

Journal of the House

Thursday, January 22, 2026

At three o'clock in the afternoon, the Speaker called the House to order.

Devotional Exercises

Devotional exercises were conducted by Rev. Earl Kooperkamp, Church of the Good Shepherd, Barre City; and St. Mary's Parish, Northfield.

Message from the Senate No. 7

A message was received from the Senate by Ms. Gradel, its Assistant Secretary, as follows:

Madam Speaker:

I am directed to inform the House that:

The Senate has considered House proposal of amendment to Senate bill of the following title:

S. 23. An act relating to the use of synthetic media in elections.

And has concurred therein with a proposal of amendment in the passage of which the concurrence of the House is requested.

The Senate has on its part adopted joint resolutions of the following titles:

J.R.S. 35. Joint resolution providing for a Joint Assembly for the election of an Adjutant and Inspector General, and two legislative Trustees of the Vermont State Colleges Corporation.

J.R.S. 36. Joint resolution establishing a procedure for the conduct of the election of two legislative trustees of the Vermont State Colleges Corporation by plurality vote by the General Assembly in 2026.

In the adoption of which the concurrence of the House is requested.

Rules Suspended, House Bills Introduced

Pending first reading of House bills, on motion of **Rep. McCoy of Poultney**, the rules were suspended and the bills were read the first time by number and referred to committee as follows:

H. 742

By Rep. Dodge of Essex,

House bill, entitled

An act relating to providing legal representation in federal immigration proceedings

To the Committee on Judiciary.

H. 743

By Reps. Satcowitz of Randolph, Cina of Burlington, Eastes of Guilford, Howard of Rutland City, Logan of Burlington, McCann of Montpelier, McGill of Bridport, Morris of Springfield, Pezzo of Colchester, Pouech of Hinesburg, and Waszazak of Barre City,

House bill, entitled

An act relating to increasing the State minimum wage based on the livable wage

To the Committee on General and Housing.

H. 744

By Rep. LaLonde of South Burlington,

House bill, entitled

An act relating to procedures for arrest without a warrant

To the Committee on Judiciary.

H. 745

By Reps. Dodge of Essex, Casey of Montpelier, Arsenault of Williston, Berbeco of Winooski, Bluemle of Burlington, Burrows of West Windsor, Campbell of St. Johnsbury, Cina of Burlington, Cole of Hartford, Greer of Bennington, Headrick of Burlington, Holcombe of Norwich, James of Manchester, McGill of Bridport, Minier of South Burlington, Mrowicki of Putney, Olson of Starksboro, Pezzo of Colchester, Pouech of Hinesburg, Rachelson of Burlington, Satcowitz of Randolph, Tomlinson of Winooski, Torre of Moretown, and Waszazak of Barre City,

House bill, entitled

An act relating to immigration enforcement

To the Committee on Judiciary.

H. 746

By Reps. Olson of Starksboro, Burke of Brattleboro, Carris Duncan of Whitingham, Charlton of Chester, Duke of Burlington, Harple of Glover, Lalley of Shelburne, and Priestley of Bradford,

House bill, entitled

An act relating to potable water supply and wastewater system permitting

To the Committee on Environment.

H. 747

By Reps. Dodge of Essex, Kleppner of Burlington, Arsenault of Williston, Austin of Colchester, Bartholomew of Hartland, Berbeco of Winooski, Bluemle of Burlington, Bos-Lun of Westminster, Brown of Richmond, Burkhardt of South Burlington, Burrows of West Windsor, Carris Duncan of Whitingham, Casey of Montpelier, Chapin of East Montpelier, Cina of Burlington, Cole of Hartford, Duke of Burlington, Durfee of Shaftsbury, Eastes of Guilford, Greer of Bennington, Harple of Glover, Headrick of Burlington, Holcombe of Norwich, Hooper of Burlington, James of Manchester, Krasnow of South Burlington, Lalley of Shelburne, McCann of Montpelier, McGill of Bridport, Minier of South Burlington, Morrow of Weston, Mrowicki of Putney, Olson of Starksboro, Pezzo of Colchester, Pouech of Hinesburg, Priestley of Bradford, Rachelson of Burlington, Satcowitz of Randolph, Sibia of Dover, Tomlinson of Winooski, Torre of Moretown, Waszazak of Barre City, and White of Bethel,

House bill, entitled

An act relating to standards for law enforcement identification

To the Committee on Judiciary.

H. 748

By Reps. Duke of Burlington and Holcombe of Norwich,

House bill, entitled

An act relating to regional plan future land use maps

To the Committee on Environment.

H. 749

By Reps. Burt of Cabot, Bosch of Clarendon, Coffin of Cavendish, Goslant of Northfield, Hango of Berkshire, Higley of Lowell, Luneau of St. Albans City, Morgan, M. of Milton, Nelson of Derby, North of Ferrisburgh, Pritchard of Pawlet, Southworth of Walden, Tagliavia of Corinth, and Wells of Brownington,

House bill, entitled

An act relating to land use and conservation

To the Committee on Environment.

H. 750

By Reps. Kimbell of Woodstock, Cole of Hartford, and Marcotte of Coventry,

House bill, entitled

An act relating to school districts pursuing school construction projects during the moratorium on State aid

To the Committee on Education.

H. 751

By Reps. Burt of Cabot, Dobrovich of Williamstown, Labor of Morgan, Lipsky of Stowe, Morrissey of Bennington, Nelson of Derby, O'Brien of Tunbridge, and Yacovone of Morristown,

House bill, entitled

An act relating to telecommunications siting

To the Committee on Energy and Digital Infrastructure.

H. 752

By Reps. Priestley of Bradford and Sibia of Dover,

House bill, entitled

An act relating to the Agency of Digital Services

To the Committee on Energy and Digital Infrastructure.

H. 753

By Reps. Torre of Moretown and Morrow of Weston,

House bill, entitled

An act relating to utility service disconnections and ratepayer protections

To the Committee on Energy and Digital Infrastructure.

H. 754

By Reps. Dobrovich of Williamstown, Bosch of Clarendon, Boutin of Barre City, Burt of Cabot, Coffin of Cavendish, Galfetti of Barre Town, Goslant of Northfield, Luneau of St. Albans City, Maguire of Rutland City, Micklus of Milton, Morgan, M. of Milton, Nielsen of Brandon, Pinsonault of Dorset, Southworth of Walden, Taylor of Milton, and Wells of Brownington,

House bill, entitled

An act relating to repeat violent offenders, assaults against a protected professional, and victim input on plea agreements

To the Committee on Judiciary.

H. 755

By Rep. Rachelson of Burlington,

House bill, entitled

An act relating to false or misleading advertisements

To the Committee on Commerce and Economic Development.

H. 756

By Reps. Dobrovich of Williamstown, Burt of Cabot, Coffin of Cavendish, Galfetti of Barre Town, Goslant of Northfield, Morgan, M. of Milton, and Nielsen of Brandon,

House bill, entitled

An act relating to termination of residential rental agreements based on criminal activity and increased penalties for crimes within a dwelling

To the Committee on General and Housing.

H. 757

By Reps. Pezzo of Colchester and Mihaly of Calais,

House bill, entitled

An act relating to manufactured homes and limited equity cooperatives

To the Committee on General and Housing.

H. 758

By Rep. Satcowitz of Randolph,

House bill, entitled

An act relating to banning the use of rodenticides

To the Committee on Agriculture, Food Resiliency, and Forestry.

H. 759

By Reps. Dobrovich of Williamstown, Bosch of Clarendon, Burt of Cabot, Coffin of Cavendish, Galfetti of Barre Town, Goslant of Northfield, and Southworth of Walden,

House bill, entitled

An act relating to a flat income tax

To the Committee on Ways and Means.

Bill Referred to Committee on Appropriations**H. 648**

House bill, entitled

An act relating to banking, insurance, and securities

Appearing on the Notice Calendar, and pursuant to House Rule 35(a), carrying an appropriation, was referred to the Committee on Appropriations.

Joint Senate Resolution Placed on Calendar**J.R.S. 35**

By Senator Baruth,

J.R.S. 35. Joint resolution providing for a Joint Assembly for the election of an Adjutant and Inspector General, and two legislative Trustees of the Vermont State Colleges Corporation.

Resolved by the Senate and House of Representatives:

That the two Houses meet in Joint Assembly on Thursday, February 19, 2026 at ten o'clock and thirty minutes in the forenoon to elect an Adjutant and Inspector General to serve a two-year term commencing on March 1, 2026 and expiring on March 1, 2028, and two legislative Trustees of the Vermont State Colleges Corporation to serve four-year terms commencing on March 1, 2026 and expiring on March 1, 2030. In case such election shall not be made on that day, the two Houses shall meet in Joint Assembly at ten o'clock and thirty

minutes in the forenoon, on each succeeding day, Saturdays and Sundays excepted, and proceed in such election, until said vacancy is filled.

Was read by title and placed on the Action Calendar on the next legislative day pursuant to House Rule 52.

Joint Senate Resolution Placed on Calendar

J.R.S. 36

By Senator Baruth,

J.R.S. 36. Joint resolution establishing a procedure for the conduct of the election of two legislative trustees of the Vermont State Colleges Corporation by plurality vote by the General Assembly in 2026.

Whereas, in recent years it has become increasingly necessary to shorten the length of time spent by the General Assembly in joint session for the election of various officials, and

Whereas, if elections for multiple vacancies were to be decided by a plurality vote, then a great savings of time can be effectuated, *now therefore be it*

Resolved by the Senate and House of Representatives:

That, notwithstanding the current provisions of Joint Rule 10, and for this election only, the election of two legislative trustees of the Vermont State Colleges Corporation at a Joint Assembly to be held on February 19, 2026, shall be governed by the following procedure:

(1) All candidates for the office of Trustee shall be voted upon and decided on the same ballot; members may vote for any number of candidates up to and including the maximum number of vacancies to be filled, which in this case shall be two.

(2) The two candidates receiving the largest number of votes shall be declared elected to fill the two vacancies.

(3) In the event that the first balloting for the Trustee vacancies results in a tie vote for a vacant position, then voting shall continue on successive ballots for the unfilled position until the vacancy has been filled by election declared of the candidate receiving the larger number of votes.

Was read by title and placed on the Action Calendar on the next legislative day pursuant to House Rule 52.

**Second Reading; Amendment Offered and Withdrawn; Bill Amended;
Third Reading Ordered**

H. 545

Rep. Eastes of Guilford, for the Committee on Human Services, to which had been referred House bill, entitled

An act relating to issuing immunization recommendations

Reported in favor of its passage when amended by striking out all after the enacting clause and inserting in lieu thereof the following:

* * * Effective on Passage until July 1, 2031: Commissioner of Health's
Immunization Recommendations * * *

Sec. 1. 18 V.S.A. § 1130 is amended to read:

§ 1130. IMMUNIZATION FUNDING

(a) As used in this section:

* * *

(4) "~~Immunizations Recommended immunization~~" means ~~vaccines a vaccine or other immunizing agent that provides protection against a particular disease or pathogen and the application of the vaccines immunization as recommended by the practice guidelines for children and adults established by the Advisory Committee on Immunization Practices (ACIP) to the Centers for Disease Control and Prevention (CDC)~~ Commissioner pursuant to section 1130a of this title.

* * *

(b)(1) The Department ~~of Health~~ shall administer an immunization program with the goals of ensuring universal access to ~~vaccines recommended immunizations for all Vermonters~~ recommended immunizations at no charge to the individual and reducing the cost at which the State may purchase ~~vaccines recommended immunizations~~. The Department shall purchase, provide for the distribution of, and monitor the use of ~~vaccines recommended immunizations~~ as provided for in this subsection and subsection (c) of this section. The cost of the ~~vaccines recommended immunizations~~ and an administrative surcharge shall be reimbursed by health insurers as provided for in subsections (e) and (f) of this section.

(2) The Department shall solicit, facilitate, and supervise the participation of health care professionals, health care facilities, and health insurers in the immunization program in order to accomplish the State's goal

of universal access to recommended immunizations at the lowest practicable cost to individuals, insurers, and State health care programs.

(3) The Department shall gather and analyze data regarding the immunization program for the purpose of ensuring its quality and maximizing protection of Vermonters against diseases preventable by ~~vaccination~~ immunization.

(c) The Department shall determine which recommended immunizations shall be purchased under the program. The immunization program shall purchase ~~vaccines~~ recommended immunizations consistent with the goals of the program from the federal Centers for Disease Control and Prevention or another vendor at the lowest available cost. ~~The Department shall determine annually which vaccines for adults shall be purchased under the program.~~

(d) The immunization program shall provide for distribution of the ~~vaccines recommended immunizations~~ to health care professionals and health care facilities for administration to patients.

(e) Health insurers shall remit to the Department the cost of ~~vaccines recommended immunizations~~, as established by the Commissioner of Health based on the recommendation of the Immunization Funding Advisory Committee established in subsection (g) of this section.

(f) The Department shall charge each health insurer a surcharge for the costs and administration of the immunization program. The surcharge shall be deposited into an existing special fund and used solely for the purpose of administering the program.

(g)(1) The Immunization Funding Advisory Committee is established to provide the Commissioner of Health with an annual per-member per-month cost for ~~vaccines recommended immunizations~~ for the pediatric population, an annual per-member per-month cost for ~~vaccines recommended immunizations~~ for the adult population, and a recommendation for the amount of the yearly ~~vaccine immunization~~ assessment. The Committee shall comprise the following nine members:

(A) the Executive Officer of the Board of Pharmacy or designee;

(B) the Executive Director of the Green Mountain Care Board or designee;

(C) a representative, appointed by the Director of the Vermont Blueprint for Health, ~~nominated by the Director of the Blueprint and appointed by the Commissioner of Health~~;

(D) three representatives of health insurers, one ~~from each of each~~ appointed by the State's largest three private health insurers, as determined by the number of covered lives, ~~appointed by the Commissioner of Health~~;

(E) a representative, appointed by the Vermont chapter of the American Academy of Pediatrics, ~~Vermont chapter, appointed by the Commissioner of Health~~;

(F) a representative, appointed by the Vermont chapter of the American Academy of Family Medicine, ~~Vermont chapter, appointed by the Commissioner of Health~~; and

(G) a representative of employers that self-insure for health coverage, appointed by the Commissioner of Health.

(2) The Committee shall select a chair from among its members at the first meeting of each calendar year. The Committee shall receive administrative and technical support from the ~~Department of Health~~.

(3) By January 1 of each year, the Committee shall provide to the Commissioner the annual fiscal assessment and the per-member per-month cost for pediatric ~~vaccines~~ recommended immunizations based on the total number of pediatric covered lives reported by health insurers and the per-member per-month cost for adult ~~vaccines~~ recommended immunizations based on the total number of adult covered lives reported by health insurers.

(h) If ~~federal~~ purchase requirements do not further the goal of ensuring universal access to ~~vaccines~~ recommended immunizations for all, the Commissioner may, following consultation with the Immunization Funding Advisory Committee, discontinue the program with six months' advance notice to all health care professionals and to all health insurers with Vermont covered lives.

(i) The Department may adopt rules under 3 V.S.A. chapter 25 to implement this section.

Sec. 2. 18 V.S.A. § 1130a is added to read:

§ 1130a. RECOMMENDED IMMUNIZATIONS

(a) The Commissioner shall periodically issue recommendations regarding:

(1) which immunizations children and adults are recommended to receive;

(2) the age at which each immunization is recommended to be given;

(3) the number of immunization doses that are recommended to be administered;

(4) the recommended amount of time between doses of an immunization; and

(5) any other recommendations regarding immunizations necessary to promote the maintenance of public health and disease prevention in the State.

(b) Prior to issuing recommendations under subsection (a) of this section, the Commissioner shall:

(1) consult with the Vermont Immunization Advisory Council, established under section 1131 of this title; and

(2) consider recommendations for immunizations issued by the Centers for Disease Control and Prevention's Advisory Committee on Immunization Practices (ACIP), the American Academy of Pediatrics (AAP), the American Academy of Family Physicians (AAFP), the American College of Obstetricians and Gynecologists (ACOG), the American College of Physicians (ACP), and any other organizations the Commissioner may deem necessary.

(c) A health care professional who prescribes, dispenses, or administers an immunization in accordance with the recommendations issued pursuant to subsection (a) of this section shall be immune from civil and administrative liability for immunization-caused adverse events, unless the health care professional's actions regarding prescribing, dispensing, or administering an immunization constituted gross negligence, recklessness, or intentional misconduct.

(d) The Commissioner may issue a standing order authorizing health care professionals, including pharmacists, to prescribe, dispense, or administer recommended immunizations, or any combination thereof, to the extent that prescribing, dispensing, or administering recommended immunizations is within the scope of the health care professional's practice.

(e)(1) The Department shall prominently display information pertaining to recommended immunizations and other relevant information on its website, including how to access recommended immunizations.

(2) Any documents produced by the Department about the recommended immunizations shall include a disclosure if the recommended immunizations differ from the recommendations of the Vermont Immunization Advisory Council.

(f) As used in this section, "health care professional" and "recommended immunization" have the same meanings as in section 1130 of this title.

Sec. 3. 18 V.S.A. § 1131 is amended to read:

§ 1131. VERMONT IMMUNIZATION ADVISORY COUNCIL

(a) Creation. There is created the Vermont Immunization Advisory Council for the purpose of providing education policy, medical, and epidemiological expertise and advice to the Department with regard to the safety of immunizations and immunization schedules.

(b) Membership. The Council shall be composed of the following members:

(1) ~~a representative~~ the executive officer of the Vermont Board of Medical Practice, appointed by the Governor or designee;

(2) the executive officer of the Vermont Board of Nursing or designee;

(3) the executive officer of the Vermont Board of Pharmacy or designee;

(4) ~~the Secretaries~~ Secretary of Human Services and of or designee;

(5) the Secretary of Education or their designees designee;

(3)(6) a representative of public schools, appointed by the Governor;

(4)(7) the State epidemiologist Epidemiologist or designee;

(8) the Department of Health's Immunization Program Manager or designee;

(9) a practicing pediatrician, appointed by the Governor;

(10) two individuals who are professors, researchers, or physicians, or any combination of these individuals, with expertise in infectious disease and human immunizations, appointed by the Governor;

(11) a family or internal medicine physician, appointed by the Governor;

(5)(12) a representative of both public and independent schools, appointed by the Governor; and practicing advanced practice registered nurse licensed pursuant to 26 V.S.A. chapter 28, appointed by the Governor;

(13) a practicing pharmacist licensed pursuant 26 V.S.A. chapter 36, appointed by the Governor; and

(6)(14) any other persons deemed necessary by the Commissioner.

(c) ~~Powers and duties~~ Duties.

(1) The Council shall:

(1)(A) review and make recommendations regarding the State's immunization schedule for attendance in schools and child care facilities; and

(2)(B) provide any other advice and expertise requested by the Commissioner, including advice regarding recommended immunizations as defined in section 1130 of this title.

(2) The Secretary of Education or designee and representative of public schools shall not vote on advice regarding recommended immunizations as defined in section 1130 of this title.

(d) Assistance. The Council shall have the administrative, and technical, ~~and legal~~ assistance of the Department.

(e) Meetings.

(1) The Council shall convene at the call of the Commissioner, but ~~no~~ not less than once each year.

(2) The Council shall select a chair from among its members at the first meeting who shall not be the Commissioner.

(3) A majority of the membership shall constitute a quorum.

* * * Effective on Passage until July 1, 2031: Insurance Coverage for
Commissioner of Health's Recommended Immunizations * * *

Sec. 4. 8 V.S.A. § 4042 is amended to read:

§ 4042. GROUP INSURANCE POLICIES; REQUIRED POLICY
PROVISIONS

* * *

(b) Protections for covered individuals.

* * *

(4) No cost sharing for preventive services.

(A) A group insurance policy shall not impose any co-payment, coinsurance, or deductible requirements for:

* * *

(ii) recommended immunizations for routine use in children, adolescents, and adults that have in effect a recommendation from the Advisory Committee on Immunization Practices of the Centers for Disease Control and Prevention with respect to the individual involved as defined in 18 V.S.A. § 1130;

* * *

Sec. 5. 33 V.S.A. § 1811 is amended to read:

§ 1811. HEALTH BENEFIT PLANS FOR INDIVIDUALS AND SMALL
EMPLOYERS

* * *

(d)(1) Guaranteed issue.

* * *

(5)(A) No cost sharing for preventive services. A health benefit plan shall not impose any co-payment, coinsurance, or deductible requirements for:

* * *

(ii) ~~recommended immunizations for routine use in children, adolescents, and adults that have in effect a recommendation from the Advisory Committee on Immunization Practices of the Centers for Disease Control and Prevention with respect to the individual involved as defined in 18 V.S.A. § 1130;~~

* * *

* * * Effective on Passage until July 1, 2031: Pharmacist and Pharmacy Technician Authority under the Commissioner of Health's Immunization Recommendations * * *

Sec. 6. 26 V.S.A. § 2023 is amended to read:

§ 2023. CLINICAL PHARMACY; PRESCRIBING

* * *

(b) A pharmacist may prescribe in the following contexts:

* * *

(2) State protocol.

(A) A pharmacist may prescribe, order, or administer in a manner consistent with valid State protocols that are approved by the Commissioner of Health after consultation with the Director of Professional Regulation and the Board and the ability for public comment:

- (i) opioid antagonists;
- (ii) epinephrine auto-injectors;
- (iii) tobacco cessation products;
- (iv) tuberculin purified protein derivative products;

(v) self-administered hormonal contraceptives, including subcutaneous depot medroxyprogesterone acetate;

(vi) dietary fluoride supplements;

(vii) recommended immunizations as defined in 18 V.S.A. § 1130 for patients 18 years of age or older, vaccinations recommended by the Centers for Disease Control and Prevention's Advisory Committee on Immunization Practices (ACIP) and administered consistently with the ACIP-approved immunization schedules, as may be amended from time to time;

(viii) for patients five years of age or older, influenza vaccine immunization, COVID-19 vaccine immunization, and subsequent formulations or combination products thereof consistent with the recommendations established in accordance with 18 V.S.A. § 1130a;

* * *

Sec. 7. 26 V.S.A. § 2042a is amended to read:

§ 2042a. PHARMACY TECHNICIANS; QUALIFICATIONS FOR
REGISTRATION

* * *

(c) Pharmacy technicians shall only administer immunizations:

(1) to patients 18 years of age or older, as established in subdivision 2023(b)(2)(A)(vii) of this title and the resulting State protocol;

(2) to patients five years of age or older, influenza ~~vaccine~~ immunization, COVID-19 ~~vaccine~~ immunization, and subsequent formulations or combination products thereof, in accordance with subdivision 2023(b)(2)(A)(viii) of this title and the resulting State protocol; and

(3) ~~pursuant to the schedules and recommendations of the Advisory Committee on Immunization Practices' recommendations for the administration of immunizations, as those recommendations may be updated from time to time; and~~

(4) when a licensed pharmacist who is trained to immunize is present and able to assist with the immunization, as needed.

(d) Pharmacy technicians shall administer only those immunizations that:

(1) ~~are recommended by the Centers for Disease Control and Prevention's Advisory Committee on Immunization Practices (ACIP); and~~

~~(2) licensed pharmacists are permitted to administer under the State clinical pharmacy protocol, as established in subdivision 2023(b)(2) of this title.~~

(e) Pharmacy technicians performing COVID-19 tests shall do so only:

(1) when a licensed pharmacist who is trained to perform COVID-19 tests is present and able to assist with the test, as needed;

(2) in accordance with a State protocol adopted under subdivision 2023(b)(2)(A)(x) of this title; and

(3) in accordance with rules adopted by the Board.

~~(f)~~(e) The Board may adopt rules regarding the administration of immunizations and the performance of COVID-19 tests by pharmacy technicians.

* * * Effective on July 1, 2031: Restoring Certain Immunization Recommendation Processes * * *

Sec. 8. 18 V.S.A. § 1130 is amended to read:

§ 1130. IMMUNIZATION FUNDING

(a) As used in this section:

* * *

(4) ~~“Recommended immunization~~ Immunizations” means a vaccine or other immunizing agent that provides protection against a particular disease or pathogen and the application of the immunizations as recommended by the practice guidelines for children and adults established by the ~~Commissioner pursuant to section 1130a of this title~~ Advisory Committee on Immunization Practices (ACIP) to the Centers for Disease Control and Prevention (CDC).

* * *

(b)(1) The Department of Health shall administer an immunization program with the goals of ensuring universal access to ~~recommended~~ immunizations at no charge to the individual and reducing the cost at which the State may purchase ~~recommended~~ immunizations. The Department shall purchase, provide for the distribution of, and monitor the use of ~~recommended~~ immunizations as provided for in this subsection and subsection (c) of this section. The cost of the ~~recommended~~ immunizations and an administrative surcharge shall be reimbursed by health insurers as provided for in subsections (e) and (f) of this section.

(2) The Department shall solicit, facilitate, and supervise the participation of health care professionals, health care facilities, and health insurers in the immunization program in order to accomplish the State's goal of universal access to ~~recommended~~ immunizations at the lowest practicable cost to individuals, insurers, and State health care programs.

(3) The Department shall gather and analyze data regarding the immunization program for the purpose of ensuring its quality and maximizing protection of Vermonters against diseases preventable by immunization.

(c) ~~The Department shall determine which recommended immunizations shall be purchased under the program.~~ The immunization program shall purchase ~~recommended~~ immunizations consistent with the goals of the program from the federal Centers for Disease Control and Prevention at the lowest available cost. The Department shall determine annually which immunizations for adults shall be purchased under the program.

(d) The immunization program shall provide for distribution of the ~~recommended~~ immunizations to health care professionals and health care facilities for administration to patients.

(e) Health insurers shall remit to the Department the cost of ~~recommended~~ immunizations, as established by the Commissioner based on the recommendation of the Immunization Funding Advisory Committee established in subsection (g) of this section.

(f) The Department shall charge each health insurer a surcharge for the costs and administration of the immunization program. The surcharge shall be deposited into an existing special fund and used solely for the purpose of administering the program.

(g)(1) The Immunization Funding Advisory Committee is established to provide the Commissioner with an annual per-member per-month cost for ~~recommended~~ immunizations for the pediatric population, an annual per-member per-month cost for ~~recommended~~ immunizations for the adult population, and a recommendation for the amount of the yearly immunization assessment. The Committee shall comprise the following nine members:

* * *

(2) The Committee shall select a chair from among its members at the first meeting of each calendar year. The Committee shall receive administrative and technical support from the Department.

(3) By January 1 of each year, the Committee shall provide to the Commissioner the annual fiscal assessment and the per-member per-month cost for pediatric ~~recommended~~ immunizations based on the total number of

pediatric covered lives reported by health insurers and the per-member per-month cost for adult recommended immunizations based on the total number of adult covered lives reported by health insurers.

(h) If federal purchase requirements do not further the goal of ensuring universal access to recommended immunizations for all, the Commissioner may, following consultation with the Immunization Funding Advisory Committee, discontinue the program with six months' advance notice to all health care professionals and to all health insurers with Vermont covered lives.

(i) The Department may adopt rules under 3 V.S.A. chapter 25 to implement this section.

Sec. 9. 18 V.S.A. § 1131 is amended to read:

§ 1131. VERMONT IMMUNIZATION ADVISORY COUNCIL

(a) Creation. There is created the Vermont Immunization Advisory Council for the purpose of providing education policy, medical, and epidemiological expertise and advice to the Department with regard to the safety of immunizations and immunization schedules.

* * *

(c) Duties.

(1) The Council shall:

~~(A)(1)~~ review and make recommendations regarding the State's immunization schedule for attendance in schools and child care facilities; and

~~(B)(2)~~ provide any other advice and expertise requested by the Commissioner, including advice regarding recommended immunizations as defined in section 1130 of this title.

~~(2) The Secretary of Education or designee and representative of public schools shall not vote on advice regarding recommended immunizations as defined in section 1130 of this title.~~

* * *

(e) Meetings.

(1) The Council shall convene at the call of the Commissioner, but not less than once each year.

(2) The Council shall select a chair from among its members at the first meeting ~~who shall not be the Commissioner.~~

(3) A majority of the membership shall constitute a quorum.

* * * Effective on July 1, 2031: Restoring the Current Insurance Coverage for
Immunizations in Effect Prior to Passage * * *

Sec. 10. 8 V.S.A. § 4042 is amended to read:

§ 4042. GROUP INSURANCE POLICIES; REQUIRED POLICY
PROVISIONS

* * *

(b) Protections for covered individuals.

* * *

(4) No cost sharing for preventive services.

(A) A group insurance policy shall not impose any co-payment, coinsurance, or deductible requirements for:

* * *

(ii) recommended immunizations as defined in 18 V.S.A. § 1130 for routine use in children, adolescents, and adults that have in effect a recommendation from the Advisory Committee on Immunization Practices of the Centers for Disease Control and Prevention with respect to the individual involved;

* * *

Sec. 11. 33 V.S.A. § 1811 is amended to read:

§ 1811. HEALTH BENEFIT PLANS FOR INDIVIDUALS AND SMALL
EMPLOYERS

* * *

(d)(1) Guaranteed issue.

(A) A registered carrier shall guarantee acceptance of all individuals and their dependents for any health benefit plan offered by the carrier in the individual market, regardless of any outstanding premium amount a subscriber may owe to the carrier for coverage provided during the previous plan year.

* * *

(5)(A) No cost sharing for preventive services. A health benefit plan shall not impose any co-payment, coinsurance, or deductible requirements for:

* * *

(ii) ~~recommended immunizations as defined in 18 V.S.A. § 1130~~ for routine use in children, adolescents, and adults that have in effect a recommendation from the Advisory Committee on Immunization Practices of the Centers for Disease Control and Prevention with respect to the individual involved;

* * *

* * * Effective on July 1, 2031: Restoring Current Pharmacist and Pharmacy Technician Authority in Effect Prior to Passage * * *

Sec. 12. 26 V.S.A. § 2023 is amended to read:

§ 2023. CLINICAL PHARMACY; PRESCRIBING

* * *

(b) A pharmacist may prescribe in the following contexts:

* * *

(2) State protocol.

(A) A pharmacist may prescribe, order, or administer in a manner consistent with valid State protocols that are approved by the Commissioner of Health after consultation with the Director of Professional Regulation and the Board and the ability for public comment:

- (i) opioid antagonists;
- (ii) epinephrine auto-injectors;
- (iii) tobacco cessation products;
- (iv) tuberculin purified protein derivative products;
- (v) self-administered hormonal contraceptives, including subcutaneous depot medroxyprogesterone acetate;
- (vi) dietary fluoride supplements;
- (vii) ~~recommended immunizations as defined in 18 V.S.A. § 1130~~ for patients 18 years of age or older, vaccinations recommended by the Centers for Disease Control and Prevention's Advisory Committee on Immunization Practices (ACIP) and administered consistently with the ACIP-approved immunization schedules, as may be amended from time to time;
- (viii) for patients five years of age or older, influenza ~~immunization vaccine~~, COVID-19 ~~immunization vaccine~~, and subsequent formulations or combination products thereof ~~consistent with the recommendations established in accordance with 18 V.S.A. § 1130a;~~

* * *

Sec. 13. 26 V.S.A. § 2042a is amended to read:

§ 2042a. PHARMACY TECHNICIANS; QUALIFICATIONS FOR
REGISTRATION

* * *

(c) Pharmacy technicians shall only administer immunizations:

(1) to patients 18 years of age or older, as established in subdivision 2023(b)(2)(A)(vii) of this title and the resulting State protocol;

(2) to patients five years of age or older, influenza ~~immunization~~ vaccine, COVID-19 ~~immunization~~ vaccine, and subsequent formulations or combination products thereof, in accordance with subdivision 2023(b)(2)(A)(viii) of this title and the resulting State protocol; ~~and~~

(3) pursuant to the schedules and recommendations of the Advisory Committee on Immunization Practices' recommendations for the administration of immunizations, as those recommendations may be updated from time to time; and

(4) when a licensed pharmacist who is trained to immunize is present and able to assist with the immunization, as needed.

(d) Pharmacy technicians shall administer only those immunizations that:

(1) are recommended by the Centers for Disease Control and Prevention's Advisory Committee on Immunization Practices (ACIP); and

(2) licensed pharmacists are permitted to administer under the State clinical pharmacy protocol, as established in subdivision 2023(b)(2) of this title.

~~(e)~~ Pharmacy technicians performing COVID-19 tests shall do so only:

(1) when a licensed pharmacist who is trained to perform COVID-19 tests is present and able to assist with the test, as needed;

(2) in accordance with a State protocol adopted under subdivision 2023(b)(2)(A)(x) of this title; and

(3) in accordance with rules adopted by the Board.

~~(e)~~(f) The Board may adopt rules regarding the administration of immunizations and the performance of COVID-19 tests by pharmacy technicians.

* * * Effective on July 1, 2031:

Repeal of Immunization Recommendations * * *

Sec. 14. REPEAL; IMMUNIZATION RECOMMENDATIONS

18 V.S.A. § 1130a (recommended immunizations) is repealed on July 1, 2031.

* * * Effective Dates * * *

Sec. 15. EFFECTIVE DATES

(a) This section, Secs. 1–7, and Sec. 14 shall take effect on passage.

(b) Secs. 8–13 shall take effect on July 1, 2031.

The bill, having appeared on the Notice Calendar, was taken up and read the second time.

Pending the question, Shall the bill be amended as recommended by the Committee on Human Services?, **Rep. Burtt of Cabot** moved to amend the report of the Committee on Human Services in Sec. 2, 18 V.S.A. § 1130a, by striking out subsection (c) in its entirety and inserting in lieu thereof the following:

(c)(1) A health care professional who prescribes, dispenses, or administers an immunization in accordance with the recommendations issued pursuant to subsection (a) of this section shall be immune from civil and administrative liability for immunization-caused adverse events, unless the health care professional's actions regarding prescribing, dispensing, or administering an immunization constituted gross negligence, recklessness, or intentional misconduct.

(2) Prior to prescribing, dispensing, or administering a recommended immunization, a health care professional shall provide the patient or, if the patient is a minor, the patient's parent or guardian with written information disclosing all potential harms, risks, and side effects associated with the recommended immunization and provide disclosure of the health care professional's immunity pursuant to subdivision (1) of this subsection. Prior to administering the recommended immunization, the health care professional shall obtain written acknowledgement of receipt of the information required by this subdivision from the patient or, if the patient is a minor, from the patient's parent or guardian.

Thereupon, **Rep. Burtt of Cabot** asked and was granted leave of the House to withdraw the amendment.

Thereafter, the report of the Committee on Human Services was agreed to and third reading ordered.

Adjournment

At three o'clock and forty-three minutes in the afternoon, on motion of **Rep. McCoy of Poultney**, the House adjourned until tomorrow at nine o'clock and thirty minutes in the forenoon.