

1 H.639

2 Representative Stevens of Waterbury moves that the report of the
3 Committee on General and Housing be amended by adding a reader assistance
4 heading and new sections to be Secs. 8a–d to read as follows:

5 * * * Recovery Residences * * *

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

7 § 4452. EXCLUSIONS

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

10 * * *

11 (b)(1) Notwithstanding sections 4467 and 4468 of this chapter, a recovery
12 residence that has adopted a written exit and transfer policy approved by the
13 Vermont Alliance for Recovery Residences may immediately exit or transfer a
14 resident in accordance with the policy if:

15 (A) the exit or transfer is necessary for the resident’s welfare;

16 (B) the resident’s needs cannot be met at the recovery residence; or

17 (C) the health and safety of other residents or recovery resident

18 employees would be at risk if the resident continues to reside at the recovery

19 residence.

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

4 (A) provides tenants with peer support and assistance accessing
5 support services and community resources available to persons recovering
6 from substance use disorders; and

7 (B) is certified by an organization approved by the Department of
8 Health and that is either a Vermont affiliate of the National Alliance for
9 Recovery Residences or another approved organization or is pending such
10 certification.

11 Sec. 8b. RECOMMENDATION; RECOVERY RESIDENCE

12 CERTIFICATION

13 (a) The Department of Health, in consultation with State agencies and
14 community partners, shall develop and recommend a certification program for
15 recovery residences operating in the State. The certification program shall
16 incorporate those elements of the existing certification program operated by
17 the Vermont Alliance of Recovery Residences. The recommended
18 certification program shall also:

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

21 (2) propose certification fees for recovery residences;

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

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

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

8 (A) staff and administrative requirements for recovery residences,
9 including staff training and supervision;

10 (B) compliance with industry best practices that support a safe,
11 healthy, and effective recovery requirement; and

12 (C) data collection requirements related to resident outcomes; and

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

16 (A) resident rights;

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

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

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

1 (1) available funding streams to sustainably expand recovery residence
2 services throughout the State;

3 (2) how to eliminate barriers that limit the availability of recovery
4 residences; and

5 (3) recovery residence models used in other states and their applicability
6 to Vermont.

7 (c) On or before October 15, 2024, the Department shall submit a written
8 report describing its recommended recovery residence certification program
9 and containing corresponding draft legislation to the House Committee on
10 Human Services and to the Senate Committee on Health and Welfare.

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

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

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

1 Sec. 8c. LEGISLATIVE INTENT; RECOVERY RESIDENCES;

2 LANDLORD-TENANT EXEMPTION

3 It is the intent of the General Assembly upon passage of legislation
4 codifying the recovery residence certification program recommended by the
5 Department of Health:

6 (1) to repeal 9 V.S.A. § 4452(b) (recovery residence exit or transfer
7 exemption from eviction laws); and

8 (2) to add an exemption from the application of 9 V.S.A., chapter 137
9 (residential rental agreements) for occupancy in a recovery residence that has
10 been certified by the Vermont Alliance for Recovery Residences according to
11 the requirements of the certification process recommended by the Department
12 of Health.

13 Sec. 8d. 18 V.S.A. § 4812 is added to read:

14 § 4812. RECOVERY RESIDENCES; EXIT AND TRANSFER REPORTING

15 (a) Annually on or before January 1, a recovery residence shall report to the
16 certifying body for the recovery residence any exit or transfer of a resident by
17 the recovery residence in the previous year and the asserted basis for
18 discharging or transferring the resident.

19 (b) Annually on or before January 15, the certifying body for a recovery
20 residence shall report to the Department of Health the data received under
21 subsection (a).

1 (c) Annually on or before February 1, the Department of Health shall
2 submit the data received under subsection (b) of this section to the House
3 Committees on General and Housing and on Human Services and the Senate
4 Committees on Economic Development, Housing and General Affairs and on
5 Health and Welfare.

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

8 (1) provides tenants with peer support and assistance accessing support
9 services and community resources available to persons recovering from
10 substance use disorders; and

11 (2) is certified by an organization approved by the Department of Health
12 and that is either a Vermont affiliate of the National Alliance for Recovery
13 Residences or another approved organization or is pending such certification.

14 and that after passage the title of the bill be amended to read: “An act
15 relating to flood risk disclosure, accessibility standards for State-funded
16 residential construction, housing accountability, and recovery residence
17 evictions”