assessment of certified and  
6 noncertified recovery residences in the State, which shall:

7 (1) create a comprehensive inventory of all recovery residences in  
8 Vermont, including assessments of proximity to employment, recovery, and  
9 other community resources;

10 (2) assess the current capacity, knowledge, and ability of recovery  
11 residences to inform data collection and improve outcomes for residents;

12 (3) assess recovery residences' potential for future data collection  
13 capacity; and

14 (4) assess the types of data systems currently in use in Vermont's  
15 recovery residences and defining the minimum core components of a data  
16 system.

17 (b) The Department may obtain technical assistance to complete the  
18 assessment required pursuant to subsection (a) of this section.

19 (c) On or before December 15, 2025, the Department shall submit the  
20 results of the assessment required pursuant to this section and any

1 recommendations for legislative action to the House Committee on Human  
2 Services and to the Senate Committee on Health and Welfare.

3 (d) As used in this section, “recovery residence” means a shared living  
4 residence supporting persons recovering from a substance use disorder that  
5 provides tenants with peer support and assistance accessing support services  
6 and community resources available to persons recovering from substance use  
7 disorders.

8 Sec. 3. 9 V.S.A. § 4452 is amended to read:

9 § 4452. EXCLUSIONS

10 (a) Unless created to avoid the application of this chapter, this chapter does  
11 not apply to any of the following:

12 \* \* \*

13 (b)(1) Notwithstanding subsections 4463(b) and 4467(b) and section 4468  
14 of this chapter only, a recovery residence may immediately exit or transfer a  
15 resident if all of the following conditions are met:

16 (A) the recovery residence has developed and adopted a residential  
17 agreement:

18 (i) containing a written exit and transfer policy approved by the  
19 Vermont Alliance for Recovery Residences or another certifying organization  
20 approved by the Department of Health that:

1                   (I) addresses the length of time that a bed will be held in the  
2 event of a temporary removal;

3                   (II) establishes the criteria by which a resident can return to the  
4 recovery residence in the event of a temporary removal; and

5                   (III) ensures a resident's possessions will be held not less than  
6 60 days in the event of permanent removal;

7                   (ii) designating alternative housing arrangements for the resident  
8 in the event of an exit or transfer, including contingency plans when alternative  
9 housing arrangements are not available;

10                  (iii) describing the recovery residence's substance use policy,  
11 which shall exempt the use of a resident's valid prescription medication when  
12 used as prescribed; and

13                  (iv) indicating that by signing a residential agreement, a resident  
14 acknowledges that the recovery residence may cause the resident to be  
15 immediately exited or transferred to alternative housing if the resident violates  
16 the recovery residence's substance use policy or engages in acts of violence  
17 that threaten the health or safety of other residents;

18                  (B) the recovery residence has obtained the resident's written consent  
19 to its residential agreement, reaffirmed after seven days;

1           (C) the resident violated the substance use policy in the residential  
2           agreement or engaged in acts of violence that threatened the health or safety of  
3           other residents; and

4           (D) the recovery residence has provided or arranged for a  
5           stabilization bed or other alternative temporary housing.

6           (2) Relapse of a substance use disorder resulting in exiting a recovery  
7           residence shall not be deemed a cause of the resident’s own homelessness for  
8           purposes of obtaining emergency housing.

9           (3) As used in this subsection, “recovery residence” means a shared  
10          living residence supporting persons recovering from a substance use disorder  
11          that:

12           (A) provides tenants with peer support and assistance accessing  
13           support services and community resources available to persons recovering  
14           from substance use disorders; and

15           (B) is certified by an organization approved by the Department of  
16           Health and that is either a Vermont affiliate of the National Alliance for  
17           Recovery Residences or another approved organization.

18          Sec. 4. REPORT; RECOVERY RESIDENCES’ EXIT AND TRANSFER

19                  DATA

20           (a) On or before January 1, 2025 and 2026, a recovery residence shall  
21           report to the certifying body for the recovery residence any exit or transfer of a

1 resident by the recovery residence in the previous year and the asserted basis  
2 for exiting or transferring the resident.

3 (b) On or before January 15, 2025 and 2026, the certifying body for a  
4 recovery residence shall report to the Department of Health the data received  
5 under subsection (a) of this section.

6 (c) On or before February 1, 2025 and 2026, the Department of Health  
7 shall submit the data received under subsection (b) of this section to the House  
8 Committees on General and Housing and on Human Services and the Senate  
9 Committees on Economic Development, Housing and General Affairs and on  
10 Health and Welfare.

11 (d) The 2025 report shall contain preliminary data from the previous six  
12 months and the 2026 report shall contain data from the preceding year.

13 (e) As used in this section, “recovery residence” means a shared living  
14 residence supporting persons recovering from a substance use disorder that:

15 (1) provides tenants with peer support and assistance accessing support  
16 services and community resources available to persons recovering from  
17 substance use disorders; and

18 (2) is certified by an organization approved by the Department of Health  
19 and that is either a Vermont affiliate of the National Alliance for Recovery  
20 Residences or another approved organization.



1       Sec. 5. SUNSET; RECOVERY RESIDENCES; RESIDENTIAL  
2                    AGREEMENT; REPORTING

3                (a) 9 V.S.A. § 4452(b) is repealed on July 1, 2026.

4                (b) Sec. 4 (report; recovery residences' exit and transfer data) is repealed  
5                on July 1, 2026.

6       Sec. 6. EFFECTIVE DATE

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