

1 TO THE HOUSE OF REPRESENTATIVES:

2 The Committee on Human Services to which was referred House Bill No.  
3 582 entitled “An act relating to adult protective services” respectfully reports  
4 that it has considered the same and recommends that the bill be amended by  
5 striking out all after the enacting clause and inserting in lieu thereof the  
6 following:

7 Sec. 1. 33 V.S.A. § 6902 is amended to read:

8 § 6902. DEFINITIONS

9 As used in this chapter:

10 \* \* \*

11 (21)(A) “Neglect” means ~~purposeful, knowing, or reckless failure or~~  
12 ~~omission by a caregiver that has resulted in, or could be expected to result in,~~  
13 ~~physical or psychological harm, including a failure or omission to:~~

14 (i) ~~provide care or arrange for goods or services necessary to~~  
15 ~~maintain the health or safety of a vulnerable adult, including food, clothing,~~  
16 ~~medicine, shelter, supervision, and medical services, unless the caregiver is~~  
17 ~~acting pursuant to the wishes of the vulnerable adult or the vulnerable adult’s~~  
18 ~~representative, or an advance directive, as defined in 18 V.S.A. § 9701;~~

19 (ii) ~~make a reasonable effort, in accordance with the authority~~  
20 ~~granted the caregiver, to protect a vulnerable adult from abuse, neglect, or~~  
21 ~~exploitation by others;~~





1 Sec. 2. 33 V.S.A. § 6904 is amended to read:

2 § 6904. NATURE AND CONTENT OF REPORT; TO WHOM MADE

3 (a) A Except as otherwise provided for certain reports of neglect in  
4 subsection (b) of this section, a report shall be made to the Commissioner or  
5 the Commissioner’s designee. To be considered a report to the Commissioner  
6 or designee, it shall contain the name and address of the reporter as well as the  
7 names and addresses of the vulnerable adult and persons responsible for the  
8 vulnerable adult’s care, if known; the age of the vulnerable adult; the nature of  
9 the vulnerable adult’s disability; the nature and extent of the vulnerable adult’s  
10 abuse, neglect, or exploitation together with any evidence of previous abuse,  
11 neglect, or exploitation of the vulnerable adult; and any other information that  
12 the reporter believes might be helpful in establishing the cause of any injuries  
13 or reasons for the abuse, neglect, or exploitation as well as in protecting the  
14 vulnerable adult. If the reporter is in possession of documentation that  
15 establishes the alleged victim’s conditions, needs, or services, that shall be  
16 included in the report. Any evidence of maltreatment shall also be cited in the  
17 report. If a report of abuse, neglect, or exploitation involves the acts or  
18 omissions of the Commissioner or employees of the Department, then such  
19 reports shall be directed to the Secretary of Human Services, who shall cause  
20 the report to be investigated by appropriate staff other than staff of the  
21 Department.

1        (b)(1) If neglect is alleged to have been perpetrated within a facility  
2        licensed by the State or a program licensed by the State, or to have been  
3        perpetrated by an individual licensed by the State, the report shall be made to  
4        the relevant licensing entity or entities as follows:

5                (A) Neglect within a licensed facility or program shall be reported to  
6        the applicable State licensing unit in accordance with State and federal  
7        licensing rules and regulations.

8                (B) Neglect by an individual licensed by the Office of Professional  
9        Regulation shall be reported to the Office of Professional Regulation.

10               (C) Neglect by an individual licensed by the Board of Medical  
11       Practice shall be reported to the Board of Medical Practice.

12               (2)(A) If a licensing entity receives a report of alleged neglect pursuant  
13       to subdivision (1) of this subsection (b), the licensing entity shall notify Adult  
14       Protective Services that the licensing entity has received a report and is acting  
15       upon it accordingly.

16               (B) If the licensing entity identifies neglect allegedly perpetrated  
17       within a licensed facility or program or by a licensed individual, the licensing  
18       entity shall make a report to Adult Protective Services in accordance with  
19       subsection (a) of this section.

1 Sec. 3. 33 V.S.A. § 6906 is amended to read:

2 § 6906. ASSESSMENT AND INVESTIGATION

3 \* \* \*

4 (c) Investigation.

5 \* \* \*

6 (10) Within 30 calendar days after the date of the notice advising that a  
7 report has been substantiated, an alleged perpetrator against whom a complaint  
8 has been lodged may apply to the Human Services Board for relief on the  
9 grounds that it is unsubstantiated. The Human Services Board shall hold a fair  
10 hearing under 3 V.S.A. § 3091 within 60 calendar days after the date of the  
11 alleged perpetrator’s request for a fair hearing. Unless the Commissioner  
12 agrees otherwise, the hearing shall be given priority by the Human Services  
13 Board, and an expedited hearing shall be provided, not later than 30 calendar  
14 days after the date of the notice advising that a report has been substantiated,  
15 and a decision shall be issued within seven calendar days after the hearing.  
16 Priority shall be given to appeals in which there are immediate employment  
17 consequences for the person appealing the decision. The hearing officer’s  
18 written findings and recommendation shall be issued within 15 calendar days  
19 after the hearing.

20 \* \* \*

1       Sec. 4. EFFECTIVE DATE

2               This act shall take effect on October 1, 2026.

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11               (Committee vote: \_\_\_\_\_)

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Representative \_\_\_\_\_

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FOR THE COMMITTEE