

House Proposal of Amendment

S. 36

An act relating to the Medicaid payment model for residential substance use disorder treatment services

The House proposes to the Senate to amend the bill as follows:

First: In Sec. 4, repeal, by striking out “public inebriates” and inserting in lieu thereof “persons who are incapacitated”

Second: By inserting a new Sec. 6 and a new section to be Sec. 7 to read as follows:

Sec. 6. REPORTS; SERVICES AND PROGRAMMING FOR PERSONS WHO ARE INCAPACITATED

(a)(1) The Departments of Health and of Mental Health’s existing plan to expand services and programming for persons who are incapacitated pursuant to 18 V.S.A. § 4810 shall prioritize Chittenden County.

(2) On or before February 15, 2026, the Departments of Health and of Mental Health shall jointly provide a presentation to the House Committees on Health Care and on Human Services and to the Senate Committee on Health and Welfare describing efforts to expand services and programming for persons who are incapacitated pursuant to subdivision (1) of this subsection.

(b) On or before February 15, 2026, the Department of Corrections shall provide a presentation to the House Committees on Corrections and Institutions, on Health Care, and on Human Services and to the Senate Committees on Institutions and on Health and Welfare describing efforts to reinstate the practice of connecting persons who are in a correctional facility due to incapacitation pursuant to 18 V.S.A. § 4810 with appropriate community-based substance use recovery providers.

Sec. 7. REPORTS; HUMAN SERVICES BOARD PROCEEDINGS

(a) On or before December 15, 2025, the Agency of Human Services, in consultation with the Human Services Board, Office of the Attorney General, each of the Agency’s departments with cases before the Human Services Board, community partners, and individuals with lived experience as appellants before the Board, shall submit a written report to the House Committees on Health Care and on Human Services and to the Senate Committee on Health and Welfare providing the following information and recommendations regarding proceedings before the Board:

(1) a proposal that attorneys representing the Agency or departments participate in training that balances the attorney’s ethical obligation to

zealously represent the attorney's client with the respectful, trauma-informed treatment of appellants;

(2) an analysis of varying appeals processes specific to the Agency and each department with cases before the Board, including proposals and any legislative action necessary to improve consistency;

(3) a proposal to identify and collect currently unavailable data in a manner that ensures uniform data collection across the Agency and departments with cases before the Board, including data regarding cases resolved prior to reaching the stage of hearing officer or full Board involvement;

(4) recommendations for resolving potential appeals prior to reaching the Board; and

(5) any other recommendation requiring legislative action.

(b) On or before December 15, 2025, the Human Services Board, in collaboration with the Agency of Human Services, each of the Agency's departments with cases before the Board, the Office of the Attorney General, community partners, and individuals with lived experience as appellants before the Board, shall submit a written report to the House Committees on Health Care and on Human Services and to the Senate Committee on Health and Welfare providing the following information and recommendations regarding proceedings before the Board:

(1) a proposal to improve understanding of Board processes and accessibility to appellants, including the use of media and graphics to explain what the Board is and how it operates;

(2) a proposal for the exchange of periodic feedback as part of a continual quality improvement process between the Board, Agency, departments appearing before the Board, Office of the Attorney General, Vermont Legal Aid, and other relevant stakeholders;

(3) an analysis of how to enable an appellant to present a personal narrative without jeopardizing the appellant's case or disrupting the legal obligations of the Board and the attorneys representing the Agency or departments appearing before the Board; and

(4) recommendations to improve the reporting and analysis of data to the General Assembly, including information related to appeal requests resolved prior to reaching the stage of hearing officer or full Board involvement.

and by renumbering the remaining section to be numerically correct

and that after passage the title of the bill be amended to read: "An act relating to the delivery and payment of certain services provided through the

Agency of Human Services, services for persons who are incapacitated, and
Human Services Board proceedings”