
**Report to
The Vermont Legislature**

Home Health Safety Discharges

In Accordance with: Act 115 (2024)

**Submitted to: The House Committee on Health Care
 The Senate Committee on Health and Welfare**

**Submitted by: Dr. Jill Bowen, Commissioner
 Department of Disabilities, Aging, and Independent Living
 (DAIL)**

Report Date: April 23 2025



Legislative Request

Act 115 (2024)

Sec. 3. 33 V.S.A. § 6309 is added to read:

§ 6309. STAFF SAFETY; DISCHARGE FROM SERVICE

(a) If an individual was previously discharged from service by a home health agency to protect the safety of staff in accordance with the rules adopted by the Department of Disabilities, Aging, and Independent Living pursuant to subsection 6303(a) of this chapter, and the behavior or conditions causing the discharge cannot be reasonably mitigated or eliminated, a home health agency may:

- (1) deny a subsequent admission; or
- (2) decline to send a home health agency employee to make a visit if the home health agency has reason to believe that the individual who exhibited the behavior that resulted in the discharge is present in the home.

(b) Nothing in this section shall be construed to require a home health agency to enter a home to determine if a risk can be mitigated or eliminated.

(c) A home health agency shall provide notice of any denial of admission made pursuant to this section. The notice shall include the reason for the denial of admission and information regarding how an individual may submit a complaint pursuant to section 6308 of this chapter in accordance with the rules adopted by the Department of Disabilities, Aging, and Independent Living pursuant to subsection 6303(a) of this chapter.

Sec. 4. REPORT; HOME HEALTH AGENCY SAFETY DISCHARGES

On or after February 15, 2025, in consultation with home health agencies, the Department of Disabilities, Aging, and Independent Living shall provide an update to the House Committee on Health Care and the Senate Committee on Health and Welfare regarding the implementation of Sec. 3 (33 V.S.A. § 6309) of this act. Specifically, the update shall address:

- (1) the number of safety discharges made by home health agencies during the previous calendar year;
- (2) the nature of the risks posed that result in a safety discharge; and
- (3) the number of individuals denied subsequent admission to or services from a home health agency due to a previous safety discharge.

2024 Data, gathered by VNA

Collector ID	Safety Discharges	Denied Admission because of Previous Discharge	
	Open-Ended Response	Open-Ended Response	
NCHC-CHHC			0
UVMHN-HHH			0
CVHHH			0
VNAHSR			0
VNH			0
LHHA			0
Bayada			0
ACHHH			0
OEVNA			0
Totals	16*		0

*All reported data, but due to privacy concerns for the small numbers, only the statewide total is published.

Regarding the “nature” of the discharges, agencies reported the following reasons for discharge. Some cases involved more than one reason:

- Physical abuse/assault
- Sexually aggressive language with threats
- Physical threats (cornering)
- Sexual harassment
- Verbal threats
- Verbal abuse
- Refusal to secure animals
- Unsafe physical environment