

1 TO THE HONORABLE SENATE:

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

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

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

§ 4806. DIVISION OF SUBSTANCE USE PROGRAMS

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

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

- (1) prevention and intervention;
- (2) [Repealed.]
- (3) project CRASH schools; ~~and~~
- (4) alcohol and drug treatment; and
- (5) recovery residences.

* * *

Sec. 3. 9 V.S.A. § 4452 is amended to read:

§ 4452. EXCLUSIONS

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 if the resident violates
10 the recovery residence's substance use policy, regularly refuses to engage in
11 services or programming, commits a crime, engages in theft, interferes with the
12 recovery of other residents, or engages in acts of violence that threaten the
13 health or safety of other residents or recovery residence staff;

14 (B) the recovery residence has obtained the resident's written consent
15 to its residential agreement, reaffirmed after seven days;

16 (C) the resident violated the substance use policy in the residential
17 agreement, regularly refuses to engage in services or programming, commits a
18 crime, engages in theft, interferes with the recovery of other residents, or
19 engaged in acts of violence that threatened the health or safety of other
20 residents or recovery residence staff **or volunteers**; and

1 (D) the recovery residence has provided or arranged for a
2 stabilization bed or other alternative temporary housing.

3 (2) Relapse of a substance use disorder resulting in exiting a recovery
4 residence shall not be deemed a cause of the resident's own homelessness for
5 purposes of obtaining emergency housing.

6 (3) As used in this subsection, "recovery residence" ~~means a shared~~
7 ~~living residence supporting persons recovering from a substance use disorder~~
8 ~~that:~~

9 ~~(A) provides tenants with peer support and assistance accessing~~
10 ~~support services and community resources available to persons recovering~~
11 ~~from substance use disorders; and~~

12 ~~(B) is certified by an organization approved by the Department of~~
13 ~~Health and that is either a Vermont affiliate of the National Alliance for~~
14 ~~Recovery Residences or another approved organization~~ has the same meaning
15 as in 18 V.S.A. § 4802.

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

17 Sec. 5. SUNSET; RECOVERY RESIDENCES; RESIDENTIAL
18 AGREEMENT; REPORTING

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

20 (b) Sec. 4 (report; recovery residences' exit and transfer data) is repealed
21 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 minimum data collection and reporting requirements for
10 certified recovery residences, including data elements and frequency.

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

14 Sec. 6. EFFECTIVE DATE

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

1 (Committee vote: _____)

2 _____

3 Senator _____

4 FOR THE COMMITTEE