

1 TO THE HONORABLE SENATE:

2 The Committee on Health and Welfare to which was referred House Bill  
3 No. 171 entitled “An act relating to adult protective services” respectfully  
4 reports that it has considered the same and recommends that the Senate  
5 propose to the House that the bill be amended as follows:

6 First: In Sec. 1, 33 V.S.A. chapter 69, subchapter 1, in section 6902, in  
7 subdivision (1)(A), by inserting the word or before the word “recklessly” and  
8 by striking out “, or negligently”

9 Second: In Sec. 1, 33 V.S.A. chapter 69, subchapter 1, in section 6902, in  
10 subdivision (21)(A), by inserting the word or before “reckless” and by striking  
11 out “, or negligent”

12 Third: In Sec. 1, 33 V.S.A. chapter 69, subchapter 1, in section 6902, by  
13 striking out subdivision (9) in its entirety and by inserting a new subdivision  
14 (9) to read as follows:

15 (9) “Caregiver” means ~~a person, agency, facility, or other organization with~~  
16 ~~responsibility for providing subsistence or medical or other care to an adult~~  
17 ~~who is an elder or has a disability, who has assumed the responsibility~~  
18 ~~voluntarily, by contract, or by an order of the court; or a person providing care,~~  
19 ~~including medical care, custodial care, personal care, mental health services,~~  
20 ~~rehabilitative services, or any other kind of care provided that is required~~  
21 ~~because of another’s age or disability;~~

1           (A) a worker or employee in a facility or program that provides care  
2           to an adult who is an elder or has a disability and who has assumed the  
3           responsibility voluntarily, by contract, or by an order of the court; or

4           (B) a person with a designated responsibility for providing care to a  
5           person that is required because of the person’s age or disability.

6           Fourth: In Sec. 1, 33 V.S.A. chapter 69, subchapter 1, in section 6902, in  
7           subdivision (34)(B), by inserting before the semicolon the phrase or is  
8           determined to be clinically eligible to receive Long-Term Medicaid waiver  
9           services

10          Fifth: In Sec. 1, 33 V.S.A. chapter 69, subchapter 1, in section 6902, in  
11          subdivision (34)(C), by inserting or before “infirmities of aging” and by  
12          striking out “; or is determined to be clinically eligible to receive Long-Term  
13          Medicaid waiver services”

14          Sixth: In Sec. 1, 33 V.S.A. chapter 69, subchapter 1, in section 6902, in  
15          subdivision (34)(C)(ii), by inserting the phrase the specific report of before  
16          “abuse”

17          Seventh: In Sec. 1, 33 V.S.A. chapter 69, subchapter 1, in section 6911, in  
18          subsection (a), in subdivision (1), in first sentence, after “protections,” by  
19          inserting the following phrase except those provided by the Health Insurance  
20          Portability and Accountability Act of 1996, its corresponding regulations, and  
21          18 V.S.A. § 1881,

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(Committee vote: \_\_\_\_\_)

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Senator \_\_\_\_\_

FOR THE COMMITTEE