

1 TO THE HONORABLE SENATE:

2 The Committee on Government Operations to which was referred House  
3 Bill No. 588 entitled “An act relating to professions and occupations regulated  
4 by the Office of Professional Regulation” respectfully reports that it has  
5 considered the same and recommends that the Senate propose to the House that  
6 the bill be amended by striking out all after the enacting clause and inserting in  
7 lieu thereof the following:

8 \* \* \* General Powers \* \* \*

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

10 § 123. DUTIES OF OFFICE

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

14 \* \* \*

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

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

20 \* \* \*



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

4 \* \* \*

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

6 § 129c. RESCISSIONS

7 (a) The Director may rescind a license or compact privilege issued by the  
8 Office of Professional Regulation under the following circumstances:

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

11 (2) payment is not remitted for any application fee pursuant to section  
12 125 of this title; or

13 (3) if, for a compact license or privilege:

14 (A) either:

15 (i) this State or the compact license or privilege holder's home  
16 state of licensure ceases participating in the relevant licensing compact; or

17 (ii) the compact license or privilege holder ceases to hold an  
18 unencumbered home-state license; and

19 (B) the compact license or privilege holder does not obtain a full  
20 Vermont license within 30 days.

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

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

2           (A) If the individual’s license has been active for less than 30 days,  
3           the Director shall initially rescind the license for any reason enumerated in  
4           subsection (a) of this section.

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

7           (C) The individual shall be provided an opportunity to have the  
8           rescission reviewed by either an administrative law officer or the relevant  
9           board. In any review, the Director shall have the burden of proving the  
10          rescission is merited. Any review shall commence not later than 30 days after  
11          the rescission, and a decision in any review shall be rendered within 40 days  
12          following the rescission. The decision shall either reverse the Director’s  
13          rescission, in which case the license shall be immediately reinstated, or affirm  
14          the Director’s rescission and be deemed a final decision of the administrative  
15          law officer or board.

16          (D) In the event of an administrative law officer or board affirming  
17          the Director’s rescission, the individual shall be provided notice and the ability  
18          to appeal the Director’s rescission in accordance with section 130a of this title;  
19          however, the individual shall have the burden of proving the rescission is not  
20          merited.

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

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

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

16           (C) Any hearing shall be held in accordance with section 129 of this  
17           title and the resulting decision shall either affirm or reverse the Director’s  
18           rescission of the individual license.

19           (D) In the event of a hearing decision finding that the Director’s  
20           rescission of the individual’s license is merited, the individual shall be  
21           provided notice and the ability to appeal the Director’s rescission in

1 accordance with section 130a of this title; however, the individual shall have  
2 the burden of proving the rescission is not merited.

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

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

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

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

15 (a)(1) Any hospital, clinic, community mental health center, or other health  
16 care institution in which a licensee performs professional services shall report  
17 to the Office, along with supporting information and evidence, any disciplinary  
18 action taken by it or its staff that limits or conditions the licensee’s privilege to  
19 practice or leads to suspension or expulsion from the institution.

20 \* \* \*





1 December 31 of the last year of the term. The Governor may request  
2 nominations from any source but shall not be bound to select board members  
3 from among the persons nominated. As provided in section 2004 of this title,  
4 board members shall hold office and serve until a successor has been  
5 appointed.

6 \* \* \*

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

8 § 137. UNIFORM PROCESS FOR FOREIGN CREDENTIAL  
9 VERIFICATION

10 \* \* \*

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

14 \* \* \* Accountants \* \* \*

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

16 § 13. DEFINITIONS

17 As used in this chapter:

18 \* \* \*

19 (7) ~~“Good character” means fiscal integrity, and a lack of any history of~~  
20 ~~acts involving dishonesty, false statements, or fraud. [Repealed.]~~

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)(2) who has passed pass~~ the examination required under subsection  
8 (b) of this 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 in Vermont.

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 disposition~~ 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;

1                    (xii) tests waived under 42 C.F.R. § 493.15 for COVID-19,  
2                    influenza, and streptococcal pharyngitis and subsequent drug treatment; and  
3                    (xiii) for patients 18 years of age or older, medications for the  
4                    prevention of human immunodeficiency virus, including those for pre-  
5                    exposure and post-exposure prophylaxis.

6                    \* \* \*

7                    Sec. 14b. 26 V.S.A. § 2022 is amended to read:

8                    § 2022. DEFINITIONS

9                    As used in this chapter:

10                    \* \* \*

11                    (14) “Pharmacy technician” means an individual who, only while  
12                    assisting and under the supervision of a licensed pharmacist, performs tasks  
13                    relative to dispensing prescription drugs, administering immunizations, and  
14                    performing tests for COVID-19, influenza, and streptococcal pharyngitis.  
15                    Pharmacy technicians shall administer immunizations and perform authorized  
16                    tests for COVID-19 in compliance and accordance with section 2042a of this  
17                    title.

18                    \* \* \*

19                    Sec. 14c. 26 V.S.A. § 2042a is amended to read:

20                    § 2042a. PHARMACY TECHNICIANS; QUALIFICATIONS  
21                    FOR REGISTRATION

1 \* \* \*

2 (e) Pharmacy technicians performing authorized COVID-19 tests shall do  
3 so only:

4 (1) when a licensed pharmacist who is trained to perform authorized  
5 COVID-19 tests is present and able to assist with the test, as needed; and

6 (2) in accordance with a State protocol adopted under subdivision  
7 2023(b)(2)(A)(\*) of this title or pursuant to a standing order of the  
8 Commissioner of Health; and

9 (3) in accordance with rules adopted by the Board.

10 (f) The Board may adopt rules regarding the administration of  
11 immunizations and the performance of authorized COVID-19 tests by  
12 pharmacy technicians.

13 \* \* \* Psychologists \* \* \*

14 Sec. 15. TEMPORARY PSYCHOLOGIST LICENSURE EDUCATIONAL  
15 SUPPLEMENTATION

16 (a) Notwithstanding the provisions of 26 V.S.A. chapter 55, 3 V.S.A.  
17 chapter 25, or any contrary rule, the Director of the Office of Professional  
18 Regulation may develop and implement temporary policies permitting  
19 supplementation of a master's or doctoral degree, pursuant to 26 V.S.A.  
20 § 3011a(a)(2), for the licensing of psychologists.





1 (A) completed 20 hours of continuing education approved by the  
2 Director by rule;

3 (B) participated in at least four peer reviews;

4 (C) ~~submitted individual practice data;~~

5 ~~(D)~~ maintained current cardiopulmonary resuscitation certification;

6 and

7 ~~(E)~~(D) filed a timely certificate of birth for each birth at which ~~he or~~  
8 ~~she~~ the licensee was the attending midwife, as required by law; and

9 (E) maintained current certification by the North American Registry  
10 of Midwives.

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

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

20 (c) The Director may adopt rules to assure that an applicant whose license  
21 has lapsed for a period greater than three years may be eligible for licensing,

1 but such rules shall not establish requirements greater than the eligibility  
2 requirements of this chapter.

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

8 \* \* \* Speech-Language Pathologist Assistants; Sunrise Report \* \* \*

9 Sec. 17. OFFICE OF PROFESSIONAL REGULATION; SUNRISE REVIEW

10 REPORT; SPEECH-LANGUAGE PATHOLOGIST ASSISTANTS

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

17 \* \* \* Massage Therapists, Bodyworkers, and Touch Professionals \* \* \*

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

19 CHAPTER 105. MASSAGE THERAPISTS, BODYWORKERS, AND

20 TOUCH PROFESSIONALS

21 Subchapter 1. General Provisions

1 § 5401. DEFINITIONS

2 As used in this chapter:

3 \* \* \*

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

5 ~~(i)(A) offers the practice of massage or the practice of bodywork~~  
6 ~~or where the practice of massage or the practice of bodywork is conducted on~~  
7 ~~the premises of the business~~ where the practice of massage or the practice of  
8 bodywork is regularly engaged in; or

9 ~~(ii)(B)~~ that represents itself to the public by any title or description  
10 of services incorporating the words “touch professional,” “bodywork,”  
11 “massage,” “massage therapy,” “massage therapist,” “massage practitioner,”  
12 “massagist,” “masseur,” “masseuse,” “energy work,” or other words identified  
13 by the Director in rules.

14 ~~(B) A “place of business” includes any office, clinic, facility, salon,~~  
15 ~~spa, or other location not otherwise exempted under section 5404 of this~~  
16 ~~chapter where a person or persons engage in the practice of massage or the~~  
17 ~~practice of bodywork.~~

18 \* \* \*

19 § 5403. UNAUTHORIZED PRACTICE

20 Any individual who owns or operates an unregistered establishment or who  
21 engages in the practice of massage or the practice of bodywork without a

1 registration from the Office shall be subject to the penalties provided in 3  
2 V.S.A. § 127 (~~unauthorized practice~~).

3 § 5404. EXEMPTIONS

4 \* \* \*

5 (c) Nothing in this chapter shall prohibit a massage therapist, bodyworker,  
6 or touch professional from engaging in or offering the practice of massage or  
7 the practice of bodywork at a location that is not ~~an~~ a registered establishment;  
8 if:

9 (1) ~~so long as prior to engaging in that practice at that location,~~ the  
10 ~~registrant~~ massage therapist and ~~his or her~~ the client agree in advance that the  
11 location is acceptable; and

12 (2) the location is not an establishment as defined in subdivision 5401(2)  
13 of this title.

14 (d) Establishment registration is not required for a location where the  
15 practice of massage or the practice of bodywork is provided solely by:

16 (1) persons exempt from registration; or

17 (2) a single massage therapist, bodyworker, or touch professional.

18 \* \* \*

19 § 5411. DUTIES OF THE DIRECTOR

20 \* \* \*

1 (b) Rules.

2 (1) The Director shall adopt rules requiring a massage therapist,  
3 bodyworker, or touch professional to disclose to each new client before the  
4 first treatment the following information:

5 (A) the professional qualifications and experience of the registrant;

6 (B) actions that constitute unprofessional conduct;

7 (C) the method for filing a complaint against a registrant; and

8 (D) the method for making a consumer inquiry with the Office.

9 (2) The Director shall adopt rules regarding the display of:

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

12 (B) information regarding unprofessional conduct and filing  
13 complaints with the Office.

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

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





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

4        § 5426. DISPLAY OF REGISTRATION

5        ~~A massage therapist, bodyworker, or touch professional shall conspicuously~~  
6        ~~display his or her registration in any establishment where the registrant is~~  
7        ~~engaged in the practice of massage or the practice of bodywork~~ An  
8        establishment must conspicuously display the registrations of:

9                (1) the establishment; and

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

12        § 5427. UNPROFESSIONAL CONDUCT

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

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

16               (2) engaging ~~in a sexual act~~ with a client in sexual conduct as defined in  
17        13 V.S.A. § 2821:

18                (A) at an establishment; or

19                (B) while engaging in, offering to engage in, or purporting to engage  
20        in the practice of massage or the practice of bodywork;

1           (3) meeting a client at an establishment for the purpose of sexual  
2           conduct;

3           ~~(3)~~(4) conviction of a crime committed while engaged in the practice of  
4           massage or the practice of bodywork;

5           ~~(4)~~(5) performing massage or bodywork that the massage therapist,  
6           bodyworker, or touch professional knows or has reason to know has not been  
7           authorized by a client or the client’s legal representative; ~~and~~

8           ~~(5)~~(6) engaging in conduct of a character likely to deceive, defraud, or  
9           harm the public; and

10           (7) engaging in the practice of massage or the practice of bodywork at  
11           an unregistered establishment.

12           Sec. 18a. 3 V.S.A. § 125 is amended to read:

13           § 125. FEES

14           (a) In addition to the fees otherwise authorized by law, a board or advisor  
15           profession may charge the following fees:

16           (1) Verification of license, \$30.00.

17           (2) An examination fee established by the Secretary, which shall be not  
18           greater than the costs associated with examinations.

19           (3) Reinstatement fees for expired licenses pursuant to section 127  
20           (unauthorized practice) of this title.

21           (4) Continuing, qualifying, or prelicensing education course approval:

1 (A) Provider, \$100.00.

2 (B) Individual, \$25.00.

3 (5) A preapplication criminal background determination, \$25.00.

4 (6) Limited temporary license or work permit, \$60.00.

5 (7) Apprenticeship application, \$50.00.

6 (8) Specialty or endorsement to existing license application, \$100.00.

7 (9) Disciplinary action surcharge, \$250.00.

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

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

12 \* \* \*

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

14 (E) Massage establishment qualifying for a reduced fee under  
15 26 V.S.A. § 5425(b), \$50.00.

16 (2) Application for licensure or certification, \$115.00, except application  
17 for:

18 \* \* \*

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

20 [Repealed.]

21 \* \* \*

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

2 \* \* \*

3 (Y) Massage establishment qualifying for a reduced fee under  
4 26 V.S.A. § 5425(b), \$75.00.

5 (5) Limited temporary license or work permit, \$60.00. [Repealed.]

6 (6) Radiologic evaluation, \$125.00.

7 (7) Annual renewal for appraisal management company registration,  
8 \$345.00.

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

10 (9) Apprenticeship application, \$50.00. [Repealed.]

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

12 [Repealed.]

13 (11) Disciplinary action surcharge, \$250.00. [Repealed.]

14 \* \* \*

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

16 § 2638. IMMUNITY FROM LIABILITY

17 (a) As used in this section:

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

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

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

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

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

7 (3) 18 V.S.A. § 4230(a)(1)–(3) (cannabis possession);

8 (4) 18 V.S.A. § 4231(a)(1) and (2) (cocaine possession);

9 (5) 18 V.S.A. § 4232(a)(1) and (2) (LSD possession);

10 (6) 18 V.S.A. § 4233(a)(1) and (2) (heroin possession);

11 (7) 18 V.S.A. § 4234(a)(1) and (2) (depressant, stimulant, and narcotic  
12 drugs possession);

13 (8) 18 V.S.A. § 4234a(a)(1) and (2) (methamphetamine possession);

14 (9) 18 V.S.A. § 4235(b)(1) (hallucinogenic drugs possession); ~~and~~

15 (10) 18 V.S.A. § 4235a(a)(1) (Ecstasy possession); and

16 (11) 26 V.S.A. § 5403 (unauthorized practice of massage or bodywork).

17 \* \* \*

18 \* \* \* Board of Medical Practice \* \* \*

19 Sec. 19a. 26 V.S.A. § 1353 is amended to read:

20 § 1353. POWERS AND DUTIES OF THE BOARD

21 The Board shall have the following powers and duties to:

\* \* \*

(8)(A) Inquire into the criminal history backgrounds of applicants for licensure and for biennial license renewal for all professionals licensed or certified by the Board. In obtaining these background checks, the Board may inquire directly of the Vermont Crime Information Center, the Federal Bureau of Investigation, the National Crime Information Center, or other holders of official criminal record information, and may arrange for these inquiries to be made by a commercial service any Board-issued credential, including a license, certification, or registration for the following professions:

(i) medical doctors licensed pursuant to chapter 23 of this title;

(ii) podiatrists licensed pursuant to chapter 7 of this title;

(iii) anesthesiologist assistants licensed pursuant to chapter 29 of this title;

(iv) physician assistants licensed pursuant to chapter 31 of this title; and

(v) radiologist assistants licensed pursuant to chapter 52 of this title.

(B) Prior to acting on an initial or renewal application, the Board may obtain with respect to the applicant a Vermont criminal history record, an out-of-state criminal history record, and a criminal history record from the Federal Bureau of Investigation. Federal Bureau of Investigation background checks

1 shall be fingerprint-supported, and fingerprints so obtained may be retained on  
2 file and used to notify the Board of future triggering events. Each applicant  
3 shall consent to the release of criminal history records to the Board on forms  
4 developed by the Vermont Crime Information Center.

5 (C) An applicant or licensee shall bear any cost of obtaining a  
6 required criminal history background check. Applicants subject to background  
7 checks shall be notified that a check is required, whether fingerprints will be  
8 retained on file, and that criminal convictions are not an absolute bar to  
9 licensure. Applicants shall be provided other information as may be required  
10 by federal law or regulation.

11 ~~(D) The Board shall comply with all laws regulating the release of~~  
12 ~~criminal history records and the protection of individual privacy.~~

13 ~~(E) No person shall confirm the existence or nonexistence of criminal~~  
14 ~~history record information to any person who would not be eligible to receive~~  
15 ~~the information pursuant to this chapter. As used in this subdivision, “criminal~~  
16 ~~history record” has the same meaning as in 20 V.S.A. § 2056a.~~

17 \* \* \*

18 \* \* \* Effective Dates \* \* \*

19 Sec. 20. EFFECTIVE DATES

20 (a) This section, Secs. 1–10 (general powers, accountants), Secs. 13–17  
21 (funeral services, advanced practice registered nurses, pharmacists,

1 psychologists, midwives, speech-language pathologist assistants report), Sec.  
2 18a (3 V.S.A. § 125), and Sec. 19a (Board of Medical Practice) shall take  
3 effect on passage.

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

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

7

8

9

10 (Committee vote: \_\_\_\_\_)

11

\_\_\_\_\_

12

Senator \_\_\_\_\_

13

FOR THE COMMITTEE