

1 H.588

2 An act relating to professions and occupations regulated by the Office of
3 Professional Regulation

4 It is hereby enacted by the General Assembly of the State of Vermont:

5 * * * General Powers * * *

6 Sec. 1. 3 V.S.A. § 123 is amended to read:

7 § 123. DUTIES OF OFFICE

8 (a) The Office shall provide administrative, secretarial, financial,
9 investigatory, inspection, and legal services to the boards. The services
10 provided by the Office shall include:

11 * * *

12 (2) Issuing, recording, renewing, and reinstating all licenses as ordered
13 by the boards, an appellate officer, the Director, an administrative law officer,
14 or a court.

15 (3) Revoking, rescinding, or suspending licenses as ordered by the
16 boards, the Director, an administrative law officer, or a court.

17 * * *

18 (14) Adopting rules to establish a program to serve as an alternative to
19 the disciplinary process for regulated professionals with substance use
20 disorders or other professional practice issues as designated by the boards or
21 Director.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20

* * *

Sec. 2. 3 V.S.A. § 129 is amended to read:

§ 129. POWERS OF BOARDS OR OF DIRECTOR IN ADVISOR

PROFESSIONS; DISCIPLINE ~~PROCESS~~ AND RESCISSION

PROCESSES

* * *

(j) Hearings involving denials or rescissions of licensure or disciplinary matters concerning persons in professions that have advisor appointees shall be heard by an administrative law officer appointed by the Secretary of State.

* * *

Sec. 3. 3 V.S.A. § 129c is added to read:

§ 129c. RESCISSIONS

(a) The Director may rescind a license issued by the Office of Professional Regulation under the following circumstances:

(1) it is discovered that an administrative mistake has occurred resulting in the erroneous issuance of the license;

(2) payment is not remitted for any licensing fee pursuant to section 125 of this title; and

(3) if, within 30 days after the State either completes a withdrawal from any licensure compact described in Title 26 or other time in which a licensure

1 compact described in Title 26 becomes no longer binding on the State, the
2 licensee does not apply for a license to practice in the State.

3 (b) The rescission process shall be as set forth in this subsection.

4 (1) License active for less than 30 days.

5 (A) If the individual's license has been active for less than 30 days,
6 the Director shall initially rescind the license for any reason enumerated in
7 subsection (a) of this section.

8 (B) The individual shall be immediately notified of the rescission, the
9 reason for rescission, and procedural rights.

10 (C) The individual shall be provided an opportunity to have the
11 rescission reviewed by either an administrative law officer or the relevant
12 board. In any review, the Director shall have the burden of proving the
13 rescission is merited. Any review shall commence not later than 20 days after
14 the rescission, and a decision in any review shall be rendered within 30 days
15 following the rescission. The decision shall either reverse the Director's
16 rescission, in which case the license shall be immediately reinstated, or affirm
17 the Director's rescission and be deemed a final decision of the administrative
18 law officer or board.

19 (D) In the event of an administrative law officer or board affirming
20 the Director's rescission, the individual shall be provided notice and the ability
21 to appeal the Director's rescission in accordance with section 130a of this title;

1 however, the individual shall have the burden of proving the rescission is not
2 merited.

3 (2) License active for 30 days or more.

4 (A) If the individual's license has been active for 30 days or more,
5 and the Director determines there is a reason for rescission as enumerated in
6 subsection (a) of this section, the Director shall provide notice to the individual
7 that, after 30 days from issuing the notice, the Director intends to rescind the
8 individual's license. The notice shall also include the reason for rescission and
9 the individual's procedural rights.

10 (B) The individual shall be provided an opportunity to have a hearing
11 to determine the merits of a rescission. The individual shall have 30 days from
12 when the Director's notice was issued to indicate if the individual elects to
13 have a hearing. In the event the individual either elects not to have a hearing
14 or declines to answer within the allotted 30 days, Director shall rescind the
15 individual's license and the individual shall be foreclosed from appealing the
16 decision pursuant to subdivision (D) of this subdivision (b)(2). In the event the
17 individual elects to have a hearing, any rescission shall be stayed until a
18 hearing decision is rendered.

19 (C) Any hearing shall be held in accordance with section 129 of this
20 title and the resulting decision shall either affirm or reverse the Director's
21 rescission of the individual license.

1 (D) In the event of a hearing decision finding that the Director’s
2 rescission of the individual’s license is merited, the individual shall be
3 provided notice and the ability to appeal the Director’s rescission in
4 accordance with section 130a of this title; however, the individual shall have
5 the burden of proving the rescission is not merited.

6 (c) A rescission of a license shall not be recorded as an adverse action
7 taken against the individual or any other misconduct or unprofessional conduct
8 for purposes of the individual’s other currently held licenses or future licensure
9 applications.

10 (d) Upon becoming aware of the State either withdrawing from any
11 licensure compact described in Title 26 or when a licensure compact described
12 in Title 26 becomes no longer binding on the State, the Office of Professional
13 Regulation shall notify as soon as practicable all affected licensees practicing
14 in the State. An individual’s license may not be rescinded if the Office fails to
15 provide the notice.

16 Sec. 4. 3 V.S.A. § 128 is amended to read:

17 § 128. DISCIPLINARY ACTION TO BE REPORTED TO THE OFFICE

18 (a)(1) Any hospital, clinic, community mental health center, or other health
19 care institution in which a licensee performs professional services shall report
20 to the Office, along with supporting information and evidence, any disciplinary

1 action taken by it or its staff that limits or conditions the licensee's privilege to
2 practice or leads to suspension or expulsion from the institution.

3 * * *

4 (3) This section shall ~~not~~ apply to cases of resignation, separation from
5 service, or changes in privileges that are ~~unrelated~~ related to:

6 (A) a disciplinary or adverse action;

7 (B) an adverse action report to the National Practitioner Data Bank;

8 (C) an unexpected adverse outcome in the care or treatment of a
9 patient;

10 (D) misconduct or allegations of misconduct;

11 (E) the initiation or process of an action to limit, condition, or
12 suspend a licensee's privilege to practice in an institution;

13 (F) an action to expel the licensee from an institution; or

14 (G) any other action that could lead to an outcome described in
15 subdivisions (A) through (F) of this subdivision (3).

16 * * *

17 Sec. 5. 3 V.S.A. § 129a is amended to read:

18 § 129a. UNPROFESSIONAL CONDUCT

19 (a) In addition to any other provision of law, the following conduct by a
20 licensee constitutes unprofessional conduct. When that conduct is by an
21 applicant or person who later becomes an applicant, it may constitute grounds

1 for denial of a license or other disciplinary action. Any one of the following
2 items or any combination of items, whether the conduct at issue was
3 committed within or outside the State, shall constitute unprofessional conduct:

4 (1) Fraudulent or deceptive procurement or use of a license or attempted
5 fraudulent or deceptive procurement or use of a license by making or causing
6 to be made a false, fraudulent, or forged statement or representation.

7 * * *

8 (g) Notwithstanding the provisions of this section or any other law to the
9 contrary, a licensee may, pursuant to rules adopted by the Director, enter into a
10 program serving as an alternative to the disciplinary process for regulated
11 professionals with substance use disorders or other professional practice issues
12 as designated by the boards or Director.

13 Sec. 6. 3 V.S.A. § 129b is amended to read:

14 § 129b. BOARD MEMBER AND ADVISOR APPOINTMENTS

15 (a) Notwithstanding any provision of law to the contrary relating to terms
16 of office and appointments for members of boards attached to the Office of
17 Professional Regulation, all board members appointed by the Governor shall
18 be the age of majority, appointed for staggered five-year terms, and ~~shall~~ serve
19 at the pleasure of the Governor. Appointments under this section shall not be
20 subject to the advice and consent of the Senate. The Governor may remove
21 any member of a board as provided in section 2004 of this title. Vacancies

1 created other than by expiration of a term shall be filled in the same manner
2 that the initial appointment was made for the unexpired portion of the term.
3 Terms shall begin on January 1 of the year of appointment and run through
4 December 31 of the last year of the term. The Governor may request
5 nominations from any source but shall not be bound to select board members
6 from among the persons nominated. As provided in section 2004 of this title,
7 board members shall hold office and serve until a successor has been
8 appointed.

9 * * *

10 Sec. 7. 3 V.S.A. § 137 is amended to read:

11 § 137. UNIFORM PROCESS FOR FOREIGN CREDENTIAL

12 VERIFICATION

13 * * *

14 (d) The provisions relating to ~~preliminary~~ license denials set forth in
15 subsection 129(e) of this subchapter shall apply to a license application that is
16 ~~preliminarily~~ denied for nonequivalence under this section.

17 * * * Accountants * * *

18 Sec. 8. 26 V.S.A. § 13 is amended to read:

19 § 13. DEFINITIONS

20 As used in this chapter:

21 * * *

1 ~~experience or employment that the Board in its discretion considers~~
2 ~~substantially equivalent; and or~~

3 (C) a baccalaureate degree from a college or university recognized by
4 the Board with a concentration in accounting or an equivalent and two years of
5 experience in public accounting, meeting the requirements prescribed by Board
6 rule; and

7 (3) who has passed the examination required under subsection (b) of this
8 section.

9 (b) The Board shall administer an examination using a nationally
10 recognized uniform certified public accountants' examination and advisory
11 grading service.

12 (c) An applicant who has not yet completed a baccalaureate degree may sit
13 for the exam upon the completion of 120 semester hours at an institution
14 recognized by the Board, including a minimum of 30 semester hours of
15 accounting, auditing, and related subjects as the Board determines to be
16 appropriate.

17 Sec. 10. 26 V.S.A. § 74c is amended to read:

18 § 74c. ~~SUBSTANTIAL EQUIVALENCY~~ MOBILITY

19 (a) An individual whose principal place of business is not in this State shall
20 ~~be presumed to have qualifications substantially equivalent to this State's~~

1 ~~requirements and shall~~ have the privileges of licensure of this State, without
2 the need to obtain a license under section 72b of this title, if the individual:

3 (1) holds a valid license as a certified public accountant from a any state
4 ~~the Board determines has licensure requirements substantially equivalent to the~~
5 ~~requirements of the AICPA/NASBA Uniform Accountancy Act; or and~~

6 (2) ~~holds a valid license as a certified public accountant from any state,~~
7 ~~and the individual obtains verification from the NASBA National Qualification~~
8 ~~Appraisal Service that the individual's qualifications are substantially~~
9 ~~equivalent to the licensure requirements of the AICPA/NASBA Uniform~~
10 ~~Accountancy Act. An individual who passed the uniform CPA examination~~
11 ~~and holds a valid license issued by any state prior to January 1, 2012 shall be~~
12 ~~exempt from the education requirements of subdivision 5(e)(2) of the Uniform~~
13 ~~Accountancy Act for purposes of this section. has passed the uniform CPA~~
14 ~~examination and has met any one of the following requirements for education~~
15 ~~and experience in accordance with rules adopted by the Board:~~

16 (A) a post-baccalaureate degree from a college or university with a
17 concentration in accounting or an equivalent and one year of experience in
18 public accounting;

19 (B) 150 or more semester hours of college credit at a college or
20 university, including a baccalaureate degree and a minimum of 42 semester

1 hours of accounting, auditing, and related subjects, and one year of experience
2 in public accounting; or

3 (C) a baccalaureate degree from a college or university with a
4 concentration in accounting or an equivalent and two years of experience in
5 public accounting.

6 * * *

7 (g) An individual whose principal place of business is not in this State, who
8 holds a valid active license as a certified public accountant from any state, and
9 who, as of December 31, 2024, had practice privileges in this State under this
10 section shall continue to have all the privileges of licensees in this State
11 without the need to obtain a license under section 71a of this title, pursuant to
12 all other requirements of this chapter.

13 * * * Dentists * * *

14 Sec. 11. 26 V.S.A. § 603 is added to read:

15 § 603. LIMITED ACADEMIC DENTIST LICENSE

16 (a) Scope of dentist practice. A limited academic dentist license is a
17 credential that authorizes the practice of dentistry only:

18 (1) at a teaching facility operated by a dental program that is accredited
19 by the American Dental Association's Commission on Dental Accreditation to
20 grant doctoral degrees in dental medicine or dental surgery; and

1 (2) under the general supervision of a dentist who is fully licensed in
2 good standing.

3 (b) Eligibility. To qualify for a limited academic dentist license, an
4 applicant must:

5 (1) be appointed as a full-time dental instructor of an accredited dental
6 program;

7 (2) hold a dental degree sufficient for licensure by examination under
8 section 601 of this title; and

9 (3) complete any courses in emergency office procedures or
10 cardiopulmonary resuscitation required for a licensed dentist.

11 (c) Specialties unavailable. A limited academic dentist license holder who
12 is not otherwise licensed as a dentist in this State is ineligible for sedation and
13 general anesthesia specialties.

14 (d) Notification of termination required. A limited academic dentist license
15 holder must notify the Office within 48 hours after any termination as a full-
16 time dental instructor. Continued practice after termination constitutes
17 unauthorized practice under 3 V.S.A. § 127.

18 (e) Renewal. For license renewal, a limited academic dentist license holder
19 must:

20 (1) meet all renewal requirements set forth in subsections 661(a)–(d) for
21 a licensed dentist, except no fee is required; and

1 (2) continue to be a full-time dental instructor of an accredited dental
2 program.

3 Sec. 12. 26 V.S.A. § 662 is amended to read:

4 § 662. FEES

5 (a) Applicants and persons regulated under this chapter shall pay the
6 following fees:

7 (1) Application

8 (A) Dentist \$285.00

9 (B) Limited academic dentist \$0.00

10 (C) Dental therapist \$215.00

11 ~~(C)~~(D) Dental hygienist \$200.00

12 ~~(D)~~(E) Dental assistant \$80.00

13 (2) Biennial renewal

14 (A) Dentist \$655.00

15 (B) Limited academic dentist \$0.00

16 (C) Dental therapist \$310.00

17 ~~(C)~~(D) Dental hygienist \$245.00

18 ~~(D)~~(E) Dental assistant \$105.00

19 (b) The licensing fee for a dentist, dental therapist, or dental hygienist or
20 the registration fee for a dental assistant who is otherwise eligible for licensure
21 or registration and whose practice in this State will be limited to providing pro

1 bono services at a free or reduced-fee clinic or similar setting approved by the
2 Board shall be waived.

3 * * * Funeral Services * * *

4 Sec. 13. 26 V.S.A. § 1211 is amended to read:

5 § 1211. DEFINITIONS

6 (a) As used in this chapter, unless a contrary meaning is required by the
7 context:

8 * * *

9 (6) “Practice of funeral service” means arranging, directing, or
10 providing for the care, preparation, or disposition of dead human bodies for a
11 fee or other compensation. This includes:

12 (A) meeting with the public to select a method of disposition or
13 funeral observance and merchandise;

14 (B) entering into contracts, either at-need or pre-need, for the
15 provision of dispositions, funeral observances, and merchandise;

16 (C) arranging, directing, or performing the removal or transportation
17 of a dead human body;

18 (D) securing or filing certificates, permits, forms, or other
19 documents;

20 (E) supervising or arranging a funeral, memorial, viewing, or
21 graveside observance; ~~and~~

1 (F) holding oneself out to be a licensed funeral director by using the
2 words or terms “funeral director,” “mortician,” “undertaker,” or any other
3 words, terms, title, or picture that, when considered in context, would imply
4 that such person is engaged in the practice of funeral service or is a licensed
5 funeral director; and

6 (G) providing for the disposition of dead human bodies by cremation,
7 alkaline hydrolysis, or natural organic reduction.

8 * * *

9 (c) Notwithstanding this section, owners of a disposition facility and their
10 personnel may engage in the listed activities in subdivision (a)(6) of this
11 section only to the extent such functions are necessary to the performance of
12 their duties. Specifically, personnel at a disposition facility may:

13 (1) provide for the disposition of dead human bodies by cremation,
14 alkaline hydrolysis, or natural organic reduction and meet with the public to
15 arrange ~~and provide~~ for the disposition;

16 (2) enter into contracts, without taking prepaid funds, for the ~~provision~~
17 ~~of dispositions~~ disposition by cremation, alkaline hydrolysis, or natural organic
18 reduction;

19 (3) arrange, direct, or perform the removal or transportation of a dead
20 human body, provided that removals are performed by licensed removal
21 personnel; and

1 (4) secure and file certificates, permits, forms, or other documents.

2 * * * Nursing; Advanced Practice Registered Nurses * * *

3 Sec. 14. 26 V.S.A. § 1614 is amended to read:

4 § 1614. APRN RENEWAL

5 An APRN license renewal application shall include:

6 (1) documentation of ~~completion of the APRN practice requirement;~~

7 ~~(2) possession of~~ a current certification by a national APRN specialty
8 certifying organization; and

9 ~~(3)~~(2) a current collaborative provider agreement if required for
10 transition to practice.

11 * * * Pharmacists * * *

12 Sec. 14a. 26 V.S.A. § 2023 is amended to read:

13 § 2023. CLINICAL PHARMACY; PRESCRIBING AND TESTING

14 (a) In accordance with applicable rules adopted by the Board, a pharmacist
15 may engage in the practice of clinical pharmacy, including prescribing as set
16 forth in subsection (b) of this section, provided that a pharmacist shall not:

17 * * *

18 (3) initiate antibiotic therapy, except pursuant to a collaborative practice
19 agreement or state protocol.

20 (b) A pharmacist may prescribe in the following contexts:

21 * * *

1 (2) State protocol.

2 (A) A pharmacist may prescribe, order, or administer in a manner
3 consistent with valid State protocols that are approved by the Commissioner of
4 Health after consultation with the Director of Professional Regulation and the
5 Board and the ability for public comment:

6 * * *

7 (x) emergency prescribing of albuterol or glucagon while
8 contemporaneously contacting emergency services;

9 ~~(xi) tests for COVID-19 for individuals by entities holding a~~
10 ~~Certificate of Waiver pursuant to the Clinical Laboratory Amendments of 1988~~
11 ~~(42 U.S.C. § 263a). If a test for COVID-19, prescribed, ordered, or~~
12 ~~administered by a pharmacist in accordance with this section and the resulting~~
13 ~~State protocol incidentally detects influenza or human respiratory syncytial~~
14 ~~virus, a pharmacist shall advise the individual tested that the results indicate~~
15 ~~influenza or human respiratory syncytial virus infection and recommend to the~~
16 ~~individual to seek further care from an appropriate health care provider;~~

17 ~~(xii) tests for SARS-CoV for asymptomatic individuals or related~~
18 ~~serology for individuals by entities holding a Certificate of Waiver pursuant to~~
19 ~~the Clinical Laboratory Amendments of 1988 (42 U.S.C. § 263a); and~~

20 ~~(xiii)~~(xi) emergency contraception; and

1 pursuant to 26 V.S.A. § 3011a(a)(2), for the licensing of psychologists,
2 whichever occurs first.

3 (d) On or before July 1, 2029, the Board shall adopt updated rules
4 regarding the supplementation of a master's or doctoral degree, pursuant to 26
5 V.S.A. § 3011a(a)(2), for the licensing of psychologists.

6 * * * Midwives * * *

7 Sec. 16. 26 V.S.A. chapter 85 is amended to read:

8 CHAPTER 85. MIDWIVES

9 * * *

10 § 4185. DIRECTOR; DUTIES

11 * * *

12 ~~(e)(1) The Director shall appoint an advisory committee to study and report~~
13 ~~to the Director and to the Commissioner of Health on matters relating to~~
14 ~~midwifery, including recommendations if necessary for revisions to the~~
15 ~~administrative rules. The Committee shall focus on improving communication~~
16 ~~and collaboration among birth providers.~~

17 ~~(2) The Committee shall be composed of at least six members: three~~
18 ~~midwives licensed under this chapter, two physicians licensed by the Board of~~
19 ~~Medical Practice or the Board of Osteopathic Physicians and Surgeons, and~~
20 ~~one advanced practice registered nurse midwife licensed by the Board of~~
21 ~~Nursing.~~

1 (2) Upon receipt of the completed form and of the renewal fee, the
2 Director shall issue a renewal license to applicants who qualify under this
3 section.

4 (b) The Director shall renew a license that has lapsed for a period of three
5 years or less upon receipt of the renewal fee and late renewal penalty, the
6 reinstatement fee, and an application for renewal that shows that the person
7 still meets the eligibility requirements of this chapter and that all the
8 requirements for renewal, including continuing education, have been satisfied.
9 A person shall not be required to pay renewal fees for lapsed years.

10 (c) The Director may adopt rules to assure that an applicant whose license
11 has lapsed for a period greater than three years may be eligible for licensing,
12 but such rules shall not establish requirements greater than the eligibility
13 requirements of this chapter.

14 (d) The Director may, as a condition of license renewal, require that
15 licensed midwives submit individual practice data to the Office or its designee.
16 The required data may include information such as client demographics,
17 complications of labor and delivery, breastfeeding and postpartum health, and
18 such other information as the Director may require.

19 * * * Speech-Language Pathologist Assistants; Sunrise Report * * *

1 Sec. 17. OFFICE OF PROFESSIONAL REGULATION; SUNRISE REVIEW
2 REPORT; SPEECH-LANGUAGE PATHOLOGIST ASSISTANTS

3 On or before November 15, 2026, the Office of Professional Regulation, in
4 consultation with interested stakeholders, shall submit to the House Committee
5 on Government Operations and Military Affairs and the Senate Committee on
6 Government Operations a written report, in accordance with 26 V.S.A. chapter
7 57, on the advised nature of regulation and suggested level of credentialing for
8 speech-language pathologist assistants practicing in the State.

9 * * * Massage Therapists, Bodyworkers, and Touch Professionals * * *

10 Sec. 18. 26 V.S.A. chapter 105 is amended to read:

11 CHAPTER 105. MASSAGE THERAPISTS, BODYWORKERS, AND
12 TOUCH PROFESSIONALS

13 Subchapter 1. General Provisions

14 § 5401. DEFINITIONS

15 As used in this chapter:

16 * * *

17 (2)(A) “Establishment” means any ~~place of business that~~ location:

18 ~~(i)(A) offers the practice of massage or the practice of bodywork~~
19 ~~or where the practice of massage or the practice of bodywork is conducted on~~
20 ~~the premises of the business~~ where the practice of massage or the practice of
21 bodywork is regularly engaged in; or

1 (A) the registrations of employed or contracted massage therapists,
2 bodyworkers, or touch professionals at an establishment; and

3 (B) information regarding unprofessional conduct and filing
4 complaints with the Office.

5 (3) The rules described in this subsection shall include provisions
6 relating to the manner in which the information disclosed shall be distributed
7 or displayed and a requirement that a massage therapist, bodyworker, or touch
8 professional and ~~his or her~~ the client sign an acknowledgement that the
9 information was disclosed.

10 (4) The Director may adopt other rules as necessary to perform ~~his or~~
11 ~~her~~ the Director's duties under this chapter.

12 (5) The Director may adopt rules limiting the applicability of this
13 chapter as applied to establishments operated within private homes.

14 * * *

15 § 5423. ESTABLISHMENTS; DESIGNEE AND INSPECTION

16 (a) An establishment shall ~~designate a massage therapist, bodyworker, or~~
17 ~~touch professional to be responsible for ensuring the establishment complies~~
18 ~~with the requirements of this chapter and the rules adopted by the Director~~
19 register with the Office of Professional Regulation. The operation of an
20 establishment without registration shall constitute unauthorized practice under
21 3 V.S.A. § 127.

1 (b) An establishment is responsible for ensuring its lawful operation,
2 regardless of whether the establishment's owner is on-site or has personal
3 knowledge of its operations. The Office may prosecute an establishment for
4 unprofessional conduct or unauthorized practice occurring at the establishment.

5 (c) The Director may require that an application for establishment
6 registration include:

7 (1) the management and ownership of the business;

8 (2) the name, location, and licensing history of any past or present
9 massage establishment under the same management or ownership;

10 (3) the location and ownership of the establishment's premises;

11 (4) proof of business registration with the Secretary of State; and

12 (5) other information required by the Director in rule.

13 (d) The Director may deny an establishment registration of a location
14 where unprofessional conduct, as defined in subdivision 5427(2) or (3) of this
15 title, has previously occurred, even if under different ownership or
16 management. A denial on this basis shall follow the same procedures as a
17 denial for unprofessional conduct under 3 V.S.A. § 129.

18 (e) A person authorized by the Director may enter any establishment for the
19 purpose of inspection ~~when a complaint has been filed with the Office~~
20 ~~regarding the practice of massage or the practice of bodywork at that~~
21 ~~establishment.~~ The Director may require an establishment to undergo

1 inspection prior to registration. A fee shall not be charged for any inspection
2 under this subsection.

3 * * *

4 § 5425. FEES

5 (a) Applicants and persons regulated under this chapter shall pay those fees
6 set forth in 3 V.S.A. § 125(b).

7 (b) An establishment where the practice of massage or the practice of
8 bodywork is provided by only two massage therapists, bodyworkers, or touch
9 professionals shall pay reduced fees set forth in 3 V.S.A. § 125(b).

10 § 5426. DISPLAY OF REGISTRATION

11 ~~A massage therapist, bodyworker, or touch professional shall conspicuously~~
12 ~~display his or her registration in any establishment where the registrant is~~
13 ~~engaged in the practice of massage or the practice of bodywork~~ An
14 establishment must conspicuously display the registrations of:

15 (1) the establishment; and

16 (2) any massage therapist, bodyworker, or touch professional engaged in
17 the practice of massage or the practice of bodywork in the establishment.

18 § 5427. UNPROFESSIONAL CONDUCT

19 Unprofessional conduct means the conduct set forth in 3 V.S.A. § 129a and
20 the following:

21 (1) engaging in activities in violation of 13 V.S.A. § 2605 (voyeurism);

1 (b) Unless otherwise provided by law, the following fees shall apply to all
2 professions regulated by the Director in consultation with advisor appointees
3 under Title 26:

4 (1) Application for registration, \$100.00, except application for:

5 * * *

6 (D) Massage therapist, bodyworker, or touch professional, \$90.00.

7 (E) Massage establishment qualifying for a reduced fee under
8 26 V.S.A. § 5425(b), \$50.00.

9 (2) Application for licensure or certification, \$115.00, except application
10 for:

11 * * *

12 ~~(M) Massage therapist, bodyworker, or touch professional, \$90.00.~~

13 [Repealed.]

14 * * *

15 (4) Biennial renewal, \$275.00, except biennial renewal for:

16 * * *

17 (Y) Massage establishment qualifying for a reduced fee under
18 26 V.S.A. § 5425(b), \$75.00.

19 (5) Limited temporary license or work permit, \$60.00.

20 (6) Radiologic evaluation, \$125.00.

1 (7) Annual renewal for appraisal management company registration,

2 \$345.00.

3 (8) Real estate appraiser trainee, \$115.00.

4 (9) Apprenticeship application, \$50.00.

5 (10) Specialty or endorsement to existing license application, \$100.00.

6 (11) Disciplinary action surcharge, \$250.00.

7 * * *

8 Sec. 19. 13 V.S.A. § 2638 is amended to read:

9 § 2638. IMMUNITY FROM LIABILITY

10 (a) As used in this section:

11 (1) “Human trafficking” has the same meaning as in section 2651 of this
12 title.

13 (2) “Prostitution” has the same meaning as in section 2631 of this title.

14 (b) A person who, in good faith and in a timely manner, reports to law
15 enforcement that the person is a victim of or a witness to a crime that arose
16 from the person’s involvement in prostitution or human trafficking shall not be
17 cited, arrested, or prosecuted for a violation of the following offenses:

18 (1) section 2632 of this title (prostitution);

19 (2) section 2601a of this title (prohibited conduct);

20 (3) 18 V.S.A. § 4230(a)(1)–(3) (cannabis possession);

21 (4) 18 V.S.A. § 4231(a)(1) and (2) (cocaine possession);

- 1 (5) 18 V.S.A. § 4232(a)(1) and (2) (LSD possession);
2 (6) 18 V.S.A. § 4233(a)(1) and (2) (heroin possession);
3 (7) 18 V.S.A. § 4234(a)(1) and (2) (depressant, stimulant, and narcotic
4 drugs possession);
5 (8) 18 V.S.A. § 4234a(a)(1) and (2) (methamphetamine possession);
6 (9) 18 V.S.A. § 4235(b)(1) (hallucinogenic drugs possession); ~~and~~
7 (10) 18 V.S.A. § 4235a(a)(1) (Ecstasy possession); and
8 (11) 26 V.S.A. § 5403 (unauthorized practice of massage or bodywork).

9 * * *

10 * * * Effective Dates * * *

11 Sec. 20. EFFECTIVE DATES

12 (a) This section, Secs. 1–10 (general powers, accountants), Secs. 13–17
13 (funeral services, advanced practice registered nurses, psychologists,
14 midwives, speech-language pathologist assistants report), and Sec. 18a
15 (3 V.S.A. § 125) shall take effect on passage.

16 (b) Secs. 11 and 12 (dentists) shall take effect on September 1, 2026.

17 (c) Sec. 18 (massage therapists, bodyworkers, and touch professionals) and
18 Sec. 19 (13 V.S.A. § 2638) shall take effect on December 1, 2026.