

# Journal of the Senate

---

TUESDAY, MAY 12, 2026

The Senate was called to order by the President.

## **Devotional Exercises**

A moment of silence was observed in lieu of devotions.

## **Pledge of Allegiance**

The President then led the members of the Senate in the pledge of allegiance.

## **Rules Suspended; Bill Committed**

### **H. 775.**

Pending entry on the Calendar for notice, on motion of Senator Clarkson the rules were suspended and House bill entitled:

An act relating to creating tools for housing production.

Was taken up for immediate consideration.

Thereupon, pending the reading of the report of the Committee on Economic Development, Housing and General Affairs, Senator Clarkson moved that Senate Rule 49 be suspended in order to commit the bill to the Committee on Natural Resources and Energy with the report of the Committee on Economic Development, Housing and General Affairs *intact*,

Which was agreed to.

## **Committee Relieved of Further Consideration; Bill Committed**

### **H. 955.**

On motion of Senator Bongartz, the Committee on Education was relieved of further consideration of House bill entitled:

An act relating to next steps in transforming Vermont's education system, and the bill was committed to the Committee on Finance.

---

**Message from the Governor  
Appointments Referred**

A message was received from the Governor, by Jaye Pershing Johnson, Secretary of Civil and Military Affairs, submitting the following appointments, which were referred to committees as indicated:

Benoit, John of Barre - Member of the Electricians' Licensing Board - from July 1, 2026 to June 30, 2029.

To the Committee on Economic Development, Housing and General Affairs.

Brand, Julia of Dorset - Member of the Council for Equitable Youth Justice - from April 15, 2026 to February 28, 2029.

To the Committee on Judiciary.

Brown, Peter of Manchester - Member of the Council for Equitable Youth Justice - from April 15, 2026 to February 28, 2029.

To the Committee on Judiciary.

Foley, Mark of Rutland - Member of the Vermont Municipal Bond Bank - from April 15, 2026 to January 31, 2028.

To the Committee on Finance.

Furman, Heather of Jericho - Member of the Fish and Wildlife Board - from April 15, 2026 to February 29, 2032.

To the Committee on Natural Resources and Energy.

Hayes, Katherine of Bartlett - Member of the Council for Equitable Youth Justice - from April 15, 2026 to February 28, 2029.

To the Committee on Judiciary.

Nesbitt, Thomas of Waterbury Center - Member of the Plumbers' Examining Board - from April 15, 2026 to June 30, 2028.

To the Committee on Economic Development, Housing and General Affairs.

Winters, Debbie of Swanton - Member of the Vermont Municipal Bond Bank - from April 15, 2026 to January 31, 2028.

To the Committee on Finance.

Wobby, Lauren of Northfield - Member of the Vermont Educational and Health Buildings Financing Agency - from April 15, 2026 to January 31, 2032.

To the Committee on Finance.

**Bills Referred to Committee on Finance**

House bills of the following titles, appearing on the Calendar for notice, and affecting the revenue of the state, under the rule were referred to the Committee on Finance:

**H. 727.** An act relating to sustainable data center deployment.

**H. 757.** An act relating to manufactured homes and limited equity cooperatives.

**H. 915.** An act relating to establishing an extended producer responsibility program for beverage containers.

**H. 928.** An act relating to technical corrections to fish and wildlife statutes.

**Bills Referred to Committee on Appropriations**

House bills of the following titles, appearing on the Calendar for notice, and carrying an appropriation or requiring the expenditure of funds, under the rule were referred to the Committee on Appropriations:

**H. 578.** An act relating to penalties and procedures for animal cruelty offenses.

**H. 740.** An act relating to the greenhouse gas inventory and registry.

**H. 817.** An act relating to mental health literacy and peer-to-peer supports in schools.

**Joint Senate Resolution Adopted on the Part of the Senate****J.R.S. 53.**

Joint Senate resolution of the following title was offered, read and adopted on the part of the Senate, and is as follows:

Offered by Senator Baruth,

**J.R.S. 53.** Joint resolution relating to weekend adjournment on May 15, 2026.

***Resolved by the Senate and House of Representatives:***

That when the two Houses adjourn on Friday, May 15, 2026, it be to meet again no later than Tuesday, May 19, 2026.

**Bill Referred****H. 953.**

House bill of the following title was read the first time:

An act relating to approval of an amendment to the charter of the Town of Panton.

And pursuant to Temporary Rule 44A was referred to the Committee on Rules.

---

**Bill Passed in Concurrence with Proposal of Amendment****H. 944.**

House bill of the following title was read the third time and passed in concurrence with proposal of amendment:

An act relating to the fiscal year 2027 Transportation Program and miscellaneous changes to laws related to transportation.

**House Proposal of Amendment Concurred In****S. 179.**

House proposal of amendment to Senate bill entitled:

An act relating to the Uniform Disclaimer of Property Interests Act.

Was taken up.

The House proposes to the Senate to amend the bill in Sec. 1, 14 V.S.A. chapter 129, in subsection 4105(c), after the word "minor" by inserting the word "child"

Thereupon, the question, Shall the Senate concur in the House proposal of amendment?, was decided in the affirmative.

**Proposal of Amendment; Third Reading Ordered****H. 660.**

Senator Lyons, for the Committee on Health and Welfare, to which was referred House bill entitled:

An act relating to fiscal year 2027 Opioid Abatement Special Fund appropriations.

Reported recommending that the Senate propose to the House to amend the bill by striking out all after the enacting clause and inserting in lieu thereof the following:

\* \* \* Opioid Abatement Special Fund \* \* \*

**Sec. 1. APPROPRIATIONS; OPIOID ABATEMENT SPECIAL FUND**

(a) In fiscal year 2027, the following sums shall be appropriated from the Opioid Abatement Special Fund established in 18 V.S.A. § 4774:

(1)(A) \$455,000.00 to the Department of Health to fund 26 outreach or case management staff positions within the preferred provider network for the provision of services that increase the motivation of and engagement with individuals with substance use disorder in settings such as police barracks, shelters, social service organizations, and elsewhere in the community.

(B) It is the intent of the General Assembly that these positions shall be funded annually by the Opioid Abatement Special Fund unless and until the Special Fund does not have sufficient monies to fund this expenditure.

(2)(A) \$1,600,000.00 to the Department of Health for recovery residences certified by the Vermont Alliance for Recovery Residences.

(B) It is the intent of the General Assembly that recovery residences be funded annually by the Opioid Abatement Special Fund unless and until the Special Fund does not have sufficient monies to fund this expenditure.

(3)(A) \$850,000.00 to the Department of Health for syringe services.

(B) It is the intent of the General Assembly that syringe services be funded annually by the Opioid Abatement Special Fund unless and until the Special Fund does not have sufficient monies to fund this expenditure.

(4) \$1,100,000.00 to the Department of Corrections to provide peer recovery center coaches in Vermont correctional facilities and in probation and parole offices to provide group and individual coaching and reentry support, which shall not be used to cover administrative expenses.

(5) \$250,000.00 to the Department for Children and Families' Office of Economic Opportunity to support long-term programs at shelters for individuals experiencing homelessness, including harm-reduction supports, transportation to recovery meetings and appointments, and clinical nursing programs.

(6)(A) \$600,000.00 to the Department of Health for the creation of new recovery residence beds at National Alliance for Recovery Residences (NARR) certification level III or above.

(B) \$600,000.00 to the Department of Health for opioid use disorder residential treatment beds at American Society of Addiction Medicine level 3.1.

(7) \$248,000.00 to the Department of Health for the Prehospital Vermont EMS Buprenorphine Treatment (PREVENT) Program to expand training for emergency service providers on carrying buprenorphine and administering buprenorphine after administering naloxone.

(8) \$35,000.00 to the Department of Health to subsidize room and board for individuals in Rutland Mental Health Services' transitional housing program.

(9) \$237,646.00 to the Department of Health for distribution to Springfield Project ACTION to support public safety enhancement team coordinator positions in Bennington, Springfield, Brattleboro, St. Johnsbury, and central Vermont for the purposes of providing administrative support, meeting facilitation, data tracking, outreach event coordination, and sustainability planning.

(10) \$800,000.00 to the Department of Health for distribution to recovery centers.

(11) \$287,000.00 to the Department of Public Safety to provide funding for expanding the Public Safety Enhancement Team's harm reduction and strategic community intervention efforts.

(12)(A) \$1,100,000.00 to the Department of Health for the purpose of awarding grants to the City of Burlington to establish an overdose prevention center, provided, however, that the Department shall not distribute funding until a location for the overdose prevention center has been procured by lease or purchase, the overdose prevention center is being fit up for its intended use, and the overdose prevention center is currently or will imminently become operational.

(B) It is the intent of the General Assembly to continue to appropriate funds annually from the Opioid Abatement Special Fund through at least fiscal year 2028 for the purpose of awarding grants to the City of Burlington for the operation of the overdose prevention center, unless and until the Special Fund does not have sufficient monies to fund this expenditure.

(b) Notwithstanding 32 V.S.A. § 703, unless reverted by a future act of the General Assembly, the appropriations made in accordance with this section shall carry forward until fully expended.

Sec. 2. 2023 Acts and Resolves No. 22, Sec. 14, as amended by 2024 Acts and Resolves No. 113, Sec. C.112, is further amended to read:

Sec. 14. APPROPRIATION; OPIOID ABATEMENT SPECIAL FUND

In fiscal year 2023, the following monies shall be appropriated from the Opioid Abatement Special Fund pursuant to 18 V.S.A. § 4774:

(1)(A) \$1,500,000 ~~divided equally between four opioid treatment programs~~ to cover costs associated with partnering with other health care providers to expand satellite locations for the dosing of medications, including costs associated with the satellite locations' physical facilities, staff time at the satellite locations, and staff time at opioid treatment programs to prepare medications and coordinate with satellite locations;

(B) the satellite locations established pursuant to this subdivision (1) shall be located in Addison County, and eastern or southern Vermont, and in a facility operated by the Department of Corrections;

(2) \$500,000 to establish a second Chittenden Clinic Addiction Treatment Center satellite location in northwestern Vermont;

\* \* \*

Sec. 3. 18 V.S.A. § 4772 is amended to read:

§ 4772. OPIOID SETTLEMENT ADVISORY COMMITTEE

\* \* \*

(c) Powers and duties. The Advisory Committee shall demonstrate broad ongoing consultation with individuals living with opioid use disorder about their direct experience with related systems, including medication for opioid use disorder, residential treatment, recovery services, harm reduction services, overdose, supervision by the Department of Corrections, and involvement with the Department for Children and Families' Family Services Division. To that end, the Advisory Committee shall demonstrate consultation with individuals with direct lived experience of opioid use disorder, frontline support professionals, the Substance Misuse Oversight Prevention and Advisory Council, the Health Equity Advisory Commission, and other stakeholders to identify spending priorities as related to opioid use disorder prevention, intervention, treatment, and recovery services and harm reduction strategies for the purpose of providing recommendations to the Governor, the Department of Health, and the General Assembly on prioritizing spending from the Opioid Abatement Special Fund. Each ongoing funding proposal considered by the Advisory Committee shall include a sustainability plan from the applicant to ensure consideration of future expenses and available resources apart from the Opioid Abatement Special Fund. The Advisory Committee shall consider:

(1) the impact of the opioid crisis on communities throughout Vermont, including communities' abatement needs and proposals for abatement strategies and responses;

(2) the perspectives of and proposals from opioid use disorder prevention coalitions, recovery centers, and medication for opioid use disorder providers; and

(3) the ongoing challenges of the opioid crisis on marginalized populations, including individuals who have a lived experience of opioid use disorder.

\* \* \*

Sec. 4. APPROPRIATION REVIEW; FISCAL YEAR 2028 PROPOSAL  
SUSPENSION

The Opioid Settlement Advisory Committee shall not accept funding proposals from the Opioid Abatement Special Fund for fiscal year 2028, unless a proposal was previously identified in statute as intended for annual funding. It instead shall review the outcomes of programs and initiatives previously funded through the Opioid Abatement Special Fund to assess effectiveness, long-term sustainability, and the appropriateness of the Opioid Abatement Special Fund as a funding source, where applicable. If funds are available after making fiscal year 2028 appropriations recommendations for previously funded programs and initiatives, the Opioid Settlement Advisory Committee shall identify specific areas of focus and shall make funding recommendations within those areas based on needs assessments and statewide data rather than requesting new proposals.

Sec. 5. QUARTERLY REPORTING; EXPENDITURE OF OPIOID  
ABATEMENT SPECIAL FUND MONIES

The Department of Health shall submit to the General Assembly quarterly reports regarding expenditures from the Opioid Abatement Special Fund. Specifically, the reports shall identify funds appropriated from the Special Fund that remain unobligated or unspent, or both, and shall include an explanation as to why the funds have not been fully distributed. Reports due on October 1, 2026, and July 1, 2027, shall be submitted to the Joint Fiscal Committee. Reports due on January 1, 2027, and April 1, 2027, shall be submitted to the House Committees on Appropriations and on Human Services and to the Senate Committees on Appropriations and on Health and Welfare. The Department shall post reports required pursuant to this section on its website.

Sec. 6. REVERSIONS

Notwithstanding any provision of law to the contrary, in fiscal year 2027, the following amounts shall revert to the Opioid Abatement Special Fund from the accounts indicated:

|  |                       |
|--|-----------------------|
| <u>3420892313 VDH-Opioid Sp. Fund Prov Satellites</u>    | <u>\$444,000.00</u>   |
| <u>3420892313 VDH-Opioid Sp. Fund Wound Care</u>         | <u>\$8,287.34</u>     |
| <u>3420892501 VDH-Opioid Sp. Fund Stabilization Beds</u> | <u>\$1,000,000.00</u> |

\* \* \* Substance Misuse Prevention Special Fund \* \* \*

Sec. 7. APPROPRIATIONS; SUBSTANCE MISUSE PREVENTION  
SPECIAL FUND

In fiscal year 2027, the following monies shall be appropriated from the Substance Misuse Prevention Special Fund established pursuant to 18 V.S.A. § 4812:

(1) \$288,935.00 to the Department of Health for distribution to Elevate Youth Services to support the creation of a low-barrier, drop-in teen center in Barre to provide food, activities, positive adults role models, peer counselors, prevention and recovery programming, and direct connection to treatments;

(2) \$124,999.00 to the Department of Health for distribution to the Greater Falls Connections to enhance youth engagement and education and to expand prevention-focused staffing and youth programming space in response to increasing community need;

(3) \$200,000.00 to the Department of Health for distribution to Interaction: Friends for Change to increase access to community-based therapy, housing, crisis, medical, recovery, and employment supports for youth in Windham County; and

(4) \$26,697.00 to the Department of Health for distribution to Winooski Partnership for Prevention to provide funding for staff time and stipends for partners to deliver medicine safety education to elementary-aged youth during school with family engagement.

Sec. 8. 18 V.S.A. § 4812 is amended to read:

§ 4812. SUBSTANCE MISUSE PREVENTION SPECIAL FUND

\* \* \*

(e) As part of its annual budget presentation, the Department shall report to the House Committees on Appropriations and on Human Services and to the Senate Committees on Appropriations and on Health and Welfare on its specific spending proposal from the Substance Misuse Prevention Special Fund for the coming fiscal year. The report shall include an estimate of the monies in the Special Fund anticipated to remain unallocated at the end of the fiscal year.

---

\* \* \* Effective Date \* \* \*

Sec. 9. EFFECTIVE DATE

This act shall take effect on July 1, 2026.

and that after passage the title of the bill be amended to read: “An act relating to fiscal year 2027 Opioid Abatement Special Fund and Substance Misuse Prevention Special Fund appropriations”

And that the bill ought to pass in concurrence with such proposal of amendment.

Senator Lyons, for the Committee on Appropriations, to which the bill was referred, reported recommending that the Senate propose to the House that the bill be amended as recommended by the Committee on Health and Welfare with further recommendation of proposals of amendment thereto:

First: By striking out Sec. 3, 18 V.S.A. § 4772, in its entirety and inserting a new Sec. 3 to read as follows:

Sec. 3. 18 V.S.A. § 4772 is amended to read:

§ 4772. OPIOID SETTLEMENT ADVISORY COMMITTEE

\* \* \*

(c) Powers and duties. The Advisory Committee shall demonstrate broad ongoing consultation with individuals living with opioid use disorder about their direct experience with related systems, including medication for opioid use disorder, residential treatment, recovery services, harm reduction services, overdose, supervision by the Department of Corrections, and involvement with the Department for Children and Families’ Family Services Division. To that end, the Advisory Committee shall demonstrate consultation with individuals with direct lived experience of opioid use disorder, frontline support professionals, the Substance Misuse Oversight Prevention and Advisory Council, the Health Equity Advisory Commission, and other stakeholders to identify spending priorities as related to opioid use disorder prevention, intervention, treatment, and recovery services and harm reduction strategies for the purpose of providing recommendations to the Governor, the Department of Health, and the General Assembly on prioritizing spending from the Opioid Abatement Special Fund. Each ongoing funding proposal considered by the Advisory Committee shall include a sustainability plan from the applicant to ensure consideration of future expenses and available resources apart from the Opioid Abatement Special Fund. The Advisory Committee shall consider:

(1) the impact of the opioid crisis on communities throughout Vermont, including communities' abatement needs and proposals for abatement strategies and responses;

(2) the perspectives of and proposals from opioid use disorder prevention coalitions, recovery centers, and medication for opioid use disorder providers; and

(3) the ongoing challenges of the opioid crisis on marginalized populations, including individuals who have a lived experience of opioid use disorder.

\* \* \*

(e) Presentation Recommendations.

(1) Annually, the Advisory Committee shall vote on its recommendations. Recommendations shall be informed by outcomes and measurements reported by previous grantees and developed in consultation with the Office of the Attorney General. If the recommendations are supported by an affirmative vote of the majority, the Advisory Committee shall present its recommendations for expenditures from the Opioid Abatement Special Fund established pursuant to this subchapter to the Department of Health and concurrently submit its recommendations in writing to the House Committees on Appropriations and on Human Services and the Senate Committees on Appropriations and on Health and Welfare. The Advisory Committee's written recommendations shall address how each recommendation meets one or more of the criteria listed in subsections 4774(b) and (c) of this subchapter. The Advisory Committee shall give priority consideration to services requiring funding on an ongoing basis.

(2) If the Department does not agree with the recommendations of the Advisory Committee, it may separately submit its own recommendations, developed in consultation with the Office of the Attorney General, to the General Assembly.

\* \* \*

Second: By inserting a new section to be Sec. 3a to read as follows:

Sec. 3a. 18 V.S.A. § 4774 is amended to read:

§ 4774. OPIOID ABATEMENT SPECIAL FUND

(a)(1) There is created the Opioid Abatement Special Fund, a special fund established and managed pursuant to 32 V.S.A. chapter 7, subchapter 5 and administered by the Department of Health. The Opioid Abatement Special Fund shall consist of all abatement account fund monies disbursed to the

Department from the national abatement account fund, the national opioid abatement trust, the supplemental opioid abatement fund, or any other settlement funds that must be utilized exclusively for opioid prevention, intervention, treatment, recovery, ~~and~~ harm reduction services, co-occurring mental health conditions, and co-occurring substance use disorders.

\* \* \*

And that the bill ought to pass in concurrence with such proposals of amendment.

Thereupon, the bill was read the second time by title only pursuant to Rule 43, and the recommendation of proposal of amendment of the Committee on Health and Welfare was amended as recommended by the Committee on Appropriations.

Thereupon, the proposal of amendment recommended by the Committee on Health and Welfare, as amended, was agreed to and third reading of the bill was ordered.

### **Third Reading Ordered**

#### **H. 635.**

Senator Plunkett, for the Committee on Institutions, to which was referred House bill entitled:

An act relating to eliminating Department of Corrections supervisory fees.

Reported that the bill ought to pass in concurrence.

Senator Beck, for the Committee on Finance, to which the bill was referred, reported recommending that the bill ought to pass in concurrence.

Thereupon, the bill was read the second time by title only pursuant to Rule 43, and third reading of the bill was ordered.

### **House Proposal of Amendment Concurred In**

#### **S. 239.**

House proposal of amendment to Senate bill entitled:

An act relating to the Child Abuse and Neglect Reporting Working Group.

Was taken up.

The House proposes to the Senate to amend the bill by striking out all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. CHILD ABUSE AND NEGLECT REPORTING WORKING GROUP; REPORT

(a) The General Assembly finds:

(1) According to Child Trends, a research organization focused on improving the lives of children, youth, and families, data shows that from 2022 through 2024 Vermont had a rate of referrals to child welfare services that was over three times higher than the national level, with a rate of referral of 166 per 1,000 children in Vermont compared to 50 per 1,000 children nationally. Additionally, only 17 percent of such referrals in Vermont met the criteria for further action via an assessment or investigation compared to 54 percent nationally.

(2) While the General Assembly recently reviewed and revised child abuse and neglect substantiation procedures that occur after a referral has been accepted by the Department for Children and Families, there has not been a similar review of the training and requirements for mandatory reporting of suspected child abuse or neglect to ensure they employ best practices and provide sufficient guidance and resources for mandatory reporters.

(3) Data from Child Trends further shows that post-response services such as mental health services, substance misuse treatment, family therapy, child care, parenting education, and resources to assist families living in poverty were provided to only 28 percent of victims in Vermont compared with the national average of 57 percent.

(4) The provision of services to children and families prior to, during, and after a report of suspected child abuse or neglect is an essential element in a comprehensive child protection system.

(b) There is created the Child Abuse and Neglect Reporting Working Group for the purpose of examining the existing statutes and the Department for Children and Families' rules and policies regarding mandatory reporting of abuse and neglect of a child and recommending changes to modernize them and reflect current best practices. During its examination of mandatory reporting, the Working Group shall consider what services and strategies may be employed prior to any report of suspected abuse or neglect for the purpose of providing assistance to families before a situation rises to the level of requiring a report.

(c) The Working Group shall be composed of the following members:

(1) a member with lived experience as an abused or neglected child, appointed by the Vermont Child, Youth, and Family Advisory Council;

(2) a member with lived experience as an individual who was reported for suspected child abuse or neglect and an investigation found the report to be unsubstantiated, appointed by the Vermont Parent Representation Center;

(3) the Vermont Child, Youth, and Family Advocate or Deputy Advocate;

(4) the Executive Director of the Vermont Center for Crime Victim Services or designee;

(5) a co-executive director of the Vermont Network Against Domestic and Sexual Violence or designee;

(6) a member from the Department for Children and Families' Family Services Division, appointed by the Deputy Commissioner of the Division;

(7) the Executive Director of Prevent Child Abuse Vermont or designee;

(8) the Director of the Vermont Parent Child Center Network or designee;

(9) a certified law enforcement officer who has served on a special investigative unit, appointed by the Vermont Law Enforcement Advisory Board;

(10) a physician co-chair of the Vermont Citizen's Advisory Board;

(11) a principal, appointed by the Vermont Principals' Association;

(12) a representative of a designated agency that works in children's mental health, appointed by Vermont Care Partners; and

(13) the Vermont Office of Racial Equity.

(d) In conducting its work, the Working Group shall consult with stakeholders, including:

(1) the Vermont Children's Alliance and representation from Child Advocacy Centers;

(2) the Department of State's Attorneys and Sheriffs;

(3) the Juvenile Division of the Office of the Defender General;

(4) KidSafe Collaborative;

(5) Voices for Vermont's Children;

(6) the Vermont Parent Representation Center;

(7) Disability Rights Vermont;

(8) medical partners, such as the University of Vermont's Child Safe Program;

(9) the Office of the Attorney General;

(10) the Vermont School Counselor's Association; and

(11) the Agency of Education.

(e) On or before April 1, 2027, the Working Group shall provide an interim presentation to the House Committee on Human Services, the Senate Committee on Health and Welfare, and the House and Senate Committees on Judiciary on its work to date. On or before October 1, 2027, the Working Group shall provide a final report detailing its findings and any recommended legislative proposals to the House Committee on Human Services, the Senate Committee on Health and Welfare, and the House and Senate Committees on Judiciary.

(f)(1) In developing its recommendations, the Working Group shall prioritize issues related to:

(A) providing clarity regarding statutory definitions applicable to mandatory reporters;

(B) establishing consistency between statutory requirements and Department for Children and Families rules, guidance, and training materials;

(C) identifying practical implementation challenges faced by mandatory reporters in complying with existing law;

(D) assessing the appropriateness and efficacy of provisions in 33 V.S.A. §§ 4912 and 4913 regarding the definitions applicable to mandatory reporters, who should be a mandatory reporter, the process for mandatory reporting, the penalties for failure to report, and any exemptions from the reporting requirement; and

(E) identifying alternatives to reporting suspected child abuse or neglect when such alternatives are in the best interests of the child.

(2) The Working Group shall avoid expanding its review into matters unrelated to mandatory reporting obligations, thresholds, or processes unless necessary to resolve an identified reporting issue.

(3) Any recommendations shall remain consistent with federal requirements under the Child Abuse Prevention and Treatment Act (CAPTA), which establishes minimum standards related to state definitions of abuse and neglect, including physical abuse, neglect, sexual abuse or exploitation, and emotional maltreatment.

(4) To promote efficiency and avoid duplicative work, the Working Group shall leverage the work of the Children’s Justice Act Task Force and the Vermont Citizen’s Advisory Board (VCAB), which serves as Vermont’s CAPTA citizen review panel.

(5) The Working Group shall consider best practices from other states in the development of its recommendations.

(g) The Working Group shall have the administrative, technical, and legal assistance of the Department for Children and Families.

(1) The Working Group shall convene its first meeting on or before August 15, 2026.

(2) The Working Group shall elect a chair at its first meeting.

(3) Members of the Working Group who are not otherwise compensated for their attendance at meetings shall be entitled to per diem compensation and reimbursement of expenses as permitted under 32 V.S.A. § 1010 for not more than 12 meetings. These payments shall be made from monies appropriated to the Department for Children and Families.

(4) The Department for Children and Families shall post information about the Working Group’s efforts on its website, including meeting notices, agendas, procedures for public comment, and minutes of meetings.

## Sec. 2. EFFECTIVE DATE

This act shall take effect on passage.

Thereupon, the question, Shall the Senate concur in the House proposal of amendment?, was decided in the affirmative.

### **Third Reading Ordered**

#### **H. 171.**

Senator Norris, for the Committee on Judiciary, to which was referred House bill entitled:

An act relating to criminal justice agency protocols for an officer-involved shooting.

Reported that the bill ought to pass in concurrence.

Thereupon, the bill was read the second time by title only pursuant to Rule 43, and third reading of the bill was ordered.

**The Senate *pro tempore* Assumes the Chair**  
**Proposals of Amendment; Third Reading Ordered**

**H. 577.**

Senator Lyons, for the Committee on Health and Welfare, to which was referred House bill entitled:

An act relating to establishing the Vermont Prescription Drug Discount Card Program.

Reported recommending that the Senate propose to the House to amend the bill as follows:

First: In Sec. 1, 18 V.S.A. chapter 91, subchapter 7, in section 4691, by striking out subsection (e) in its entirety and inserting in lieu thereof a new subsection (e) to read as follows:

(e) On or before January 15, 2028, and annually thereafter, the State Treasurer shall submit a report to the House Committee on Health Care, the Senate Committee on Health and Welfare, and the Governor detailing the activities of the Program during the previous calendar year, including the number of Vermont residents and pharmacies participating in the Program; the amount of savings on prescription drug costs achieved; and the impact, if any, of the Program on the viability of Vermont's pharmacies.

Second: In Sec. 3a, 32 V.S.A. § 111, in subsection (b), in the second sentence, following "Drug Discount", by inserting "Card" preceding "Program"

And that the bill ought to pass in concurrence with such proposals of amendment.

Senator Gulick, for the Committee on Finance, to which the bill was referred, reported recommending that the bill ought to pass in concurrence with proposals of amendment as recommended by the Committee on Health and Welfare.

Senator Lyons, for the Committee on Appropriations, to which the bill was referred, reported recommending that the bill ought to pass in concurrence with proposals of amendment as recommended by the Committee on Health and Welfare.

Thereupon, the bill was read the second time by title only pursuant to Rule 43, the proposals of amendment were collectively agreed to, and third reading of the bill was ordered.

---

**The President Resumes the Chair**  
**Proposal of Amendment; Third Reading Ordered**

**H. 588.**

Senator Vyhovsky, for the Committee on Government Operations, to which was referred House bill entitled:

An act relating to professions and occupations regulated by the Office of Professional Regulation.

Reported recommending that the Senate propose to the House to amend the bill by striking out all after the enacting clause and inserting in lieu thereof the following:

\* \* \* General Powers \* \* \*

Sec. 1. 3 V.S.A. § 123 is amended to read:

§ 123. DUTIES OF OFFICE

(a) The Office shall provide administrative, secretarial, financial, investigatory, inspection, and legal services to the boards. The services provided by the Office shall include:

\* \* \*

(2) Issuing, recording, renewing, and reinstating all licenses as ordered by the boards, an appellate officer, the Director, an administrative law officer, or a court.

(3) Revoking, rescinding, or suspending licenses as ordered by the boards, the Director, an administrative law officer, or a court.

\* \* \*

(14) Adopting rules to establish a program to serve as an alternative to the disciplinary process for regulated professionals with substance use disorders or other professional practice issues as designated by the boards or Director.

\* \* \*

Sec. 2. 3 V.S.A. § 129 is amended to read:

§ 129. POWERS OF BOARDS OR OF DIRECTOR IN ADVISOR PROFESSIONS; DISCIPLINE PROCESS AND RESCISSION PROCESSES

\* \* \*

(d) A board or the Director shall notify parties, in writing, of their right to appeal final decisions of the board. A board or the Director shall also notify complainants in writing of the result of any disciplinary investigation made with reference to a complaint brought by them to the board or Director. When a disciplinary investigation results in a stipulation filed with the ~~board~~ docket clerk, the board or the Director shall provide the complainant with a copy of the stipulation and notice of the stipulation review scheduled before the board or hearing authority. The complainant shall have the right to be heard at the stipulation review.

\* \* \*

(j) Hearings involving denials or rescissions of licensure or disciplinary matters concerning persons in professions that have advisor appointees shall be heard by an administrative law officer appointed by the Secretary of State.

\* \* \*

Sec. 3. 3 V.S.A. § 129c is added to read:

§ 129c. RESCISSIONS

(a) The Director may rescind a license or compact privilege issued by the Office of Professional Regulation under the following circumstances:

(1) it is discovered that an administrative mistake has occurred resulting in the erroneous issuance of the license;

(2) payment is not remitted for any application fee pursuant to section 125 of this title; or

(3) if, for a compact license or privilege:

(A) either:

(i) this State or the compact license or privilege holder's home state of licensure ceases participating in the relevant licensing compact; or

(ii) the compact license or privilege holder ceases to hold an unencumbered home-state license; and

(B) the compact license or privilege holder does not obtain a full Vermont license within 30 days.

(b) The rescission process shall be as set forth in this subsection.

(1) License active for less than 30 days.

(A) If the individual's license has been active for less than 30 days, the Director shall initially rescind the license for any reason enumerated in subsection (a) of this section.

(B) The individual shall be immediately notified of the rescission, the reason for rescission, and procedural rights.

(C) The individual shall be provided an opportunity to have the rescission reviewed by either an administrative law officer or the relevant board. In any review, the Director shall have the burden of proving the rescission is merited. Any review shall commence not later than 30 days after the rescission, and a decision in any review shall be rendered within 40 days following the rescission. The decision shall either reverse the Director's rescission, in which case the license shall be immediately reinstated, or affirm the Director's rescission and be deemed a final decision of the administrative law officer or board.

(D) In the event of an administrative law officer or board affirming the Director's rescission, the individual shall be provided notice and the ability to appeal the Director's rescission in accordance with section 130a of this title; however, the individual shall have the burden of proving the rescission is not merited.

(2) License active for 30 days or more.

(A) If the individual's license has been active for 30 days or more, and the Director determines there is a reason for rescission as enumerated in subsection (a) of this section, the Director shall provide notice to the individual that, after 30 days from issuing the notice, the Director intends to rescind the individual's license. The notice shall also include the reason for rescission and the individual's procedural rights.

(B) The individual shall be provided an opportunity to have a hearing to determine the merits of a rescission. The individual shall have 30 days from when the Director's notice was issued to indicate if the individual elects to have a hearing. In the event the individual either elects not to have a hearing or declines to answer within the allotted 30 days, Director shall rescind the individual's license and the individual shall be foreclosed from appealing the decision pursuant to subdivision (D) of this subdivision (b)(2). In the event the individual elects to have a hearing, any rescission shall be stayed until a hearing decision is rendered.

(C) Any hearing shall be held in accordance with section 129 of this title and the resulting decision shall either affirm or reverse the Director's rescission of the individual license.

(D) In the event of a hearing decision finding that the Director's rescission of the individual's license is merited, the individual shall be provided notice and the ability to appeal the Director's rescission in accordance with section 130a of this title; however, the individual shall have the burden of proving the rescission is not merited.

(c) A rescission of a license shall not be recorded as an adverse action taken against the individual or any other misconduct or unprofessional conduct for purposes of the individual's other currently held licenses or future licensure applications.

(d) Upon becoming aware of the State either withdrawing from any licensure compact described in Title 26 or when a licensure compact described in Title 26 becomes no longer binding on the State, the Office of Professional Regulation shall notify as soon as practicable all affected licensees practicing in the State. An individual's license may not be rescinded if the Office fails to provide the notice.

Sec. 4. 3 V.S.A. § 128 is amended to read:

§ 128. DISCIPLINARY ACTION TO BE REPORTED TO THE OFFICE

(a)(1) Any hospital, clinic, community mental health center, or other health care institution in which a licensee performs professional services shall report to the Office, along with supporting information and evidence, any disciplinary action taken by it or its staff that limits or conditions the licensee's privilege to practice or leads to suspension or expulsion from the institution.

\* \* \*

(3) This section shall ~~not~~ apply to cases of resignation, separation from service, or changes in privileges that are ~~unrelated~~ related to:

- (A) a disciplinary or adverse action;
- (B) an adverse action report to the National Practitioner Data Bank;
- (C) an unexpected adverse outcome in the care or treatment of a patient;
- (D) misconduct or allegations of misconduct;
- (E) the initiation or process of an action to limit, condition, or suspend a licensee's privilege to practice in an institution;
- (F) an action to expel the licensee from an institution; or
- (G) any other action that could lead to an outcome described in subdivisions (A) through (F) of this subdivision (3).

\* \* \*

Sec. 5. 3 V.S.A. § 129a is amended to read:

§ 129a. UNPROFESSIONAL CONDUCT

(a) In addition to any other provision of law, the following conduct by a licensee constitutes unprofessional conduct. When that conduct is by an applicant or person who later becomes an applicant, it may constitute grounds for denial of a license or other disciplinary action. Any one of the following items or any combination of items, whether the conduct at issue was committed within or outside the State, shall constitute unprofessional conduct:

(1) Fraudulent or deceptive procurement or use of a license or attempted fraudulent or deceptive procurement or use of a license by making or causing to be made a false, fraudulent, or forged statement or representation.

\* \* \*

(g) Notwithstanding the provisions of this section or any other law to the contrary, the Director may adopt rules permitting a licensee to enter, at the Director's discretion, into a program serving as an alternative to the disciplinary process for regulated professionals with substance use disorders or other professional practice issues as designated by the boards or Director.

Sec. 6. 3 V.S.A. § 129b is amended to read:

§ 129b. BOARD MEMBER AND ADVISOR APPOINTMENTS

(a) Notwithstanding any provision of law to the contrary relating to terms of office and appointments for members of boards attached to the Office of Professional Regulation, all board members appointed by the Governor shall be the age of majority, appointed for staggered five-year terms, and ~~shall~~ serve at the pleasure of the Governor. Appointments under this section shall not be subject to the advice and consent of the Senate. The Governor may remove any member of a board as provided in section 2004 of this title. Vacancies created other than by expiration of a term shall be filled in the same manner that the initial appointment was made for the unexpired portion of the term. Terms shall begin on January 1 of the year of appointment and run through December 31 of the last year of the term. The Governor may request nominations from any source but shall not be bound to select board members from among the persons nominated. As provided in section 2004 of this title, board members shall hold office and serve until a successor has been appointed.

\* \* \*

Sec. 7. 3 V.S.A. § 137 is amended to read:

§ 137. UNIFORM PROCESS FOR FOREIGN CREDENTIAL VERIFICATION

\* \* \*

(d) The provisions relating to preliminary license denials set forth in subsection 129(e) of this subchapter shall apply to a license application that is preliminarily denied for nonequivalence under this section.

\* \* \* Accountants \* \* \*

Sec. 8. 26 V.S.A. § 13 is amended to read:

§ 13. DEFINITIONS

As used in this chapter:

\* \* \*

(7) “Good character” means ~~fiscal integrity, and a lack of any history of acts involving dishonesty, false statements, or fraud.~~ [Repealed.]

\* \* \*

(11) “Principal place of business” means the office location designated by the licensee for the purposes of ~~substantial equivalency~~ mobility and reciprocity.

\* \* \*

Sec. 9. 26 V.S.A. § 71a is amended to read:

§ 71a. LICENSE BY EXAMINATION

(a) ~~A license To qualify for licensure as a “certified public accountant” shall be granted by the Board to any person~~ certified public accountant, an applicant must:

(1) ~~who is of good character;~~

(2) ~~who completes~~ complete any one of the following requirements for education and experience:

(A) a postbaccalaureate degree from a college or university recognized by the Board with a concentration in accounting or an equivalent and one year of experience in public accounting, meeting the requirements prescribed by Board rule;

(B) 150 or more semester hours of college credit at a college or university recognized by the Board, including a baccalaureate degree and a minimum of 42 semester hours of accounting, auditing, and related subjects as the Board determines to be appropriate, and one year of experience in public accounting, meeting the requirements prescribed by Board rule ~~or other experience or employment that the Board in its discretion considers substantially equivalent; and or~~

(C) a baccalaureate degree from a college or university recognized by the Board with a concentration in accounting or an equivalent and two years of experience in public accounting, meeting the requirements prescribed by Board rule; and

~~(3)(2) who has passed~~ pass the examination required under subsection (b) of this section.

(b) The Board shall administer an examination using a nationally recognized uniform certified public accountants' examination and advisory grading service.

(c) An applicant who has not yet completed a baccalaureate degree may sit for the exam upon the completion of 120 semester hours at an institution recognized by the Board, including a minimum of 30 semester hours of accounting, auditing, and related subjects as the Board determines to be appropriate.

Sec. 10. 26 V.S.A. § 74c is amended to read:

§ 74c. SUBSTANTIAL EQUIVALENCY MOBILITY

(a) An individual whose principal place of business is not in this State shall ~~be presumed to have qualifications substantially equivalent to this State's requirements and shall~~ have the privileges of licensure of this State, without the need to obtain a license under section 72b of this title, if the individual:

(1) holds a valid license as a certified public accountant from a any state ~~the Board determines has licensure requirements substantially equivalent to the requirements of the AICPA/NASBA Uniform Accountancy Act; or and~~

(2) ~~holds a valid license as a certified public accountant from any state, and the individual obtains verification from the NASBA National Qualification Appraisal Service that the individual's qualifications are substantially equivalent to the licensure requirements of the AICPA/NASBA Uniform Accountancy Act. An individual who passed the uniform CPA examination and holds a valid license issued by any state prior to January 1, 2012 shall be exempt from the education requirements of subdivision 5(c)(2) of the Uniform Accountancy Act for purposes of this section.~~ has passed the uniform CPA examination and has met any one of the following requirements for education and experience in accordance with rules adopted by the Board:

(A) a post-baccalaureate degree from a college or university with a concentration in accounting or an equivalent and one year of experience in public accounting;

(B) 150 or more semester hours of college credit at a college or university, including a baccalaureate degree and a minimum of 42 semester hours of accounting, auditing, and related subjects, and one year of experience in public accounting; or

(C) a baccalaureate degree from a college or university with a concentration in accounting or an equivalent and two years of experience in public accounting.

\* \* \*

(g) An individual whose principal place of business is not in this State, who holds a valid active license as a certified public accountant from any state, and who, as of December 31, 2024, had practice privileges in this State under this section shall continue to have all the privileges of licensees in this State without the need to obtain a license under section 71a of this title, pursuant to all other requirements of this chapter.

\* \* \* Dentists \* \* \*

Sec. 11. 26 V.S.A. § 603 is added to read:

§ 603. LIMITED ACADEMIC DENTIST LICENSE

(a) Scope of dentist practice. A limited academic dentist license is a credential that authorizes the practice of dentistry only:

(1) at a teaching facility operated by a dental program that is accredited by the American Dental Association's Commission on Dental Accreditation to grant doctoral degrees in dental medicine or dental surgery; and

(2) under the general supervision of a dentist who is fully licensed in good standing in Vermont.

(b) Eligibility. To qualify for a limited academic dentist license, an applicant must:

(1) be appointed as a full-time dental instructor of an accredited dental program;

(2) hold a dental degree sufficient for licensure by examination under section 601 of this title; and

(3) complete any courses in emergency office procedures or cardiopulmonary resuscitation required for a licensed dentist.

(c) Specialties unavailable. A limited academic dentist license holder who is not otherwise licensed as a dentist in this State is ineligible for sedation and general anesthesia specialties.

(d) Notification of termination required. A limited academic dentist license holder must notify the Office within 48 hours after any termination as a full-time dental instructor. Continued practice after termination constitutes unauthorized practice under 3 V.S.A. § 127.

(e) Renewal. For license renewal, a limited academic dentist license holder must:

(1) meet all renewal requirements set forth in subsections 661(a)–(d) for a licensed dentist, except no fee is required; and

(2) continue to be a full-time dental instructor of an accredited dental program.

Sec. 12. 26 V.S.A. § 662 is amended to read:

§ 662. FEES

(a) Applicants and persons regulated under this chapter shall pay the following fees:

(1) Application

(A) Dentist \$285.00

(B) Limited academic dentist \$0.00

(C) Dental therapist \$215.00

~~(C)(D)~~ Dental hygienist \$200.00

~~(D)(E)~~ Dental assistant \$80.00

(2) Biennial renewal

(A) Dentist \$655.00

(B) Limited academic dentist \$0.00

(C) Dental therapist \$310.00

~~(C)(D)~~ Dental hygienist \$245.00

~~(D)(E)~~ Dental assistant \$105.00

(b) The licensing fee for a dentist, dental therapist, or dental hygienist or the registration fee for a dental assistant who is otherwise eligible for licensure or registration and whose practice in this State will be limited to providing pro bono services at a free or reduced-fee clinic or similar setting approved by the Board shall be waived.

## \* \* \* Funeral Services \* \* \*

Sec. 13. 26 V.S.A. § 1211 is amended to read:

§ 1211. DEFINITIONS

(a) As used in this chapter, unless a contrary meaning is required by the context:

\* \* \*

(6) “Practice of funeral service” means arranging, directing, or providing for the care, preparation, or disposition of dead human bodies for a fee or other compensation. This includes:

(A) meeting with the public to select a method of disposition or funeral observance and merchandise;

(B) entering into contracts, either at-need or pre-need, for the provision of dispositions, funeral observances, and merchandise;

(C) arranging, directing, or performing the removal or transportation of a dead human body;

(D) securing or filing certificates, permits, forms, or other documents;

(E) supervising or arranging a funeral, memorial, viewing, or graveside observance; ~~and~~

(F) holding oneself out to be a licensed funeral director by using the words or terms “funeral director,” “mortician,” “undertaker,” or any other words, terms, title, or picture that, when considered in context, would imply that such person is engaged in the practice of funeral service or is a licensed funeral director; and

(G) providing for the disposition of dead human bodies by cremation, alkaline hydrolysis, or natural organic reduction.

\* \* \*

(c) Notwithstanding this section, owners of a disposition facility and their personnel may engage in the listed activities in subdivision (a)(6) of this section only to the extent such functions are necessary to the performance of their duties. Specifically, personnel at a disposition facility may:

(1) provide for the disposition of dead human bodies by cremation, alkaline hydrolysis, or natural organic reduction and meet with the public to arrange ~~and provide~~ for the disposition;

(2) enter into contracts, without taking prepaid funds, for the ~~provision of dispositions~~ disposition by cremation, alkaline hydrolysis, or natural organic reduction;

(3) arrange, direct, or perform the removal or transportation of a dead human body, provided that removals are performed by licensed removal personnel; and

(4) secure and file certificates, permits, forms, or other documents.

\* \* \* Nursing; Advanced Practice Registered Nurses \* \* \*

Sec. 14. 26 V.S.A. § 1614 is amended to read:

§ 1614. APRN RENEWAL

An APRN license renewal application shall include:

(1) documentation of ~~completion of the APRN practice requirement;~~

(2) ~~possession of~~ a current certification by a national APRN specialty certifying organization; and

(3)(2) a current collaborative provider agreement if required for transition to practice.

\* \* \* Pharmacists \* \* \*

Sec. 14a. 26 V.S.A. § 2023 is amended to read:

§ 2023. CLINICAL PHARMACY; PRESCRIBING AND TESTING

(a) In accordance with applicable rules adopted by the Board, a pharmacist may engage in the practice of clinical pharmacy, including prescribing as set forth in subsection (b) of this section, provided that a pharmacist shall not:

\* \* \*

(3) initiate antibiotic therapy, except pursuant to a collaborative practice agreement or state protocol.

(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:

\* \* \*

(x) emergency prescribing of albuterol or glucagon while contemporaneously contacting emergency services;

~~(xi) tests for COVID-19 for individuals by entities holding a Certificate of Waiver pursuant to the Clinical Laboratory Amendments of 1988 (42 U.S.C. § 263a). If a test for COVID-19, prescribed, ordered, or administered by a pharmacist in accordance with this section and the resulting State protocol incidentally detects influenza or human respiratory syncytial virus, a pharmacist shall advise the individual tested that the results indicate influenza or human respiratory syncytial virus infection and recommend to the individual to seek further care from an appropriate health care provider;~~

~~(xii) tests for SARS-CoV for asymptomatic individuals or related serology for individuals by entities holding a Certificate of Waiver pursuant to the Clinical Laboratory Amendments of 1988 (42 U.S.C. § 263a); and~~

~~(xiii)~~(xi) emergency contraception;

(xii) tests waived under 42 C.F.R. § 493.15 for COVID-19, influenza, and streptococcal pharyngitis and subsequent drug treatment; and

(xiii) medications for the prevention of human immunodeficiency virus, including those for pre-exposure and post-exposure prophylaxis.

\* \* \*

Sec. 14b. 26 V.S.A. § 2022 is amended to read:

§ 2022. DEFINITIONS

As used in this chapter:

\* \* \*

(14) “Pharmacy technician” means an individual who, only while assisting and under the supervision of a licensed pharmacist, performs tasks relative to dispensing prescription drugs, administering immunizations, and performing tests for COVID-19, influenza, and streptococcal pharyngitis. Pharmacy technicians shall administer immunizations and perform authorized tests ~~for COVID-19~~ in compliance and accordance with section 2042a of this title.

\* \* \*

Sec. 14c. 26 V.S.A. § 2042a is amended to read:

§ 2042a. PHARMACY TECHNICIANS; QUALIFICATIONS  
FOR REGISTRATION

\* \* \*

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

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

(2) in accordance with a State protocol adopted under subdivision 2023(b)(2)(A)(~~x~~) of this title or pursuant to a standing order of the Commissioner of Health; and

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

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

\* \* \* Psychologists \* \* \*

#### Sec. 15. TEMPORARY PSYCHOLOGIST LICENSURE EDUCATIONAL SUPPLEMENTATION

(a) Notwithstanding the provisions of 26 V.S.A. chapter 55, 3 V.S.A. chapter 25, or any contrary rule, the Director of the Office of Professional Regulation may develop and implement temporary policies permitting supplementation of a master's or doctoral degree, pursuant to 26 V.S.A. § 3011a(a)(2), for the licensing of psychologists.

(b) Policies adopted pursuant to this section shall be:

(1) developed in consultation with the Board of Psychological Examiners and the Vermont Psychological Association;

(2) consistent with 26 V.S.A. chapter 57; and

(3) made available to the public.

(c) The Director's powers granted pursuant to this section and any temporary policies adopted pursuant to this section shall be in effect only until either July 1, 2029, or when the Board of Psychological Examiners adopts permanent rules regarding supplementation of a master's or doctoral degree, pursuant to 26 V.S.A. § 3011a(a)(2), for the licensing of psychologists, whichever occurs first.

(d) On or before July 1, 2029, the Board shall adopt updated rules regarding the supplementation of a master's or doctoral degree, pursuant to 26 V.S.A. § 3011a(a)(2), for the licensing of psychologists.

\* \* \* Midwives \* \* \*

Sec. 16. 26 V.S.A. chapter 85 is amended to read:

CHAPTER 85. MIDWIVES

\* \* \*

§ 4185. DIRECTOR; DUTIES

\* \* \*

~~(e)(1) The Director shall appoint an advisory committee to study and report to the Director and to the Commissioner of Health on matters relating to midwifery, including recommendations if necessary for revisions to the administrative rules. The Committee shall focus on improving communication and collaboration among birth providers.~~

~~(2) The Committee shall be composed of at least six members: three midwives licensed under this chapter, two physicians licensed by the Board of Medical Practice or the Board of Osteopathic Physicians and Surgeons, and one advanced practice registered nurse midwife licensed by the Board of Nursing.~~

~~(3) Members of the Committee shall be entitled to compensation at the rate provided in 32 V.S.A. § 1010.~~

\* \* \*

§ 4187. RENEWALS

~~(a)(1) Biennially, the Director shall forward a renewal form to each licensed midwife A license shall be renewed every two years upon the filing of a renewal application, payment of the required fee, and proof of compliance with renewal requirements. The completed form renewal application shall include verification that during the preceding two years, the licensed midwife has:~~

~~(A) completed 20 hours of continuing education approved by the Director by rule;~~

~~(B) participated in at least four peer reviews;~~

~~(C) submitted individual practice data;~~

~~(D) maintained current cardiopulmonary resuscitation certification;~~

~~and~~

~~(E)~~(D) filed a timely certificate of birth for each birth at which ~~he or she~~ the licensee was the attending midwife, as required by law; and

(E) maintained current certification by the North American Registry of Midwives.

(2) Upon receipt of the completed form and of the renewal fee, the Director shall issue a renewal license to applicants who qualify under this section.

(b) The Director shall renew a license that has lapsed for a period of three years or less upon receipt of the renewal fee and late renewal penalty, the reinstatement fee, and an application for renewal that shows that the person still meets the eligibility requirements of this chapter and that all the requirements for renewal, including continuing education, have been satisfied. A person shall not be required to pay renewal fees for lapsed years.

(c) The Director may adopt rules to assure that an applicant whose license has lapsed for a period greater than three years may be eligible for licensing, but such rules shall not establish requirements greater than the eligibility requirements of this chapter.

(d) The Director may, as a condition of license renewal, require that licensed midwives submit individual practice data to the Office or its designee. The required data may include information such as client demographics, complications of labor and delivery, breastfeeding and postpartum health, and such other information as the Director may require.

\* \* \* Speech-Language Pathologist Assistants; Sunrise Report \* \* \*

Sec. 17. OFFICE OF PROFESSIONAL REGULATION; SUNRISE REVIEW REPORT; SPEECH-LANGUAGE PATHOLOGIST ASSISTANTS

On or before November 15, 2026, the Office of Professional Regulation, in consultation with speech language pathologists, speech-language pathology assistants, and other interested stakeholders, shall submit to the House Committee on Government Operations and Military Affairs and the Senate Committee on Government Operations a written report, in accordance with 26 V.S.A. chapter 57, on the advised nature of regulation and suggested level of credentialing for speech-language pathologist assistants practicing in the State. In so doing, OPR shall take into consideration its sunrise report completed in 2015.

\* \* \* Massage Therapists, Bodyworkers, and Touch Professionals \* \* \*

Sec. 18. 26 V.S.A. chapter 105 is amended to read:

CHAPTER 105. MASSAGE THERAPISTS, BODYWORKERS, AND  
TOUCH PROFESSIONALS

Subchapter 1. General Provisions

§ 5401. DEFINITIONS

As used in this chapter:

\* \* \*

(2)(A) “Establishment” means any ~~place of business that~~ location:

~~(i)(A) offers the practice of massage or the practice of bodywork or where the practice of massage or the practice of bodywork is conducted on the premises of the business where the practice of massage or the practice of bodywork is regularly engaged in; or~~

~~(ii)(B) that represents itself to the public by any title or description of services incorporating the words “touch professional,” “bodywork,” “massage,” “massage therapy,” “massage therapist,” “massage practitioner,” “massagist,” “masseur,” “masseuse,” “energy work,” or other words identified by the Director in rules.~~

~~(B) A “place of business” includes any office, clinic, facility, salon, spa, or other location not otherwise exempted under section 5404 of this chapter where a person or persons engage in the practice of massage or the practice of bodywork.~~

\* \* \*

§ 5403. UNAUTHORIZED PRACTICE

Any individual who owns or operates an unregistered establishment or who engages in the practice of massage or the practice of bodywork without a registration from the Office shall be subject to the penalties provided in 3 V.S.A. § 127 (~~unauthorized practice~~).

§ 5404. EXEMPTIONS

\* \* \*

(c) Nothing in this chapter shall prohibit a massage therapist, bodyworker, or touch professional from engaging in or offering the practice of massage or the practice of bodywork at a location that is not ~~an~~ a registered establishment; if:

~~(1) so long as prior to engaging in that practice at that location, the registrant massage therapist and his or her the client agree in advance that the location is acceptable; and~~

~~(2) the location is not an establishment as defined in subdivision 5401(2) of this title.~~

~~(d) Establishment registration is not required for a location where the practice of massage or the practice of bodywork is provided solely by:~~

~~(1) persons exempt from registration; or~~

~~(2) a single massage therapist, bodyworker, or touch professional.~~

\* \* \*

#### § 5411. DUTIES OF THE DIRECTOR

\* \* \*

##### (b) Rules.

(1) The Director shall adopt rules requiring a massage therapist, bodyworker, or touch professional to disclose to each new client before the first treatment the following information:

(A) the professional qualifications and experience of the registrant;

(B) actions that constitute unprofessional conduct;

(C) the method for filing a complaint against a registrant; and

(D) the method for making a consumer inquiry with the Office.

(2) The Director shall adopt rules regarding the display of:

(A) the registrations of employed or contracted massage therapists, bodyworkers, or touch professionals at an establishment; and

(B) information regarding unprofessional conduct and filing complaints with the Office.

(3) The rules described in this subsection shall include provisions relating to the manner in which the information disclosed shall be distributed or displayed and a requirement that a massage therapist, bodyworker, or touch professional and ~~his or her~~ the client sign an acknowledgement that the information was disclosed.

(4) The Director may adopt other rules as necessary to perform ~~his or her~~ the Director's duties under this chapter.

(5) The Director may adopt rules limiting the applicability of this chapter as applied to establishments operated within private homes.

\* \* \*

## § 5423. ESTABLISHMENTS; DESIGNEE AND INSPECTION

(a) ~~An establishment shall designate a massage therapist, bodyworker, or touch professional to be responsible for ensuring the establishment complies with the requirements of this chapter and the rules adopted by the Director register with the Office of Professional Regulation. The operation of an establishment without registration shall constitute unauthorized practice under 3 V.S.A. § 127.~~

(b) An establishment is responsible for ensuring its lawful operation, regardless of whether the establishment's owner is on-site or has personal knowledge of its operations. The Office may prosecute an establishment for unprofessional conduct or unauthorized practice occurring at the establishment.

(c) The Director may require that an application for establishment registration include:

(1) the management and ownership of the business;

(2) the name, location, and licensing history of any past or present massage establishment under the same management or ownership;

(3) the location and ownership of the establishment's premises;

(4) proof of business registration with the Secretary of State; and

(5) other information required by the Director in rule.

(d) The Director may deny an establishment registration of a location where unprofessional conduct, as defined in subdivision 5427(2) or (3) of this title, has previously occurred, even if under different ownership or management. A denial on this basis shall follow the same procedures as a denial for unprofessional conduct under 3 V.S.A. § 129.

(e) A person authorized by the Director may enter any establishment for the purpose of inspection when a complaint has been filed with the Office regarding the practice of massage or the practice of bodywork at that establishment. The Director may require an establishment to undergo inspection prior to registration. A fee shall not be charged for any inspection under this subsection.

\* \* \*

## § 5425. FEES

(a) Applicants and persons regulated under this chapter shall pay those fees set forth in 3 V.S.A. § 125(b).

(b) An establishment where the practice of massage or the practice of bodywork is provided by only two massage therapists, bodyworkers, or touch professionals shall pay reduced fees set forth in 3 V.S.A. § 125(b).

§ 5426. DISPLAY OF REGISTRATION

~~A massage therapist, bodyworker, or touch professional shall conspicuously display his or her registration in any establishment where the registrant is engaged in the practice of massage or the practice of bodywork~~ An establishment must conspicuously display the registrations of:

(1) the establishment; and

(2) any massage therapist, bodyworker, or touch professional engaged in the practice of massage or the practice of bodywork in the establishment.

§ 5427. UNPROFESSIONAL CONDUCT

Unprofessional conduct means the conduct set forth in 3 V.S.A. § 129a and the following:

(1) engaging in activities in violation of 13 V.S.A. § 2605 (voyeurism);

(2) engaging in a sexual act with a client in sexual conduct as defined in 13 V.S.A. § 2821:

(A) at an establishment; or

(B) while engaging in, offering to engage in, or purporting to engage in the practice of massage or the practice of bodywork;

(3) meeting a client at an establishment for the purpose of sexual conduct;

~~(3)~~(4) conviction of a crime committed while engaged in the practice of massage or the practice of bodywork;

~~(4)~~(5) performing massage or bodywork that the massage therapist, bodyworker, or touch professional knows or has reason to know has not been authorized by a client or the client's legal representative; and

~~(5)~~(6) engaging in conduct of a character likely to deceive, defraud, or harm the public; and

(7) engaging in the practice of massage or the practice of bodywork at an unregistered establishment.

Sec. 18a. 3 V.S.A. § 125 is amended to read:

§ 125. FEES

(a) In addition to the fees otherwise authorized by law, a board or advisor profession may charge the following fees:

(1) Verification of license, \$30.00.

(2) An examination fee established by the Secretary, which shall be not greater than the costs associated with examinations.

(3) Reinstatement fees for expired licenses pursuant to section 127 (unauthorized practice) of this title.

(4) Continuing, qualifying, or prelicensing education course approval:

(A) Provider, \$100.00.

(B) Individual, \$25.00.

(5) A preapplication criminal background determination, \$25.00.

(6) Limited temporary license or work permit, \$60.00.

(7) Apprenticeship application, \$50.00.

(8) Specialty or endorsement to existing license application, \$100.00.

(9) Disciplinary action surcharge, \$250.00.

(b) Unless otherwise provided by law, the following fees shall apply to all professions regulated by the Director in consultation with advisor appointees under Title 26:

(1) Application for registration, \$100.00, except application for:

\* \* \*

(D) Massage therapist, bodyworker, or touch professional, \$90.00.

(E) Massage establishment qualifying for a reduced fee under 26 V.S.A. § 5425(b), \$50.00.

(2) Application for licensure or certification, \$115.00, except application for:

\* \* \*

(M) ~~Massage therapist, bodyworker, or touch professional, \$90.00.~~  
[Repealed.]

\* \* \*

(4) Biennial renewal, \$275.00, except biennial renewal for:

---

\* \* \*

(Y) Massage establishment qualifying for a reduced fee under 26 V.S.A. § 5425(b), \$75.00.

- (5) ~~Limited temporary license or work permit, \$60.00. [Repealed.]~~
- (6) Radiologic evaluation, \$125.00.
- (7) Annual renewal for appraisal management company registration, \$345.00.
- (8) Real estate appraiser trainee, \$115.00.
- (9) ~~Apprenticeship application, \$50.00. [Repealed.]~~
- (10) ~~Specialty or endorsement to existing license application, \$100.00. [Repealed.]~~
- (11) ~~Disciplinary action surcharge, \$250.00. [Repealed.]~~

\* \* \*

Sec. 19. 13 V.S.A. § 2638 is amended to read:

§ 2638. IMMUNITY FROM LIABILITY

(a) As used in this section:

- (1) “Human trafficking” has the same meaning as in section 2651 of this title.
- (2) “Prostitution” has the same meaning as in section 2631 of this title.

(b) A person who, in good faith and in a timely manner, reports to law enforcement that the person is a victim of or a witness to a crime that arose from the person’s involvement in prostitution or human trafficking shall not be cited, arrested, or prosecuted for a violation of the following offenses:

- (1) section 2632 of this title (prostitution);
- (2) section 2601a of this title (prohibited conduct);
- (3) 18 V.S.A. § 4230(a)(1)–(3) (cannabis possession);
- (4) 18 V.S.A. § 4231(a)(1) and (2) (cocaine possession);
- (5) 18 V.S.A. § 4232(a)(1) and (2) (LSD possession);
- (6) 18 V.S.A. § 4233(a)(1) and (2) (heroin possession);
- (7) 18 V.S.A. § 4234(a)(1) and (2) (depressant, stimulant, and narcotic drugs possession);

- (8) 18 V.S.A. § 4234a(a)(1) and (2) (methamphetamine possession);  
 (9) 18 V.S.A. § 4235(b)(1) (hallucinogenic drugs possession); ~~and~~  
 (10) 18 V.S.A. § 4235a(a)(1) (Ecstasy possession); and  
 (11) 26 V.S.A. § 5403 (unauthorized practice of massage or bodywork).

\* \* \*

\* \* \* Board of Medical Practice \* \* \*

Sec. 19a. 26 V.S.A. § 1353 is amended to read:

§ 1353. POWERS AND DUTIES OF THE BOARD

The Board shall have the following powers and duties to:

\* \* \*

(8)(A) ~~Inquire into the criminal history backgrounds of applicants for licensure and for biennial license renewal for all professionals licensed or certified by the Board. In obtaining these background checks, the Board may inquire directly of the Vermont Crime Information Center, the Federal Bureau of Investigation, the National Crime Information Center, or other holders of official criminal record information, and may arrange for these inquiries to be made by a commercial service~~ any Board-issued credential, including a license, certification, or registration for the following professions:

(i) medical doctors licensed pursuant to chapter 23 of this title;

(ii) podiatrists licensed pursuant to chapter 7 of this title;

(iii) anesthesiologist assistants licensed pursuant to chapter 29 of this title;

(iv) physician assistants licensed pursuant to chapter 31 of this title; and

(v) radiologist assistants licensed pursuant to chapter 52 of this title.

(B) Prior to acting on an initial or renewal application, the Board may obtain with respect to the applicant a Vermont criminal history record, an out-of-state criminal history record, and a criminal history record from the Federal Bureau of Investigation. Federal Bureau of Investigation background checks shall be fingerprint-supported, and fingerprints so obtained may be retained on file and used to notify the Board of future triggering events. Each applicant shall consent to the release of criminal history records to the Board on forms developed by the Vermont Crime Information Center.

(C) An applicant or licensee shall bear any cost of obtaining a required criminal history background check. Applicants subject to background checks shall be notified that a check is required, whether fingerprints will be retained on file, and that criminal convictions are not an absolute bar to licensure. Applicants shall be provided other information as may be required by federal law or regulation.

~~(D) The Board shall comply with all laws regulating the release of criminal history records and the protection of individual privacy.~~

~~(E) No person shall confirm the existence or nonexistence of criminal history record information to any person who would not be eligible to receive the information pursuant to this chapter. As used in this subdivision, "criminal history record" has the same meaning as in 20 V.S.A. § 2056a.~~

\* \* \*

\* \* \* Effective Dates \* \* \*

#### Sec. 20. EFFECTIVE DATES

(a) This section, Secs. 1–10 (general powers, accountants), Secs. 13–17 (funeral services, advanced practice registered nurses, pharmacists, psychologists, midwives, speech-language pathologist assistants report), Sec. 18a (3 V.S.A. § 125), and Sec. 19a (Board of Medical Practice) shall take effect on passage.

(b) Secs. 11 and 12 (dentists) shall take effect on September 1, 2026.

(c) Sec. 18 (massage therapists, bodyworkers, and touch professionals) and Sec. 19 (13 V.S.A. § 2638) shall take effect on December 1, 2026.

And that the bill ought to pass in concurrence with such proposal of amendment.

Senator Hardy, for the Committee on Finance, to which the bill was referred, reported recommending that the bill ought to pass in concurrence with proposal of amendment as recommended by the Committee on Government Operations.

Senator Westman, for the Committee on Appropriations, to which the bill was referred, reported recommending that the bill ought to pass in concurrence with proposal of amendment as recommended by the Committee on Government Operations.

Thereupon, the bill was read the second time by title only pursuant to Rule 43, the proposal of amendment was agreed to, and third reading of the bill was ordered.

**Proposals of Amendment; Third Reading Ordered**

**H. 611.**

Senator Gulick, for the Committee on Health and Welfare, to which was referred House bill entitled:

An act relating to miscellaneous provisions affecting the Department of Vermont Health Access.

Reported recommending that the Senate propose to the House to amend the bill as follows:

First: By striking out Sec. 2, 18 V.S.A. § 4682, in its entirety and inserting in lieu thereof a new Sec. 2 to read as follows:

Sec. 2. 18 V.S.A. § 4682 is amended to read:

§ 4682. DISCRIMINATION AGAINST 340B ENTITIES PROHIBITED

\* \* \*

(b) A manufacturer or its agent shall not directly or indirectly require a 340B covered entity to submit any claims, utilization, encounter, purchase, or other data as a condition for allowing the acquisition of a 340B drug by or delivery of a 340B drug to a 340B contract pharmacy or a 340B covered entity unless the claims or utilization data sharing is required by the U.S. Department of Health and Human Services.

\* \* \*

~~(d) A manufacturer or its agent shall offer or otherwise make available 340B drug pricing to a 340B covered entity or 340B contract pharmacy in the form of a discount at the time of purchase and shall not offer or otherwise make available 340B drug pricing in the form of a rebate. [Repealed.]~~

Second: In Sec. 9, amending 2025 Acts and Resolves No. 50, Sec. 8, in subsection (a), by striking out “2026” both times it appears and inserting in lieu thereof “2026 2027”

Third: By striking out Sec. 10, effective date, in its entirety and inserting in lieu thereof two new sections to be Secs. 10 and 11 to read as follows:

Sec. 10. 8 V.S.A. § 4077 is amended to read:

§ 4077. REPRODUCTIVE HEALTH CARE SERVICES

\* \* \*

(h)(1) As used in this subsection:

(A) “HIV prevention drug” means any preexposure prophylaxis drug or postexposure prophylaxis drug, including oral and long-acting injectable formulations, that is approved by the FDA for HIV prevention or that is otherwise authorized for HIV prevention pursuant to FDA labeling or federal clinical guidelines.

(B) “Supportive health service” means any health service that is necessary to monitor a patient to ensure the safe and effective ongoing use of an HIV prevention drug and includes:

(i) an office visit;

(ii) laboratory testing;

(iii) testing for a sexually transmitted infection;

(iv) medication self-management and adherence counseling;

(v) patient education and counseling by the patient’s health care provider regarding the appropriate use of the HIV prevention drug; and

(vi) any other health services that are components of comprehensive HIV prevention drug services as determined by the patient’s health care provider.

(2) A health insurance plan shall provide coverage for HIV preexposure prophylaxis drugs as recommended by the U.S. Preventive Services Task Force as of August 22, 2023. This coverage shall be provided without any deductible, coinsurance, co-payment, or other cost-sharing requirement, except to the extent that such coverage would disqualify a high-deductible health plan from eligibility for a health savings account pursuant to 26 U.S.C. § 223.

(3) Medicaid and any other public health care assistance program offered or administered by the State or by any subdivision or instrumentality of the State, except for any program funded in whole or in part by federal grants that include prohibitions on coverage of HIV prevention drugs, shall provide coverage of HIV prevention drugs and supportive health services and shall:

(A) not require any cost sharing, including co-payments;

(B) provide coverage without requiring prior authorization or any other protocol that may restrict or delay dispensing for at least one FDA-approved drug in each category of preexposure and postexposure prophylaxis drugs; and

(C) not deny coverage based on the type of health care professional issuing the prescription for any HIV prevention drug for which Medicaid does not require prior authorization, provided the health care professional is acting within the professional's authorized scope of practice and is enrolled as a participating provider in Vermont Medicaid.

Sec. 11. EFFECTIVE DATE

This act shall take effect on passage.

And that the bill ought to pass in concurrence with such proposals of amendment.

Senator Lyons, for the Committee on Appropriations, to which the bill was referred, reported recommending that the bill ought to pass in concurrence with proposals of amendment as recommended by the Committee on Health and Welfare.

Thereupon, the bill was read the second time by title only pursuant to Rule 43, the proposals of amendment were collectively agreed to, and third reading of the bill was ordered.

**Proposal of Amendment; Third Reading Ordered**

**H. 657.**

Senator Morley, for the Committee on Health and Welfare, to which was referred House bill entitled:

An act relating to various programming and requirements within the Department for Children and Families.

Reported recommending that the Senate propose to the House to amend the bill by striking out all after the enacting clause and inserting in lieu thereof the following:

\* \* \* Removing Reach Up Asset Limit \* \* \*

Sec. 1. 33 V.S.A. § 1103 is amended to read:

§ 1103. ELIGIBILITY AND BENEFIT LEVELS

\* \* \*

(c) The Commissioner shall adopt rules for the determination of eligibility for the Reach Up program and benefit levels for all participating families that include the following provisions:

\* \* \*

~~(5)(A) The asset limitation shall be \$9,000.00 for families for the purposes of determining initial and continuing eligibility for the Reach Up program, and the following savings accounts shall not be considered in the calculation for determining the asset limitation:~~

~~(i) a retirement account, such as an individual retirement arrangement (IRA), a defined contribution plan qualified under 26 U.S.C. § 401(k), or any similar account as defined in 26 U.S.C. § 408; and~~

~~(ii) a qualified child education savings account, such as the Vermont Higher Education Investment Plan, established in 16 V.S.A. § 2877, or any similar plan qualified under 26 U.S.C. § 529.~~

~~(B) The value of assets accumulated from the earnings of adults and children in participating families and from any federal or Vermont earned income tax credit shall be excluded for purposes of determining continuing eligibility for the Reach Up program. The Department shall not impose an asset limit for the purpose of initial and continuing eligibility for the Reach Up program.~~

\* \* \*

\* \* \* Social Security Benefits for Youth in Foster Care \* \* \*

Sec. 2. 33 V.S.A. § 4902 is amended to read:

#### § 4902. DEFINITIONS

As used in this chapter:

(1) “Child” means a person under 18 years of age committed by the Family Division of the Superior Court to the Department for Children and Families.

(2) “Commissioner” means the Commissioner for Children and Families.

(3) “Department” means the Department for Children and Families.

(4) “Foster care” means care of a child, for a valuable consideration, in a child care institution or in a family other than that of the child’s parent, guardian, or relative.

(5) “Qualified ABLE account” means an ABLE account, as that term is defined in section 8002 of this title, or an account established pursuant to any qualified state ABLE program created pursuant to 26 U.S.C. § 529A (section 529A of the Internal Revenue Code of 1986).

(6) “Representative payee” means the person appointed by the Social Security Administration to manage Social Security benefits for a child.

(7) “RSDI benefits” means a child’s retirement, survivors, or disability insurance benefits under 42 U.S.C. chapter 7, subchapter II (Title II of the Social Security Act).

(8) “Social Security Act” means the Social Security Act, 42 U.S.C. chapter 7, as may be amended.

(9) “Social Security benefits” means a child’s RSDI benefits, SSI benefits, or both, as applicable.

(10) “SSI benefits” means a child’s Supplemental Security Income benefits under 42 U.S.C. chapter 7, subchapter XVI (Title XVI of the Social Security Act).

Sec. 3. 33 V.S.A. § 4907 is added to read:

§ 4907. FOSTER CARE; SOCIAL SECURITY BENEFITS

(a) The Department shall not use any portion of a child’s Social Security benefits to offset the State’s costs for the child’s maintenance except to maintain the child’s eligibility for SSI benefits and to avoid a violation of federal asset or resource limits.

(b) Upon the request of the child or the child’s foster care provider, the Department, in its capacity as representative payee for a child, may use the child’s Social Security benefits for the child’s unmet needs beyond the amount that the State is obligated, required, or agrees to pay for the care of the child.

(c) In its capacity as representative payee for a child and with the assistance of the State Treasurer, the Department shall:

(1) establish a trust account for the child, which shall be a qualified ABLE account for any child receiving SSI benefits;

(2) monitor any federal asset or resource limits for the child’s SSI benefits;

(3) ensure that the child’s best interests are served by using the child’s Social Security benefits for the child’s unmet needs or conserving the child’s Social Security benefits in a way that avoids violating any federal asset or resource limits that would affect the child’s ability to receive SSI benefits;

(4) appeal any denied application for SSI benefits submitted on behalf of a child; and

(5) provide an annual accounting of the use, application, or conservation of the child’s Social Security benefits, including any payments made under subsection (b) of this section, to the child; the child’s parent, legal guardian, or counsel; the Family Division of the Superior Court; and the Office of the Child, Youth, and Family Advocate.

\* \* \* Enabling Unaccompanied Youth to Obtain Certain Services Without  
Parental Consent \* \* \*

Sec. 4. 33 V.S.A. § 4908 is added to read:

§ 4908. UNACCOMPANIED YOUTH

(a) Legislative intent. In instances in which severe family dysfunction such as abuse, neglect, child abandonment, or lack of financial support has left a youth who is 16 or 17 years of age homeless, and other supports such as foster care are deemed inappropriate, it is the intent of the General Assembly to provide an unaccompanied youth with the resources necessary to obtain services and benefits that the unaccompanied youth's peers can obtain with the consent of a parent or guardian.

(b) Definitions. As used in this section:

(1) "Homeless child or youth" means an individual who lacks a fixed, regular, and adequate nighttime residence, including:

(A) a child or youth sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason;

(B) a child or youth living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations;

(C) a child or youth living in emergency or transitional shelters;

(D) a child or youth abandoned in hospitals;

(E) a child or youth living in a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings;

(F) a child or youth living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; or

(G) a migratory child who qualifies as homeless because the child is living in the circumstances described in this subdivision (1).

(2) "School district homeless liaison" means an employee designated by a school district to act as a liaison for homeless children and youths.

(3) "Unaccompanied youth" means a homeless child or youth 16 or 17 years of age who is not in the physical custody of a parent or guardian.

(c) Certification. An unaccompanied youth may become certified if the youth is:

(1) found by a school district homeless liaison or other appropriate staff person to be an unaccompanied youth; or

(2) believed to qualify as an unaccompanied youth, by:

(A) the director of an emergency shelter program funded by the State;

(B) the director of a runaway or homeless youth program funded by the U.S. Department of Health and Human Services or the U.S. Department of Housing and Urban Development or designee;

(C) a continuum of care lead agency or designee;

(D) the Chief Juvenile Defender or designee; or

(E) the Vermont Network Against Domestic and Sexual Violence or designee.

(d) Proof of certification.

(1)(A) The Department shall contract with a community organization that serves homeless and runaway youth in Vermont to develop a standardized form that shall be used by the entities specified in subsection (c) of this section to certify qualifying unaccompanied youths. The front of the form shall include the circumstances that qualify the youth; the date the youth was certified; the name, title, and signature of the certifying individual; and confirmation from the certifying individual that the individual has completed a human trafficking training in the past two years. This section shall be reproduced in its entirety on the back of the form.

(B) The Department shall post the certification form and information about this section on its website, including who is eligible for certification and which individuals and entities can complete the certification form pursuant to this section.

(2) Without the consent of a parent or guardian, a certified unaccompanied youth may use the completed form to:

(A) apply at no charge for a nondriver identification card pursuant to 23 V.S.A. § 115, a learner's permit pursuant to 23 V.S.A. § 617, or an operator's license or operator's privilege card pursuant to 23 V.S.A. § 608;

(B) obtain a vital event certificate at no charge pursuant to 18 V.S.A. § 5017;

(C) consent to care by health care professionals licensed or certified in Vermont, including medical care; dental care; mental health care services, including psychological counseling and treatment, psychiatric treatment, and substance use prevention and treatment services; and surgical diagnosis and treatment, including medical diagnosis and treatment, such as preventive care and care provided in a health care facility, as defined in 18 V.S.A. § 9432, for:

(i) the youth; or

(ii) the youth's child, if the certified unaccompanied youth is unmarried, is the parent of the child, and has actual custody of the child;

(D) enter into a contract for housing or obtain admission to a shelter or transitional housing;

(E) obtain employment, pursuant to 21 V.S.A. chapter 5, subchapter 4;

(F) purchase an automobile and obtain an automobile liability policy that meets the requirements of 23 V.S.A. chapter 11;

(G) apply for a student loan;

(H) obtain admission to high school or postsecondary school and participate in school activities, including extracurricular activities and field trips;

(I) open an account at a State- or federally chartered bank or credit union;

(J) receive services for victims of domestic or sexual violence, as appropriate; and

(K) participate in a court diversion program pursuant to 3 V.S.A. §§ 163 and 164 or the Youth Substance Awareness Safety Program pursuant to 7 V.S.A. § 656.

(e) Use of certification form. A health care professional shall accept the completed form as proof of the youth's status as a certified unaccompanied youth. Entities that provide housing, services, or benefits authorized under this section may keep a copy of the form or card in the youth's medical file.

(f) Consent of a parent or guardian.

(1) A certification issued pursuant to subsection (c) of this section shall authorize an unaccompanied youth to obtain benefits and services listed in subsection (d) of this section. A person, provider, or health care professional shall not require the consent of a parent or guardian as a condition of providing a benefit or service authorized under subsection (d) of this section.

(2) For the purposes of implementing subdivision (d)(2)(I) of this section, the Commissioner of Financial Regulation shall ensure that minimum youth certification requirements are met for the purpose of making it legally permissible for a bank, credit union, or insurance company to contract with an unaccompanied youth without the consent of a parent or guardian and with the understanding that the unaccompanied youth may not have a permanent physical address.

(g) Immunity for liability. Any entity, provider, or health care professional who relies in good faith on a certification form presented by a person who claims to be a certified unaccompanied youth pursuant to this section shall be immune from liability for such reliance, unless the entity, provider, or health care professional acted with gross negligence.

(h) Applicability of Compact. Nothing in this section shall be construed as altering the Interstate Compact for Juveniles.

Sec. 4a. 13 V.S.A. § 1311 is amended to read:

§ 1311. UNLAWFUL SHELTERING; AIDING A RUNAWAY CHILD

\* \* \*

(b) A person commits the crime of unlawfully sheltering or aiding a runaway child if the person:

(1) knowingly shelters a runaway child;

(2) intentionally aids, helps, or assists a child to become a runaway child; or

(3) knowingly takes, entices, or harbors a runaway child, with the intent of committing a criminal act involving the child or with the intent of enticing or forcing the child to commit a criminal act.

(c) Exempt from the prohibitions of subdivisions (b)(1) and (2) of this section are:

(1) a shelter, or the directors, agents, or employees of a shelter, designated by the Commissioner for Children and Families pursuant to 33 V.S.A. § 5304, provided that the requirements of 33 V.S.A. § 5303(b) are satisfied; ~~and~~

(2) a person who has taken the child into custody pursuant to 33 V.S.A. § 5251 or 5301; and

(3) a person providing assistance pursuant to 33 V.S.A. § 4908.

\* \* \*

\* \* \* Unaccompanied Youth; Vital Event Certificates \* \* \*

Sec. 5. 18 V.S.A. § 5017 is amended to read:

§ 5017. FEES FOR COPIES

(a) For a certified copy of a vital event certificate, the fee shall be \$10.00.

(b) The State Registrar shall waive the fee for certified copies of vital event certificates issued to:

(1) an individual attesting to a lack of fixed, regular, and adequate nighttime residence; and

(2) an individual between 18 and 24 years of age who resided in a foster home or residential child care facility between 16 and 18 years of age pursuant to placement by a child-placing agency; and

(3) an unaccompanied youth who has obtained a certification pursuant to 33 V.S.A. § 4908.

\* \* \* Unaccompanied Youth; Nondriver Identification Cards \* \* \*

Sec. 6. 23 V.S.A. § 115 is amended to read:

§ 115. NONDRIVER IDENTIFICATION CARDS

(a)(1) Any Vermont resident may make application to the Commissioner and be issued an identification card that is attested by the Commissioner as to true name, correct age, residential address unless the listing of another address is requested by the applicant or is otherwise authorized by law, and any other identifying data as the Commissioner may require that shall include, in the case of minor applicants, the written consent of the applicant's parent, guardian, or other person standing in loco parentis.

\* \* \*

(3) The Commissioner shall require payment of a fee of \$29.00 at the time application for an identification card is made, except that an initial nondriver identification card shall be issued at no charge to:

(A) an individual who surrenders the individual's license in connection with a suspension or revocation under subsection 636(b) of this title due to a physical or mental condition; or

(B) an individual under 23 years of age who was in the care and custody of the Commissioner for Children and Families pursuant to 33 V.S.A. § 4903(4) in Vermont after attaining 14 years of age; and

(C) an unaccompanied youth who has obtained a certification pursuant to 33 V.S.A. § 4908.

\* \* \*

\* \* \* Unaccompanied Youth; License and Privilege Cards \* \* \*

Sec. 7. 23 V.S.A. § 608 is amended to read:

§ 608. FEES

\* \* \*

(c)(1) Individuals under 23 years of age who were in the care and custody of the Commissioner for Children and Families pursuant to 33 V.S.A. § 4903(4) in Vermont after attaining 14 years of age shall be provided with operator's licenses or operator privilege cards at no charge.

(2) No additional fee shall be due for a motorcycle endorsement for an individual under 23 years of age who was in the care and custody of the Commissioner for Children and Families pursuant to 33 V.S.A. § 4903(4) in Vermont after attaining 14 years of age.

(d) Individuals receiving Supplemental Security Income or Social Security Disability Income and individuals with a disability as defined in 9 V.S.A. § 4501 shall be provided with operator's licenses or operator privilege cards for the following fees:

(1) Original issuance: \$20.00.

(2) Renewal every four years: \$20.00.

(3) Replacement of lost, destroyed, or mutilated card or a new name is required: \$10.00.

(e)(1) An unaccompanied youth who has obtained a certification pursuant to 33 V.S.A. § 4908 shall be provided with operator's licenses or operator privilege cards at no charge.

(2) No additional fee shall be due for a motorcycle endorsement for an unaccompanied youth who has obtained a certification pursuant to 33 V.S.A. § 4908.

\* \* \* Unaccompanied Youth; Learner's Permit \* \* \*

Sec. 8. 23 V.S.A. § 617 is amended to read:

§ 617. LEARNER'S PERMIT

\* \* \*

(b)(1) Notwithstanding the provisions of subsection (a) of this section, any licensed person may apply to the Commissioner of Motor Vehicles for a learner's permit for the operation of a motorcycle in the form prescribed by the Commissioner. The Commissioner shall offer both a motorcycle learner's permit that authorizes the operation of three-wheeled motorcycles only and a motorcycle learner's permit that authorizes the operation of any motorcycle. The Commissioner shall require payment of a fee of \$24.00 at the time application is made, except that no fee shall be charged for an unaccompanied youth who has obtained a certification pursuant to 33 V.S.A. § 4908 or for an individual under 23 years of age who was in the care and custody of the Commissioner for Children and Families pursuant to 33 V.S.A. § 4903(4) in Vermont after attaining 14 years of age.

(2) After the applicant has successfully passed all parts of the applicable motorcycle endorsement examination, other than a skill test, the Commissioner may issue to the applicant a learner's permit that entitles the applicant, subject to subsection 615(a) of this title, to operate a three-wheeled motorcycle only, or to operate any motorcycle, upon the public highways for a period of 120 days from the date of issuance. The fee for the examination shall be \$11.00, except that no fee shall be charged for an unaccompanied youth who has obtained a certification pursuant to 33 V.S.A. § 4908 or for an individual under 23 years of age who was in the care and custody of the Commissioner for Children and Families pursuant to 33 V.S.A. § 4903(4) in Vermont after attaining 14 years of age.

(3) A motorcycle learner's permit may be renewed only twice upon payment of a \$24.00 fee. An unaccompanied youth who has obtained a certification pursuant to 33 V.S.A. § 4908 and an individual under 23 years of age who was in the care and custody of the Commissioner for Children and Families pursuant to 33 V.S.A. § 4903(4) in Vermont after attaining 14 years of age shall not be charged a fee for the renewal of a motorcycle learner's permit.

\* \* \*

(d)(1) An applicant shall pay \$24.00 to the Commissioner for each learner's permit or a duplicate or renewal thereof.

(2) An unaccompanied youth who has obtained a certification pursuant to 33 V.S.A. § 4908 and an applicant under 23 years of age who was in the care and custody of the Commissioner for Children and Families pursuant to 33 V.S.A. § 4903(4) in Vermont after attaining 14 years of age shall not be charged a fee for a learner's permit or a duplicate or renewal thereof.

\* \* \*

\* \* \* Transportation of Children \* \* \*

Sec. 9. 33 V.S.A. § 5123 is amended to read:

§ 5123. TRANSPORTATION OF A CHILD

(a) As used in this section:

(1) “Least restrictive” has the same meaning as in section 5130 of this chapter.

(2) “Mechanical restraint” has the same meaning as in section 5130 of this chapter.

(3) “Physical restraint” has the same meaning as in section 5130 of this chapter.

(4) “Secure transport” means transport in a vehicle with disabled internal controls for rear door handles and window switches, requiring the driver to open them from the outside, or with a safety partition installed to separate the driver from the passenger compartment. “Secure transport” includes any vehicle being driven by a law enforcement officer.

(5) “Soft restraint” has the same meaning as in section 5130 of this chapter.

(6) “Waist shackles” means a mechanical restraint device, typically a chain, used around the waist and to which the child’s wrists may be chained or cuffed.

(b) The Commissioner for Children and Families shall ensure that all reasonable and appropriate measures consistent with public safety are made to transport or escort a child subject to this chapter in a manner that:

- (1) ~~reasonably avoids~~ prevents physical and psychological trauma;
- (2) respects the privacy of the child; and
- (3) represents the least restrictive means necessary for the safety of the child.

~~(b)(c)~~ (c) The Commissioner for Children and Families shall have the authority to ~~select the person or persons who may transport a child under the Commissioner’s care and custody~~ designate the professional or law enforcement officers transporting children and shall authorize the method of transport. A contract for transportation services shall include the requirements in this section. Transportation services with noncontracted law enforcement officers shall only be authorized in emergency situations or by court order.

~~(e)(d)~~ (d) The Commissioner shall ~~ensure supervisory review of every decision to transport a child using mechanical restraints. When transportation with restraints for a particular child is approved, the reasons for the approval shall be documented in writing~~ provide education materials complying with this section that outline the legal requirements for the secure transportation of children to individuals designated pursuant to subsection (c) of this section and shall obtain verification that all designated individuals have reviewed the education materials.

~~(d)(e)~~ (e) Secure transport shall only be used when the Department determines and documents why it is necessary to prevent the risk of serious physical harm to the child or others, based upon an individualized risk assessment.

~~(e)(f)~~ (f) It is the policy of the State of Vermont that mechanical restraints are not routinely used on children subject to this chapter unless circumstances dictate that such methods are necessary. Soft restraints shall be the first option for restraint, and other mechanical restraints shall not be utilized as a substitute for soft restraints if the soft restraints are deemed adequate for safety.

(g) An entity contracted pursuant to subsection (c) of this section shall provide documentation to the Department for the use of restraints when:

(1) the entity believes that the risk of serious physical harm to the child or others requires the use of soft restraints before or during the transport, including a description as to why less restrictive interventions could not reasonably be attempted or why the attempted use of less restrictive interventions was unsuccessful;

(2) the entity believes that the risk of serious physical harm to the child or others was such that soft restraints were not adequate for safety and shall include a description as to which restraint was used and why soft restraints were deemed inadequate for preventing the risk of serious physical harm to the child or others; or

(3) the use of waist shackles was determined to be the sole means of preventing serious physical harm to the child or others and shall include a description as to why waist shackles were the sole means of preventing the risk of serious physical harm to the child or others.

(h) Documentation for the use of restraints shall be completed prior to transport unless the circumstances that required their use occurred during the course of the transport, in which case the documentation shall occur after completion of the transport.

(i) The use of waist shackles shall be prohibited on children 12 years of age or younger. The use of waist shackles on children 13 years of age or older shall be assessed and determined to be the sole means of preventing serious physical harm to the child or others and documented accordingly. Only designated law enforcement agencies shall use waist shackles on a child transported pursuant to this section.

(j) The Commissioner shall ensure supervisory review by the Department of all documentation required by this section.

(k)(1) Annually, on or before January 15, the Department for Children and Families shall submit a written report to the House Committee on Human Services; the Senate Committee on Health and Welfare; and the Office of the Child, Youth, and Family Advocate addressing the number of secure transports of children during the previous year, including, for those transported with restraints:

(A) the age, gender, and racial background of the children transported;

(B) the number of children transported using mechanical restraints;

(C) whether the transport was conducted by law enforcement or a private agency;

(D) when applicable, the type of mechanical restraint;

(E) the type of custody children were in when transport occurred;  
and

(F) the purpose of the transport.

(2) Once the Department has upgraded its technological capacity in a manner that enables it to collect responsive data, information specific to subdivisions (1)(B), (C), (E), and (F) of this subsection shall be collected and included in the annual report with regard to all secure transports.

(1) Annually, on or before January 15, the Department of State's Attorneys and Sheriffs shall submit a written report to the House Committee on Human Services; the Senate Committee on Health and Welfare; the Department for Children and Families; and the Office of the Child, Youth, and Family Advocate addressing the number of court-ordered transports of minors conducted by the State transport deputies pursuant to 24 V.S.A. § 290(b) during the previous year, including:

(1) the date of birth of transported minors;

(2) whether restraint was used during transport;

(3) if restraint was used, the type of restraint;

(4) whether the minor's case was a delinquency, youthful offender, or criminal proceeding; and

(5) the purpose of the transport.

#### Sec. 10. REPORT; RESTRAINT IN TRANSPORTATION OF CHILDREN

(a) On or before December 15, 2027, the Department for Children and Families shall submit a written report to the House Committee on Human Services and to the Senate Committee on Health and Welfare addressing how the Department is effectuating the policies set forth in 33 V.S.A. § 5123(d) and 2017 Acts and Resolves No. 85, Sec. E.314, including:

(1) contracting with law enforcement or private agencies for the transport of children;

(2) Departmental oversight and supervisory review of the secure transport of children, including transport provided by private agencies or law enforcement officers;

(3) the mechanism used by the Department to collect and review data on the application of mechanical restraints during the transport of children in compliance with 33 V.S.A. § 5123(c);

(4) materials and requirements for designated contractors;

(5) written policies used to effectuate the law; and

(6) other information the Department deems relevant.

(b) As used in this section, “restraint” has the same meaning as in 33 V.S.A. §5130.

#### Sec. 11. USE OF FORCE POLICY

The Vermont Criminal Justice Council, in consultation with the Department of Vermont State’s Attorneys and Sheriffs; the Office of the Child, Youth, and Family Advocate; Disability Rights Vermont; and the Departments for Children and Families and of Disabilities, Aging, and Independent Living shall conduct a formal review to determine whether its use of force policy should include an appendix to adequately address the transportation by law enforcement of children under 18 years of age that is in alignment with the public policy considerations for the transport of children in the custody of the Department for Children and Families pursuant to 33 V.S.A. § 5123.

\* \* \* Restraint and Seclusion \* \* \*

Sec. 12. 33 V.S.A. § 5130 is added to read:

#### § 5130. NON-TRANSPORT RELATED RESTRAINT AND SECLUSION

(a) As used in this section:

(1) “Chemical restraint” means any medication used to manage behavior or restrict freedom of movement that is not a standard treatment or dosage for the individual’s condition.

(2) “Child” or “children” means a child or children in the Department’s custody or receiving care or services in a program regulated or licensed by the Department.

(3) “Mechanical restraint” means a type of restraint using a mechanical device, material, or equipment, or garment attached to the child’s body, that restricts freedom of movement or immobilizes or reduces the ability of a child to move the child’s arms, legs, body, or head freely.

(4) “Physical restraint” means a type of restraint using a manual or physical hold that restricts freedom of movement or immobilizes or reduces the ability of a child to move the child’s arms, legs, body, or head freely. A physical restraint shall not include a light touch to encourage a response or to provide direction or guidance, provided the child is able to move away freely.

(5) “Prone restraint” means a physical intervention technique where an individual is held face down on the individual’s stomach. “Prone restraint” does not include a physical restraint that involves a momentary initial hold in a prone position while transitioning to an evidence-based, safer form of restraint that is not considered to be a prohibited form of physical restraint.

(6) “Seclusion” means involuntary confinement of a child in a segregated room or area from which the child is prevented or from which the child reasonably believes that the child is prevented from leaving, whether the door is locked or not. “Seclusion” does not include a voluntary time out under staff supervision for a short period of time in an unlocked room at the child’s request.

(7) “Strip search” means a search that requires a child to remove or arrange some clothing so as to permit a visual inspection of the child’s breasts, buttocks, or genitalia. “Strip search” does not include a pat down through the child’s clothing to determine whether contraband is present.

(8) “Least restrictive” means the minimum intervention necessary to prevent harm to the child or to another, maximizing a child’s autonomy, ensuring that restrictions are proportionate to the risk of harm, and ensuring involuntary measures are only permitted as a last resort when less intrusive methods have failed.

(9) “Soft restraint” means a mechanical restraint device that uses soft material or fabric that is padded and designed to safely fit around the limbs of an individual to limit mobility in order to prevent self-harm or harm to others.

(10) “Secure residential program” means a secure residential treatment program that employs locked or inoperable doors and windows to prevent a child from leaving the building.

(b) The Department shall not use or authorize the use of prone restraints, mechanical restraints, chemical restraints, or strip searches on a child.

(c) Seclusion or physical restraint shall not be used for punishment, disciplinary purposes, the protection of property, or any other reason other than as a safety measure of last resort to prevent a serious and immediate risk of harm to the child or others.

(d) A staff member shall use other less restrictive interventions, unless less restrictive interventions have failed or would be ineffective in stopping imminent danger of physical injury or property damage.

(e) After attempting to use less restrictive interventions, a staff member trained in accordance with rule may physically restrain a child or place a child in seclusion if the staff member:

(1) determines that the child's behavior poses a serious and immediate risk of physical harm to the child or others;

(2) conducts the physical restraint or seclusion in a manner that respects the child's privacy and limits physical and psychological trauma; and

(3) after initiation of the intervention, explains to the child the reasons for the physical restraint or seclusion and informs the child of the circumstances that allow release from the physical restraint or seclusion.

(f) If a child is placed in physical restraint or seclusion pursuant to subsection (e) of this section, the child shall be released immediately when there is no longer a serious and immediate risk of physical harm to the child or others.

(g)(1) Restraint or seclusion lasting more than 10 minutes shall require supervisory approval and oversight. Restraint or seclusion lasting more than 30 minutes shall require clinical and administrative consultation, approval, and oversight. A child shall not be held for more than one hour in restraint or seclusion without an in-person assessment by a clinician and authorization by the administrator on duty.

(2) A child in seclusion shall be provided constant uninterrupted supervision by a qualified staff member employed by the program who is familiar to the child.

(h) Nothing in this section shall be construed to:

(1) include a locked bedroom during regular sleeping hours in a secure residence as seclusion; or

(2) conflict with any law providing greater or additional protections to minors.

(i) Notice of the use of restraint or seclusion on a child in the Department's custody shall be provided to the Department; the child's parent or guardian; the child's guardian ad litem; and the child's attorney, if applicable, within 24 hours.

(j) The program or staff member using seclusion or restraint shall document its use and provide a copy of each recorded use of seclusion or restraint, including a copy of any audio or visual recording, to the Commissioner. Upon request, the audio or video shall be provided through secure means of transmission and shall include blurring to protect the identity of any other children in the program who are not in custody of the Department. The documentation shall include a description of the child's specific behaviors justifying the use of the intervention. The Department shall forward complete documentation of each use of restraint or seclusion to the Office of the Child, Youth, and Family Advocate within two business days.

(k) The Department shall collect the following data on the use of seclusion and physical restraint, by placement type; program name; and the age, gender, and racial background of the child:

(1) the specific types of the seclusion or physical restraint used; and

(2) the length of time a child was secluded or physically restrained, as applicable.

(l)(1) Prior to contracting with any program for the care of a child in the Department's custody, the Department shall conduct a review of any records, from the prior five years regarding the safety of children in the program's care, including any violations of the program's licensing status and any resulting remediation.

(2) The Department shall remove any Vermont child from risk of harm and shall initiate a search for alternative providers if an out-of-state residential provider is determined to be in violation of the standards in the contract regarding restraint and seclusion or in violation of its state's licensing entity.

(m) Notwithstanding subsection (b) of this section, a child detained in a secure residential program may be restrained with mechanical restraints for a momentary initial hold to enable relocation of the child to a less restrictive method of intervention if necessitated to prevent serious and immediate harm to the child or others, except that under no circumstances shall a garment adjacent to the child's body that restricts freedom of movement or immobilizes or reduces the ability of a child to move the child's arms, legs, body, or head freely be utilized. The procedures and standards established under this section, including notice and reporting requirements, shall apply.

(n) Notwithstanding subsection (b) of this section, a child detained in a secure residential program may be subjected to a strip search if a pat search has led to probable cause to believe that the child has possession of contraband that poses a threat of serious bodily harm to the child or others and the child has refused to voluntarily turn over the contraband. The child shall be given

the opportunity before and at any time after the commencement of a search to voluntarily relinquish the suspected contraband, whereupon the search will be discontinued. Notice and reporting requirements shall be the same as for use of restraint or seclusion under this section. Body cavity searches shall not be permitted under any circumstances.

(o) The Department shall post on the Family Division's scorecard or another prominent location on its website the rates of restraint and seclusion used on children in licensed programs and the number of uses of secure transport and of restraint used during transport. The Department shall update this information at least annually.

(p) The Department shall develop and adopt rules pursuant to 3 V.S.A. chapter 25, in collaboration with the Office of the Child, Youth, and Family Advocate and in consultation with stakeholders implementing this section, including requirements for staff training; standards for supervisory oversight, recordkeeping, and reporting by residential programs; oversight responsibilities of the Department; and any other necessary standards.

Sec. 13. 33 V.S.A. § 5130(1) is amended to read:

(1)(1) Prior to contracting with any program for the care of a child in the Department's custody, the Department shall conduct a review of any records, from the prior five years regarding the safety of children in the program's care, including any violations of the program's licensing status and any resulting remediation.

(2) When contracting with an out-of-state program, the Department shall include a requirement that the program adhere to the provisions of this section.

(3) The Department shall remove any Vermont child from risk of harm and shall initiate a search for alternative providers if an out-of-state residential provider is determined to be in violation of the standards in the contract regarding restraint and seclusion or in violation of its state's licensing entity.

Sec. 14. REPORT; CHILDREN IN CORRECTIONAL FACILITIES

(a) On or before January 1, 2027, the Departments for Children and Families and of Corrections shall submit a written report to the House Committees on Human Services and on Corrections and Institutions and to the Senate Committees on Health and Welfare and on Institutions regarding the use of restraint and seclusion on minors detained in Department of Corrections' facilities and potential means for reducing physical and psychological trauma from restraint and seclusion. In preparing the required report, the Departments shall consult with a work group composed of the Office of the Child, Youth, and Family Advocate; the Office of the Defender

General, Juvenile Division; Voices for Vermont's Children; the Vermont Federation of Families for Children's Mental Health; Disability Rights Vermont; and a young adult with lived experience of being detained in a Department of Corrections facility, appointed by the Office of the Child, Youth, and Family Advocate.

(b) Members of the work group who are not participating in their professional capacity shall be entitled to per diem compensation and reimbursement of expenses as permitted under 32 V.S.A. § 1010 for not more than five meetings. These payments shall be made from monies appropriated to the Office of the Child, Youth, and Family Advocate.

\* \* \* Judicial Review of Placements for Children Previously Under the Custody of the Department for Children and Families \* \* \*

Sec. 15. PROPOSAL TO EXTEND SUPPORTS FOR CHILDREN OVER 17 YEARS OF AGE

On or before November 1, 2026, the Department for Children and Families shall submit a written report, in consultation with the Judicial Branch, to the House Committee on Human Services and to the Senate Committee on Health and Welfare with recommendations for court oversight processes that meet federal requirements to allow access to federal funds for programs that may support youth up to 21 years of age and that ensures sustainable use of judicial resources. The report shall include any recommendations for legislative action.

\* \* \* Prenatal Engagement and Family Support Working Group \* \* \*

Sec. 16. PRENATAL ENGAGEMENT AND FAMILY SUPPORT WORKING GROUP

(a) Creation. There is created the Prenatal Engagement and Family Support Working Group to examine the Department for Children and Families' current practice of using a pregnancy calendar to monitor and track certain pregnant individuals in Vermont and provide recommendations on alternatives to a pregnancy calendar and ways to support pregnant individuals in need of services.

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

(1) the Deputy Commissioner of the Family Services Division of the Department for Children and Families;

(2) the Vermont Child, Youth, and Family Advocate or designee;

(3) the Executive Director of Vermont Family Network or designee;

- 
- (4) the Executive Director of Vermont Legal Aid or designee;
  - (5) the President of Planned Parenthood of Northern New England or designee;
  - (6) the Executive Director of the Vermont Parent Representation Center or designee;
  - (7) the Executive Director of Recovery Partners Vermont or designee;
  - (8) the Executive Director of Voices for Vermont's Children or designee;
  - (9) the Director of the Department of Health's Maternal and Child Health Division or designee;
  - (10) a representative, appointed by Children of Recovering Mothers' Team at the Kidsafe Collaborative;
  - (11) the Director of the Office of the Defender General's Juvenile Division or designee;
  - (12) an individual with lived experience of being monitored by the Department while pregnant, appointed by the Speaker of the House; and
  - (13) an individual with lived experience of being monitored by the Department while pregnant, appointed by the Senate Committee on Committees.

(c) Powers and duties. The Working Group shall study the Department for Children and Families' current practice of using a pregnancy calendar to monitor and track certain pregnant individuals in Vermont and provide recommendations on alternatives to a pregnancy calendar and ways to support pregnant individuals in need of services.

(d) Assistance. For the purposes of scheduling meetings and providing administrative assistance, the Working Group shall have the assistance of the Department for Children and Families.

(e) Report. On or before November 15, 2026, the Working Group shall submit a written report to the House Committee on Human Services, the Senate Committee on Health and Welfare, and the House and Senate Committees on Judiciary with its findings and any recommendations for legislative action.

(f) Meetings.

(1) The Vermont Child, Youth, and Family Advocate or designee shall call the first meeting of the Working Group to occur on or before August 1, 2026.

(2) The Working Group shall select a chair from among its members at the first meeting.

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

(4) The Working Group shall cease to exist on February 1, 2027.

(g)(1) Compensation and reimbursement. Members of the Working Group who are not otherwise compensated for attendance at meetings shall be entitled to per diem compensation and expenses as permitted under 32 V.S.A. § 1010 for not more than five meetings.

(2) Members of the Working Group who are not participating in their professional capacity shall be entitled to per diem compensation and reimbursement of expenses as permitted under 32 V.S.A. § 1010 for not more than five meetings. These payments shall be made from monies appropriated to the Department for Children and Families.

\* \* \* Effective Dates \* \* \*

#### Sec. 17. EFFECTIVE DATES

(a) This section and Sec. 10 (report; restraint in transportation), Sec. 11 (use of force policy), Sec. 14 (report; children in correctional facilities), and Sec. 15 (proposal to extend supports for children over 17 years of age) shall take effect on passage.

(b) Sec. 9 (transportation of a child) and Sec. 12 (restraint and seclusion) shall take effect on January 1, 2027.

(c) Sec. 2 (33 V.S.A. § 4902) and Sec. 3 (33 V.S.A. § 4907) shall take effect on July 1, 2027.

(d) Sec. 13 (33 V.S.A. § 5130(1)) shall take effect on July 1, 2028.

(e) All remaining sections shall take effect on July 1, 2026.

And that the bill ought to pass in concurrence with such proposal of amendment.

Senator Chittenden, for the Committee on Finance, to which the bill was referred, reported recommending that the bill ought to pass in concurrence with proposal of amendment as recommended by the Committee on Health and Welfare.

Thereupon, the bill was read the second time by title only pursuant to Rule 43 and, pending the question, Shall the Senate propose to the House that the bill be amended as recommended by the Committee on Health and Welfare?, Senators Morley, Lyons, Benson, Cummings, and Gulick moved to amend the proposal of amendment of the Committee on Health and Welfare as follows:

First: In Sec. 3, 33 V.S.A. § 4907, in subdivision (c)(1), by striking out the words “a trust account” and inserting in lieu thereof the words “an account”

Second: In Sec. 17, effective dates, by striking out subsections (c)–(e) in their entireties and inserting in lieu thereof two new subsections (c) and (d) to read as follows:

(c) Sec. 2 (33 V.S.A. § 4902), Sec. 3 (33 V.S.A. § 4907), and Sec. 13 (33 V.S.A. § 5130(1)) shall take effect on July 1, 2028.

(d) All remaining sections shall take effect on July 1, 2026.

Which was agreed to.

Thereupon, the proposal of amendment of the Committee on Health and Welfare, as amended, was agreed to and third reading of the bill was ordered.

**House Proposal of Amendment to Senate Proposal of Amendment  
Concurred In**

**H. 778.**

House proposal of amendment to Senate proposal of amendment to House bill entitled:

An act relating to dam safety.

Was taken up.

The House proposes to the Senate to amend the Senate proposal of amendment in Sec. 2, State of Vermont Emergency Operations Planning Pilot Project; report, in subdivision (b)(1), in the first sentence, after “the Whole Community that would be” and before “if the dam were to fail” by striking out “inundated” and inserting in lieu thereof “affected”

Thereupon, the question, Shall the Senate concur in the House proposal of amendment to the Senate proposal of amendment?, was decided in the affirmative.

**Message from the House No. 63**

A message was received from the House of Representatives by Ms. Courtney Reckord, its Second Assistant Clerk, as follows:

Mr. President:

I am directed to inform the Senate that:

The House has considered a bill originating in the Senate of the following title:

**S. 209.** An act relating to prohibiting civil arrest in sensitive locations.

And has passed the same in concurrence with proposal of amendment in the adoption of which the concurrence of the Senate is requested.

The Governor has informed the House that on May 11, 2026, he approved and signed bills originating in the House of the following titles:

**H. 410.** An act relating to the calculation of recidivism and other related criminology measures.

**H. 519.** An act relating to Vermont State Employees' Retirement System Group G membership.

### **Adjournment**

On motion of Senator Baruth, the Senate adjourned until ten o'clock in the morning.