

1 TO THE HOUSE OF REPRESENTATIVES:

2 The Committee on Human Services to which was referred Senate Bill No.
3 186 entitled “An act relating to the systemic evaluation of recovery residences
4 and recovery communities” respectfully reports that it has considered the same
5 and recommends that the House propose to the Senate that the bill be amended
6 by striking out all after the enacting clause and inserting in lieu thereof the
7 following:

8 * * * S.186 as Passed Senate * * *

9 Sec. 1. ASSESSMENT; GROWTH AND EVALUATION OF RECOVERY
10 RESIDENCES

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

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

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

18 (3) assess recovery residences’ potential for future data collection
19 capacity; and

1 (4) assess the types of data systems currently in use in Vermont’s
2 recovery residences and defining the minimum core components of a data
3 system.

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

6 (c) On or before January 15, 2025, the Department shall submit the results
7 of the assessment required pursuant to this section and any recommendations
8 for legislative action to the House Committee on Human Services and to the
9 Senate Committee on Health and Welfare.

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

15 Sec. 2. RECOMMENDATION; RECOVERY RESIDENCE

16 CERTIFICATION

17 (a) The Department of Health, in consultation with State agencies and
18 community partners, shall develop and recommend a certification program for
19 recovery residences operating in the State. The certification program shall
20 incorporate those elements of the existing certification program operated by

1 the Vermont Alliance for Recovery Residences. The recommended
2 certification program shall also:

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

5 (2) propose certification fees for recovery residences;

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

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

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

13 (A) staff and administrative requirements for recovery residences,
14 including staff training and supervision;

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

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

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

21 (A) resident rights, including:

- 1 (i) contents of initial resident agreements;
2 (ii) resident discharge policies; and
3 (iii) length of time a bed shall be held for a resident who
4 temporarily exits a recovery residence;

- 5 (B) resident use of legally prescribed medications; and
6 (C) promoting quality and positive outcomes for residents; and
7 (7) recommend an appropriate term for a noncertified recovery
8 residence.

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

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

13 (2) how to address barriers that limit the availability of recovery
14 residences;

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

17 (4) how to engage noncertified recovery residences in the certification
18 process.

19 (c) On or before January 15, 2025, the Department shall submit a written
20 report describing its recommended recovery residence certification program

1 and containing corresponding draft legislation to the House Committee on
2 Human 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 * * * Excerpts from H.639 * * *

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

10 § 4452. EXCLUSIONS

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

13 * * *

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

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

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

1 (C) the health and safety of other residents or recovery resident
2 employees would be at risk if the resident continues to reside at the recovery
3 residence.

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

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

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

14 Sec. 4. LEGISLATIVE INTENT; RECOVERY RESIDENCES;

15 LANDLORD-TENANT EXEMPTION

16 It is the intent of the General Assembly upon passage of legislation
17 codifying the recovery residence certification program recommended by the
18 Department of Health:

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

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

6 Sec. 5. 18 V.S.A. § 4812 is added to read:

7 § 4812. RECOVERY RESIDENCES; EXIT AND TRANSFER REPORTING

8 (a) Annually on or before January 1, a recovery residence shall report to the
9 certifying body for the recovery residence any exit or transfer of a resident by
10 the recovery residence in the previous year and the asserted basis for exiting or
11 transferring the resident.

12 (b) Annually on or before January 15, the certifying body for a recovery
13 residence shall report to the Department of Health the data received under
14 subsection (a) of this section.

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

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

