

1 S.192

2 Representative Donahue of Northfield moves that the House propose to the
3 Senate that the report of the Committee on Human Services, as amended by the
4 Committee on Health Care, be further amended as follows:

5 First: In Sec. 6, 18 V.S.A. 7256, by inserting a new subdivision (8) after
6 subdivision (7) to read as follows:

7 (8) barriers to discharge from mental health inpatient
8 and secure residential levels of care, including recommendations on how to
9 address those barriers;

10 and by renumbering the remaining subdivisions to be numerically
11 correct.

12 Second: By inserting a Sec. 7a after Sec. 7, 18 V.S.A. § 7257, to read as
13 follows:

14 Sec. 7a. 18 V.S.A. § 7259 is amended to read:
15 § 7259. MENTAL HEALTH CARE OMBUDSMAN

16 * * *

17 (d) The Department of Mental Health shall provide any reportable adverse
18 events reported pursuant to section 7257 of this title and a copy of the
19 certificate of need for all emergency involuntary procedures performed on a
20 person in the custody or temporary custody of the Commissioner to the Office
21 of the Mental Health Care Ombudsman on a monthly basis.

1 Third: In Sec. 8, 18 V.S.A. § 7260, in subsection (b), in subdivision (1), by
2 striking out the word “demonstrate” and inserting lieu thereof “be a nonprofit
3 entity that demonstrates”

4 Fourth: By inserting Secs. 9a and 9b after Sec. 9, 18 V.S.A. § 7503, to read
5 as follows:

6 Sec. 9a. 18 V.S.A. § 7509 is amended to read:

7 § 7509. TREATMENT; RIGHT OF ACCESS

8 (a) Upon admission to ~~the~~ a hospital, secure residential recovery facility, or
9 psychiatric residential treatment facility for youth pursuant to section 7503,
10 7508, 7617, or 7624 of this title, the person shall be treated with dignity and
11 respect and shall be given such medical and psychiatric treatment as is
12 indicated.

13 * * *

14 (c) The person shall be requested to furnish the names of persons ~~he or she~~
15 that the person may want notified of ~~his or her~~ the person’s hospitalization or
16 residence and kept informed of ~~his or her~~ the person’s status. The head of the
17 hospital shall see that such persons are notified of the status of the ~~patient~~
18 person, how ~~he or she~~ the person may be contacted and visited, and how they
19 may obtain information concerning ~~him or her~~ the person.

20 Sec. 9b. 18 V.S.A. § 7511 is amended to read:

21 § 7511. TRANSPORTATION

1 (a) The Commissioner shall ensure that all reasonable and appropriate
2 measures consistent with public safety are made to transport or escort a person
3 subject to this chapter to and from any ~~inpatient setting~~ hospital, secure
4 residential recovery facility, or psychiatric residential treatment facility for
5 youth under the jurisdiction of the Commissioner in any manner that:

6 (1) prevents physical and psychological trauma;

7 (2) respects the privacy of the individual; and

8 (3) represents the least restrictive means necessary for the safety of the
9 patient.

10 * * *

11 Fifth: By inserting a Sec. 15a after Sec. 15, 18 V.S.A. § 7628, to read as
12 follows:

13 Sec. 15a. 18 V.S.A. § 7701 is amended to read:

14 § 7701. NOTICE OF RIGHTS

15 ~~The head of a~~ A hospital, secure residential recovery facility, and
16 psychiatric residential treatment facility for youth shall provide reasonable
17 means and arrangements, including the posting of excerpts from relevant
18 statutes, for informing patients of their right to discharge and other rights and
19 for assisting them in making and presenting requests for discharge or for
20 application to have the patient's status changed from involuntary to voluntary.