

12 An act relating to recovery residence certification

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

14 Sec. 1. 18 V.S.A. § 4812 is added to read:

15 § 4812. RECOVERY RESIDENCE CERTIFICATION

16 (a) Definition. As used in this section, “recovery residence” means a

17 shared temporary living residence supporting persons recovering from a

18 substance use disorder that provides care through peer support and assistance

19 accessing support services and community resources available to persons

20 recovering from substance use disorders.

1 (b) Certification. Upon receipt of an application from a recovery residence
2 in the State seeking certification, the Department shall issue the requested
3 certification if it determines that the applicant meets the following minimum
4 standards:

5 (1) the applicant is certified by either a Vermont affiliate of the National
6 Alliance for Recovery Residences or another organization approved by the
7 Department;

8 (2) the applicant demonstrates the capacity to operate a recovery
9 residence in accordance with rules adopted by the Department of Health and in
10 a manner that ensures person-centered care and resident dignity;

11 (3) the applicant shall fully comply with standards for health, safety, and
12 sanitation as required by State law, including standards set forth by the State
13 Fire Marshal, the Department, and municipal ordinance;

14 (4) once certified, the recovery residence, including the buildings and
15 grounds, shall be subject to inspections by the Department with a ten-day prior
16 notice;

17 (5) the applicant shall have a clear process for responding to resident
18 complaints, including:

19 (A) a method by which each resident shall be made aware of the
20 complaint procedure;

1 (B) an appeals mechanism within a recovery residence;
2 (C) a published time frame for processing and resolving complaints
3 and appeals within a recovery residence; and
4 (D) periodic reporting to the Department of the nature of complaints
5 filed and action taken; and
6 (6) The applicant shall fully comply with 9 V.S.A. chapter 137.
7 (c) Transferability. A certification is not transferable or assignable and
8 shall be issued only for the premises named in the application.
9 (d) Certification renewal. Annually, a recovery residence seeking renewal
10 of its certification under this section shall submit an attestation to the
11 Department that the recovery residence continues to maintain its certification
12 through either a Vermont affiliate of the National Alliance for Recovery
13 Residences or another organization approved by the Department.
14 (e) Rulemaking. The Department shall adopt rules pursuant to 3 V.S.A.
15 chapter 25 to carry out the purposes of this section.
16 (f) Reporting.
17 (1) On or before January 1 of each year, a recovery residence certified
18 pursuant to this section shall report to the Department with the following data
19 from the previous calendar year in a manner approved by the Department, in
20 consultation with the Vermont affiliate of the National Alliance for Recovery
21 Residences or another organization approved by the Department:

1 (A) the number of residents served;

2 (B) the average length of stay at the recovery residence;

3 (C) any exit or transfer of a resident by the recovery residence and

4 the asserted basis for exiting or transferring the resident;

5 (D) the number of residents who gained or lost meaningful

6 employment during their stay at the recovery residence;

7 (E) budgetary needs; and

8 (F) any other information the Department deems appropriate.

9 (2) On or before February 1 of each year, the Department shall submit
10 the data received under subdivision (1) of this subsection in an aggregated
11 format to the House Committee on Human Services and the Senate Committee
12 on Health and Welfare.

13 Sec. 2. 9 V.S.A. § 4452 is amended to read:

14 § 4452. EXCLUSIONS

15 (a) Unless created to avoid the application of this chapter, this chapter does
16 not apply to any of the following:

17 * * *

18 (b)(1) Notwithstanding subsections 4463(b) and 4467(b) and section 4468
19 of this chapter only, a recovery residence may immediately exit or transfer a
20 resident if all of the following conditions are met:

1 (A) the recovery residence has developed and adopted a residential
2 agreement:

3 (i) containing a written exit and transfer policy approved by the
4 Vermont Alliance for Recovery Residences or another certifying organization
5 approved by the Department of Health that:

6 (I) addresses the length of time that a bed will be held in the
7 event of a temporary removal;

8 (II) establishes the criteria by which a resident can return to the
9 recovery residence in the event of a temporary removal; and

10 (III) ensures a resident's possessions will be held not less than
11 60 days in the event of permanent removal;

12 (ii) explaining program rules and expected residential social
13 standards;

14 (iii) designating alternative housing arrangements for the resident
15 in the event of an exit or transfer, including contingency plans when alternative
16 housing arrangements are not available;

17 (iv) describing the recovery residence's substance use policy,
18 which shall exempt the use of a resident's valid prescription medication when
19 used as prescribed; and

20 (v) indicating that by signing a residential agreement, a
21 resident acknowledges that the recovery residence may cause the resident to be

1 immediately exited or transferred to alternative housing if the resident violates
2 the recovery residence's substance use policy, regularly refuses to engage in
3 services or programming, commits a crime, engages in theft, is mentally or
4 physically interfering with the recovery of other residents, or engages in acts of
5 violence that threaten the health or safety of other residents or recovery
6 residence staff;

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

9 (C) the resident violated the substance use policy in the residential
10 agreement, regularly refuses to engage in services or programming, commits a
11 crime, engages in theft, is mentally or physically interfering with the recovery
12 of other residents, or engaged in acts of violence that threatened the health or
13 safety of other residents or recovery residence staff; and

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

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

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

1 (A) provides tenants with peer support and assistance accessing
2 support services and community resources available to persons recovering
3 from substance use disorders; and

4 (B) is certified by an organization approved by the Department of
5 Health and that is either a Vermont affiliate of the National Alliance for
6 Recovery Residences or another approved organization has the same meaning
7 as in 18 V.S.A. § 4812.

8 Sec. 3. 2024 Acts and Resolves No. 163, Sec. 5 is amended to read:

9 Sec. 5. SUNSET; RECOVERY RESIDENCES; RESIDENTIAL
10 AGREEMENT; REPORTING

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

12 (b) Sec. 4 (report; recovery residences' exit and transfer data) is repealed
13 on July 1, 2026.

14 Sec. 4. EFFECTIVE DATE

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