

1 TO THE HOUSE OF REPRESENTATIVES:

2 The Committee on Human Services to which was referred Senate Bill No.  
3 157 entitled “An act relating to recovery residence certification” respectfully  
4 reports that it has considered the same and recommends that the House propose  
5 to the Senate that the bill be amended by striking out all after the enacting  
6 clause and inserting in lieu thereof the following:

7 Sec. 1. 18 V.S.A. § 4802 is amended to read:

8 § 4802. DEFINITIONS

9 As used in this chapter:

10 \* \* \*

11 (12) “Recovery residence” means a shared living residence supporting  
12 individuals recovering from a substance use disorder that provides residents  
13 with peer support, assistance accessing support services, and community  
14 resources for individuals recovering from substance use disorder.

15 (13) “Secretary” means the Secretary of Human Services or designee.

16 ~~(13)~~(14) “Substance abuse crisis team” means an organization approved  
17 by the Secretary to provide emergency treatment and transportation services to  
18 substance abusers pursuant to the provisions of this chapter.

19 ~~(14)~~(15) “Substance abuser” means anyone who drinks alcohol or  
20 consumes other drugs to an extent or with a frequency that impairs or  
21 endangers ~~his or her~~ the individual’s health or the health and welfare of others.



1 (a) Unless created to avoid the application of this chapter, this chapter does  
2 not apply to any of the following:

3 \* \* \*

4 (b)(1) Notwithstanding subsections 4463(b) and 4467(b) and section 4468  
5 of this chapter only, a recovery residence may immediately exit or transfer a  
6 resident if all of the following conditions are met:

7 (A) the recovery residence has developed and adopted a residential  
8 agreement:

9 (i) containing a written exit and transfer policy approved by the  
10 Vermont Alliance for Recovery Residences or another certifying organization  
11 approved by the Department of Health that:

12 (I) addresses the length of time that a bed will be held in the  
13 event of a temporary removal;

14 (II) establishes the criteria by which a resident can return to the  
15 recovery residence in the event of a temporary removal; and

16 (III) ensures a resident's possessions will be held not less than  
17 60 days in the event of permanent removal;

18 (ii) explaining the recovery residence's program rules and social  
19 standards;

1            (iii) designating alternative housing arrangements for the resident  
2            in the event of an exit or transfer, including contingency plans when alternative  
3            housing arrangements are not available;

4            ~~(iii)~~(iv) describing the recovery residence’s substance use policy,  
5            which shall exempt the use of a resident’s valid prescription medication when  
6            used as prescribed; and

7            ~~(iv)~~(v) indicating that by signing a residential agreement, a  
8            resident acknowledges that the recovery residence may cause the resident to be  
9            immediately exited or transferred to alternative housing for behaving in a  
10           manner that impacts the health or safety of other individuals residing, working,  
11           or volunteering at the recovery residence, such as ~~if~~ the resident ~~violates~~  
12           violating the recovery residence’s substance use policy, repeatedly refusing to  
13           engage in services or programming, being charged with a criminal offense,  
14           engaging in theft, materially interfering with the recovery of other residents, or  
15           ~~engages~~ engaging in acts of violence that threaten the health or safety of other  
16           residents, recovery residence staff, or volunteers;

17            (B) the recovery residence has obtained the resident’s written consent  
18            to its residential agreement, reaffirmed after seven days;

19            (C) the resident behaved in a manner that impacted the health or  
20            safety of other individuals residing, working, or volunteering at the recovery  
21            residence, such as ~~violates~~ violating the recovery residence’s substance use

1 policy, repeatedly refusing to engage in services or programming, being  
2 charged with a criminal offense, engaging in theft, materially interfering with  
3 the recovery of other residents, or engages engaging in acts of violence that  
4 threaten the health or safety of other residents, recovery residence staff, or  
5 volunteers; and

6 (D) the recovery residence has provided or arranged for a  
7 stabilization bed or other alternative temporary housing; and

8 (E) the recovery residence has established a grievance process  
9 approved by the Department of Health, a Vermont affiliate of the National  
10 Alliance for Recovery Residences, or another organization approved by the  
11 Department.

12 (2) Relapse of a substance use disorder resulting in exiting a recovery  
13 residence shall not be deemed a cause of the resident’s own homelessness for  
14 purposes of obtaining emergency housing.

15 (3) Notwithstanding section 4460 of this chapter, a recovery residence  
16 employee may enter the recovery residence at reasonable times as necessary to  
17 carry out any function related to the operation of the recovery residence.

18 (4) As used in this subsection, “recovery residence” means a shared  
19 living residence supporting persons individuals recovering from a substance  
20 use disorder that:

1 (A) provides tenants residents with peer support, and assistance  
2 accessing support services, and community resources available to persons for  
3 individuals recovering from substance use disorders; and

4 (B) is certified by an organization approved by the Department of  
5 Health and that is either a Vermont affiliate of the National Alliance for  
6 Recovery Residences or another approved organization.

7 Sec. 4. 2024 Acts and Resolves No. 163, Sec. 5 is amended to read:

8 Sec. 5. SUNSET; RECOVERY RESIDENCES; RESIDENTIAL  
9 AGREEMENT; REPORTING

10 (a) ~~9 V.S.A. § 4452(b) is repealed on July 1, 2026. [Repealed.]~~

11 (b) Sec. 4 (report; recovery residences' exit and transfer data) is repealed  
12 on July 1, 2026.

13 Sec. 5. RULEMAKING; RECOVERY RESIDENCE CERTIFICATION

14 (a) On or before September 1, 2027, the Department of Health shall file an  
15 initial proposed rule with the Secretary of State pursuant to 3 V.S.A.  
16 § 836(a)(2) for the purposes of establishing a voluntary recovery residence  
17 certification program. At a minimum, the rule shall:

18 (1) require that a recovery residence seeking certification from the State  
19 comply with the certification standards of the Vermont Alliance for Recovery  
20 Residences or another organization approved by the Department; and

1           (2) set forth data collection standards and reporting requirements for  
2           certified recovery residences, including data elements and frequency, exit and  
3           transfer data, and requirements for annual reporting from the Department to the  
4           General Assembly that measure the program’s effectiveness.

5           (b) The Department shall complete the rulemaking process and adopt a  
6           permanent rule pursuant to 3 V.S.A. chapter 25 on or before December 1,  
7           2028.

8           (c) If the Department identifies the need for a fee to support the voluntary  
9           recovery residence certification program described in this section, the  
10           Department shall first propose the fee to the General Assembly and, if the  
11           General Assembly chooses to enact it into law, may incorporate the fee into the  
12           required rule.

13           Sec. 6. EFFECTIVE DATE

14           This act shall take effect on July 1, 2026.

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21           (Committee vote: \_\_\_\_\_)

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Representative \_\_\_\_\_

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FOR THE COMMITTEE