

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 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 discharge and transfer policy approved by  
13 the Vermont Alliance for Recovery Residences may immediately discharge or  
14 transfer a resident in accordance with the policy if:

15 (A) the discharge 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.

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

20           LANDLORD-TENANT EXEMPTION

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

4           (1) to repeal 9 V.S.A. § 4452(b) (recovery residence discharge or  
5       transfer exemption from eviction laws); and

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

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

12       § 4812. RECOVERY RESIDENCES; DISCHARGE AND TRANSFER  
13           REPORTING

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

18           (b) Annually on or before February 1, the Department of Health shall  
19       submit the data received under subsection (a) to the House Committees on  
20       General and Housing and on Human Services and the Senate Committees on

1 Economic Development, Housing and General Affairs and on Health and  
2 Welfare.

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

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

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

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