

To: Sarah Copeland Hanzas, Secretary of State
From: Natalie Weill, Public Health Policy Advisor, Vermont Department of Health
Re: Recovery Services Organization Certification Rule
Date: January 28, 2025

Following the filing of the Final Proposed Rule, the Department made the following changes based on the recommendations received from the Legislative Committee on Administrative Rules:

1. Section 3.1.2 was amended to the following:
“3.1.2 This rule does not apply to recovery residences that are providing residential recovery support services. ~~Recovery residences are certified by the certifying body authorized by the Department of Health.~~”
2. Section 4.12 was amended to the following:
“4.12 “**Recovery Residences**” means a shared living residence supporting persons recovering from a substance use disorder ~~the same as defined in 24 V.S.A. § 4412 (1)(G).~~”
3. Section 4.13 was amended to the following:
“4.13 “**Substance Use Disorder**” has the same meaning as in the most recent version of the ~~means the same as the definition of substance use disorder included in the most recent version of the~~ Diagnostic and Statistical Manual of Mental Disorders (DSM) published by the American Psychiatric Association.”
4. Section 5.2.3 was amended to the following:
“5.2.3 Eligible applicants shall describe the following in the Application for certification:”
5. Section 6.1 was amended to the following:
“6.1 The Department may not grant routine waivers or variances from any provisions of these rules without amending the rules. See 3 V.S.A. § 845. However, the Department may grant a waiver or variance from any certification requirements in these rules if the Department determines that strict compliance with the requirement would impose substantial hardship on the Organization and the waiver or variance would not adversely

impact the quality of services provided by the Organization²s or the health and safety of the individuals being served.”

6. Section 7.1 was amended to the following:

“7.1 Organizations applying for certification or renewal of a certification or that are currently certified shall:”

7. Section 7.1.1 was amended to the following:

“7.1.1 Permit the Department, at all times during operating hours, the opportunity to perform announced and unannounced inspections of the ~~e~~Organization to assess compliance with this rule.”

8. Section 8.1.4 was amended to the following:

“8.1.4 At the conclusion of the time period established by the Department, the Recovery Services Organization shall demonstrate to the Department in a manner determined by the Department that the ~~RSO~~Organization has addressed and remedied the violation(s) or instance(s) of non-compliance and is in compliance with this rule and all other applicable laws.”

No further changes have been made to the rule.