

1 H.582

2 An act relating to adult protective services

3 It is hereby enacted by the General Assembly of the State of Vermont:

4 Sec. 1. 33 V.S.A. § 6902 is amended to read:

5 § 6902. DEFINITIONS

6 As used in this chapter:

7 \* \* \*

8 (21)(A) “Neglect” means ~~purposeful, knowing, or reckless failure or~~  
9 ~~omission by a caregiver that has resulted in, or could be expected to result in,~~  
10 ~~physical or psychological harm, including a failure or omission to:~~

11 (i) ~~provide care or arrange for goods or services necessary to~~  
12 ~~maintain the health or safety of a vulnerable adult, including food, clothing,~~  
13 ~~medicine, shelter, supervision, and medical services, unless the caregiver is~~  
14 ~~acting pursuant to the wishes of the vulnerable adult or the vulnerable adult’s~~  
15 ~~representative, or an advance directive, as defined in 18 V.S.A. § 9701;~~

16 (ii) ~~make a reasonable effort, in accordance with the authority~~  
17 ~~granted the caregiver, to protect a vulnerable adult from abuse, neglect, or~~  
18 ~~exploitation by others;~~

19 (iii) ~~carry out a plan of care for a vulnerable adult unless the~~  
20 ~~caregiver is acting pursuant to the wishes of the vulnerable adult or the~~  
21 ~~vulnerable adult’s representative, or an advance directive, as defined in 18~~  
22 ~~V.S.A. § 9701; or~~





1 the vulnerable adult's disability; the nature and extent of the vulnerable adult's  
2 abuse, neglect, or exploitation together with any evidence of previous abuse,  
3 neglect, or exploitation of the vulnerable adult; and any other information that  
4 the reporter believes might be helpful in establishing the cause of any injuries  
5 or reasons for the abuse, neglect, or exploitation as well as in protecting the  
6 vulnerable adult. If the reporter is in possession of documentation that  
7 establishes the alleged victim's conditions, needs, or services, that shall be  
8 included in the report. Any evidence of maltreatment shall also be cited in the  
9 report. If a report of abuse, neglect, or exploitation involves the acts or  
10 omissions of the Commissioner or employees of the Department, then such  
11 reports shall be directed to the Secretary of Human Services, who shall cause  
12 the report to be investigated by appropriate staff other than staff of the  
13 Department.

14 (b)(1) If neglect is alleged to have been perpetrated within a facility  
15 licensed by the State or a program licensed by the State, or to have been  
16 perpetrated by an individual licensed by the State, the report shall be made to  
17 the relevant licensing entity or entities as follows:

18 (A) Neglect within a licensed facility or program shall be reported to  
19 the applicable State licensing unit in accordance with State and federal  
20 licensing rules and regulations.



1 hearing under 3 V.S.A. § 3091 within 60 calendar days after the date of the  
2 alleged perpetrator's request for a fair hearing. ~~Unless the Commissioner~~  
3 ~~agrees otherwise, the hearing shall be given priority by the Human Services~~  
4 ~~Board, and an expedited hearing shall be provided, not later than 30 calendar~~  
5 ~~days after the date of the notice advising that a report has been substantiated,~~  
6 ~~and a decision shall be issued within seven calendar days after the hearing.~~  
7 Priority shall be given to appeals in which there are immediate employment  
8 consequences for the person appealing the decision. The hearing officer's  
9 written findings and recommendation shall be issued within 15 calendar days  
10 after the hearing.

11 \* \* \*

12 Sec. 4. EFFECTIVE DATE

13 This act shall take effect on October 1, 2026.