

## MEMORANDUM

**TO:** Senator Sears, Chair, Senate Committee on Judiciary

**FROM:** Natalie Weill, Public Health Policy Advisor, Vermont Department of Health

**DATE:** March 9, 2024

**SUBJECT:** H.655 an act relating to qualifying offenses for sealing criminal history records and access to sealed criminal history records; Department of Health Emergency Medical Services Office; licensing

Senator Sears:

Pursuant to 18 V.S.A. § 906, the Department of Health's Emergency Medical Services Office (Office) is responsible for licensing emergency medical service personnel. It is critical that the Office have access to applicants' full criminal history to make fully informed eligibility licensing decisions. The bill currently includes provisions that allows the Office of Professional Regulation and the Board of Medical Practice to access these records for their licensees after adopting rules. The Department respectfully requests the same access be provided to the EMS Office for licensing of EMS personnel.

Accordingly, the Department proposes the following amendments to Sec. 1 of the bill as passed by the House:

*"Sec. 1. 13 V.S.A. § 7607 is amended to read:*

*§ 7607. Effect of Sealing*

*(c)(13) Upon adopting rules outlining a process for handling sealed records and maintaining confidentiality and the standards for determining when information contained in a sealed record may be used for the purpose of licensing decisions, the Vermont Department of Health's Emergency Medical Services Office may inspect and receive copies of sealed criminal history records. Access to such records shall not be permitted if the Legislative Committee on Administrative Rules objects to some or all of the rules pursuant to 3 V.S.A. § 842(b) and files the objection or objections in certified form pursuant to 3 V.S.A. § 842(c). Sealed records shall remain confidential and not be available for inspection and copying unless and until the Office relies on such records in a public licensing decision.*"

Thank you for your consideration of this request. Please do not hesitate to reach out with any questions.

Sincerely,

Natalie Weill  
Public Health Policy Advisor  
Vermont Department of Health

