

1 H.836  
2 Introduced by Representative Berbeco of Winooski  
3 Referred to Committee on  
4 Date:  
5 Subject: Health; hospitals; board meetings  
6 Statement of purpose of bill as introduced: This bill proposes to require  
7 hospital board meetings to be open to the public.

8 An act relating to publicly accessible meetings of hospital boards  
9 It is hereby enacted by the General Assembly of the State of Vermont:  
10 Sec. 1. 18 V.S.A. § 1911c is added to read:  
11 **§ 1911c. HOSPITAL BOARD MEETINGS**  
12 (a) Application. This section shall apply to all regular, special, and  
13 emergency meetings of a hospital board, whether in person or by electronic  
14 means, as well as to any other assemblage of members of the hospital board at  
15 which binding action is taken on behalf of the hospital or an affiliated entity.  
16 As used in this section, “hospital board” means a hospital’s board of directors,  
17 board of trustees, or other governing body.  
18 (b) Public meetings; exceptions. Meetings of a hospital board shall be  
19 open to the public and shall provide members of the public an opportunity to

1 comment, except that a hospital board may meet in executive session to  
2 consider business related to the following:

3       (1) contracts or contract negotiations for which premature general public  
4 knowledge would reasonably place the hospital, an affiliated entity, or another  
5 person at a substantial disadvantage;

6       (2) pending or probable prosecution or civil litigation to which the  
7 hospital or an affiliated entity is or is likely to be a party;

8       (3) personnel matters;

9       (4) information that reasonably could be considered a trade secret, as  
10 defined in 1 V.S.A. § 317(c)(9);

11       (5) confidential attorney-client communications;

12       (6) information prohibited from public disclosure by the terms of an  
13 enforceable data use contract to which the hospital is bound; and

14       (7) information prohibited from public disclosure by the Health  
15 Insurance Portability and Accountability Act of 1996, Pub. L. No. 104-191, or  
16 by any other State or federal law.

17       (c) Notice. A hospital board shall make its meeting schedule available to  
18 the public by posting on the hospital's website notice of the time and place of  
19 each meeting at least one week before the meeting and the agenda for each  
20 meeting at least 48 hours before the meeting, except that if an unforeseen  
21 occurrence or condition requires the board's immediate attention at an

1        emergency meeting, the board shall provide public notice as soon as possible  
2        before the meeting occurs.

3        (d) Minutes and recordings.

4        (1) All portions of each hospital board meeting that are open to the  
5        public shall either be recorded or minutes shall be taken, and the recordings  
6        and minutes shall be posted on the hospital's website within five business days  
7        following the meeting.

8        (2) Meeting minutes shall include the names of all hospital board  
9        members present at the meeting in person or by electronic means, the names of  
10        any other individuals who participated in the meeting, a summary of any public  
11        comments provided at the meeting, and all actions taken or considered by the  
12        hospital board during the meeting.

13        (e) Participation by electronic or other means.

14        (1) One or more members of a hospital board may attend a regular,  
15        special, or emergency meeting by electronic or other means without being  
16        physically present at a designated meeting location.

17        (2) Any member of a hospital board attending a meeting by electronic or  
18        other means may participate fully in discussing the board's business and voting  
19        to take an action, but any vote of the board that is not unanimous shall be taken  
20        by roll call.

1                   (3) Each member of a hospital board who attends a meeting without  
2                   being physically present at a designated meeting location shall:  
3                    (A) identify themselves when the meeting is convened; and  
4                    (B) be able to hear the conduct of the meeting and be heard  
5                   throughout the meeting.

6                   (4) If a quorum or more of the members of a hospital board attend a  
7                   meeting without being physically present at a designated meeting location, the  
8                   agenda required to be posted pursuant to subsection (c) of this section shall  
9                   designate at least one physical location where a member of the public can  
10                  attend and participate in the meeting. At least one member of the hospital  
11                  board or one or more members of the hospital's staff shall be present at each  
12                  designated meeting location.

13                  Sec. 2. EFFECTIVE DATE

14                  This act shall take effect on July 1, 2026.