

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 (5) “Designated substance abuse counselor” means a person approved
12 by the Secretary to evaluate and treat ~~substance abusers~~ individuals with
13 substance use disorder, pursuant to the provisions of this chapter.

14 * * *

15 (12) “Recovery residence” means a shared living residence supporting
16 residents recovering from a substance use disorder that provides residents with
17 peer support, assistance accessing support services, and other community
18 resources related to substance use disorder.

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

20 ~~(13)~~(14) “Substance abuse crisis team” means an organization approved
21 by the Secretary to provide emergency treatment and transportation services to

1 ~~substance abusers~~ individuals with substance use disorder pursuant to the
2 provisions of this chapter.

3 ~~(14)~~(15) “~~Substance abuser~~” “Individual with substance use disorder”
4 means anyone who drinks alcohol or consumes other drugs to an extent or with
5 a frequency that impairs or endangers ~~his or her~~ the individual’s health or the
6 health and welfare of others.

7 ~~(15)~~(16) “Treatment” means the broad range of medical, detoxification,
8 residential, outpatient, aftercare, and follow-up services ~~which~~ that are needed
9 by ~~substance abusers~~ individuals with substance use disorder and may include
10 a variety of other medical, social, vocational, and educational services relevant
11 to the rehabilitation of these persons.

12 Sec. 2. 18 V.S.A. § 4806 is amended to read:

13 § 4806. DIVISION OF SUBSTANCE USE PROGRAMS

14 (a) The Division of Substance Use Programs shall plan, operate, and
15 evaluate a consistent, effective program of substance use programs. All duties,
16 responsibilities, and authority of the Division shall be carried out and exercised
17 by and within the Department of Health.

18 (b) The Division shall be responsible for the following services:

19 (1) prevention and intervention;

20 (2) [Repealed.]

21 (3) project CRASH schools; ~~and~~

1 (III) ensures a resident’s possessions will be held not less than
2 60 days in the event of permanent removal;

3 (ii) explaining the recovery residence’s program rules and social
4 standards;

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

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

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

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

3 (C) the resident ~~violated~~ behaved in a manner that impacted the
4 health or safety of other individuals residing, working, or volunteering at the
5 recovery residence, such as violating the recovery residence’s substance use
6 policy in the residential agreement, repeatedly refusing to engage in services or
7 programming, being charged with a criminal offense, engaging in theft,
8 materially interfering with the recovery of other residents, or engaged engaging
9 in acts of violence that ~~threatened~~ threaten the health or safety of other
10 residents, recovery residence staff, or volunteers; and

11 (D) the recovery residence has provided or arranged for a
12 ~~stabilization~~ re-engagement bed or other alternative temporary housing;

13 (E) the recovery residence has provided written or electronic notice
14 to the resident containing the date and rationale for the temporary removal or
15 transfer and options for returning to the recovery residence; and

16 (F) the recovery residence has established a grievance process
17 approved by the Vermont Alliance for Recovery Residences or another
18 certifying organization approved by the Department of Health.

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

1 (3) Notwithstanding section 4460 of this chapter, a recovery residence
2 employee may enter the recovery residence at reasonable times as necessary to
3 carry out functions related to the operation of the recovery residence.

4 (4) ~~As used in this subsection, “recovery residence” means a shared~~
5 ~~living residence supporting persons recovering from a substance use disorder~~
6 This subsection shall only apply to a recovery residence that:

7 (A) ~~provides tenants with peer support and assistance accessing~~
8 ~~support services and community resources available to persons recovering~~
9 ~~from substance use disorders~~ meets the definition of “recovery residence” in 18
10 V.S.A. § 4802; and

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

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

15 Sec. 5. SUNSET; RECOVERY RESIDENCES; RESIDENTIAL

16 AGREEMENT; REPORTING

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

18 (b) Sec. 4 (report; recovery residences’ exit and transfer data) is repealed
19 on July 1, 2026.

1 Sec. 5. RULEMAKING; RECOVERY RESIDENCE CERTIFICATION

2 (a) On or before September 1, 2027, the Department of Health shall file an
3 initial proposed rule with the Secretary of State pursuant to 3 V.S.A.
4 § 836(a)(2) for the purposes of establishing a voluntary recovery residence
5 certification program. At a minimum, the rule shall:

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

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

13 (b) The Department shall complete the rulemaking process and adopt a
14 permanent rule pursuant to 3 V.S.A. chapter 25 on or before December 1,
15 2028.

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

1 Sec. 6. EFFECTIVE DATE

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

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9 (Committee vote: _____)

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Representative _____

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FOR THE COMMITTEE