

1 S.36

2 An act relating to the Medicaid payment model for residential substance use  
3 disorder treatment services

4 The House proposes to the Senate to amend the bill as follows:

5 First: In Sec. 4, repeal, by striking out “public inebriates” and inserting in  
6 lieu thereof “persons who are incapacitated”

7 Second: By inserting a new Sec. 6 and a new section to be Sec. 7 to read as  
8 follows:

9 Sec. 6. REPORTS; SERVICES AND PROGRAMMING FOR PERSONS  
10 WHO ARE INCAPACITATED

11 (a)(1) The Departments of Health and of Mental Health’s existing plan to  
12 expand services and programming for persons who are incapacitated pursuant  
13 to 18 V.S.A. § 4810 shall prioritize Chittenden County.

14 (2) On or before February 15, 2026, the Departments of Health and of  
15 Mental Health shall jointly provide a presentation to the House Committees on  
16 Health Care and on Human Services and to the Senate Committee on Health  
17 and Welfare describing efforts to expand services and programming for  
18 persons who are incapacitated pursuant to subdivision (1) of this subsection.

19 (b) On or before February 15, 2026, the Department of Corrections shall  
20 provide a presentation to the House Committees on Corrections and  
21 Institutions, on Health Care, and on Human Services and to the Senate

1 Committees on Institutions and on Health and Welfare describing efforts to  
2 reinstate the practice of connecting persons who are in a correctional facility  
3 due to incapacitation pursuant to 18 V.S.A. § 4810 with appropriate  
4 community-based substance use recovery providers.

5 Sec. 7. REPORTS; HUMAN SERVICES BOARD PROCEEDINGS

6 (a) On or before December 15, 2025, the Agency of Human Services, in  
7 consultation with the Human Services Board, Office of the Attorney General,  
8 each of the Agency's departments with cases before the Human Services  
9 Board, community partners, and individuals with lived experience as  
10 appellants before the Board, shall submit a written report to the House  
11 Committees on Health Care and on Human Services and to the Senate  
12 Committee on Health and Welfare providing the following information and  
13 recommendations regarding proceedings before the Board:

14 (1) a proposal that attorneys representing the Agency or departments  
15 participate in training that balances the attorney's ethical obligation to  
16 zealously represent the attorney's client with the respectful, trauma-informed  
17 treatment of appellants;

18 (2) an analysis of varying appeals processes specific to the Agency and  
19 each department with cases before the Board, including proposals and any  
20 legislative action necessary to improve consistency;

1       (3) a proposal to identify and collect currently unavailable data in a  
2       manner that ensures uniform data collection across the Agency and  
3       departments with cases before the Board, including data regarding cases  
4       resolved prior to reaching the stage of hearing officer or full Board  
5       involvement;

6       (4) recommendations for resolving potential appeals prior to reaching  
7       the Board; and

8       (5) any other recommendation requiring legislative action.

9       (b) On or before December 15, 2025, the Human Services Board, in  
10      collaboration with the Agency of Human Services, each of the Agency's  
11      departments with cases before the Board, the Office of the Attorney General,  
12      community partners, and individuals with lived experience as appellants before  
13      the Board, shall submit a written report to the House Committees on Health  
14      Care and on Human Services and to the Senate Committee on Health and  
15      Welfare providing the following information and recommendations regarding  
16      proceedings before the Board:

17      (1) a proposal to improve understanding of Board processes and  
18      accessibility to appellants, including the use of media and graphics to explain  
19      what the Board is and how it operates;

20      (2) a proposal for the exchange of periodic feedback as part of a  
21      continual quality improvement process between the Board, Agency,

1 departments appearing before the Board, Office of the Attorney General,  
2 Vermont Legal Aid, and other relevant stakeholders;

3 (3) an analysis of how to enable an appellant to present a personal  
4 narrative without jeopardizing the appellant's case or disrupting the legal  
5 obligations of the Board and the attorneys representing the Agency or  
6 departments appearing before the Board; and

7 (4) recommendations to improve the reporting and analysis of data to  
8 the General Assembly, including information related to appeal requests  
9 resolved prior to reaching the stage of hearing officer or full Board  
10 involvement.

11 and by renumbering the remaining section to be numerically correct

12 and that after passage the title of the bill be amended to read: "An act  
13 relating to the delivery and payment of certain services provided through the  
14 Agency of Human Services, services for persons who are incapacitated, and  
15 Human Services Board proceedings"