

# Journal of the Senate

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TUESDAY, MARCH 12, 2024

The Senate was called to order by the President.

## **Devotional Exercises**

Devotional exercises were conducted by the Reverend Tom Harty of Bethel.

## **Pledge of Allegiance**

The President then led the members of the Senate in the pledge of allegiance.

## **Message from the Governor**

A message was received from His Excellency, the Governor, by Ms. Brittney L. Wilson, Secretary of Civil and Military Affairs, as follows:

Mr. President:

I am directed by the Governor to inform the Senate that on the 4th Day of March he approved and signed bill originating in the Senate of the following title:

**S. 154.** An act relating to the Vermont State Plane Coordinate System.

## **Bills Referred to Committee on Finance**

Senate bills of the following titles, appearing on the Calendar for notice, and affecting the revenue of the state, under the rule were severally referred to the Committee on Finance:

**S. 184.** An act relating to the use of automated traffic law enforcement (ATLE) systems.

**S. 254.** An act relating to including rechargeable batteries and battery-containing products under the State battery stewardship program.

## **Bill Referred to Committee on Appropriations**

**S. 206.**

Senate bill of the following title, appearing on the Calendar for notice and carrying an appropriation or requiring the expenditure of funds, under the rule was referred to the Committee on Appropriations:

An act relating to designating Juneteenth as a legal holiday.

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**Joint Senate Resolution Adopted on the Part of the Senate****J.R.S. 48.**

Joint Senate resolution of the following titles was offered, read and adopted on the part of the Senate, and is as follows:

By Senator Baruth,

**J.R.S. 48.** Joint resolution relating to weekend adjournment on March 15, 2024.

***Resolved by the Senate and House of Representatives:***

That when the two Houses adjourn on Friday, March 15, 2024, it be to meet again no later than Tuesday, March 19, 2024.

**Bills Referred**

House bills of the following titles were severally read the first time and referred:

**H. 629.**

An act relating to changes to property tax abatement and tax sales.

To the Committee on Finance.

**H. 694.**

An act relating to sexual exploitation.

To the Committee on Judiciary.

**Third Reading Ordered****J.R.S. 41.**

Senator Watson, for the Committee on Government Operations, to which was referred joint Senate resolution entitled:

Joint resolution requesting that the U. S. Postal Service reestablish, as rapidly as possible, a full-service U.S. Post Office in downtown Montpelier.

Reported that the joint resolution ought to be adopted.

Thereupon, the joint resolution was read the second time by title only pursuant to Rule 43, and third reading of the joint resolution was ordered.

**Bills Passed**

Senate bills of the following titles were severally read the third time and passed:

**S. 187.** An act relating to student application of sunscreen and car seat safety.

**S. 302.** An act relating to public health outreach programs regarding dementia risk.

**Bill Amended; Third Reading Ordered**

**S. 109.**

Senator Gulick, for the Committee on Health and Welfare, to which was referred Senate bill entitled:

An act relating to Medicaid coverage for doula services.

Reported recommending that the bill be amended by striking out all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. 33 V.S.A. § 1901m is added to read:

§ 1901m. MEDICAID COVERAGE FOR DOULA SERVICES

(a) The Department of Vermont Health Access shall provide reimbursement to a qualified doula for providing childbirth education and support services, including physical and emotional support, to an individual covered by Medicaid during pregnancy, labor and delivery, and the postpartum period, regardless of the outcome of the pregnancy.

(b) As used in this section, “qualified doula” means a doula who is registered with or certified or licensed by the Office of Professional Regulation.

Sec. 2. MEDICAID REIMBURSEMENT FOR DOULA SERVICES;  
LEGISLATIVE INTENT

It is the intent of the General Assembly that the Department of Vermont Health Access reimburse qualified doulas in amounts that are reasonable and adequate for the services provided and that are consistent with the reimbursement rates set by other states’ Medicaid programs.

Sec. 3. OFFICE OF PROFESSIONAL REGULATION; DOULAS; SUNRISE  
REVIEW

(a) The Office of Professional Regulation, in consultation with interested stakeholders, shall undertake a review of doulas in accordance with 26 V.S.A. chapter 57 to determine the appropriate form of regulation for the profession. For purposes of this review, and in accordance with 26 V.S.A. § 3105(b), the General Assembly finds that it is necessary for the State to regulate doulas.

(b) On or before January 8, 2025, the Office of Professional Regulation shall report the results of the review required by subsection (a) of this section to the House Committees on Health Care and on Government Operations and Military Affairs and the Senate Committees on Health and Welfare and on

Government Operations, including a recommendation regarding whether doulas in Vermont would be regulated most appropriately through a registration, certification, or licensure process, along with the Office's proposals for legislative action to establish that process.

#### Sec. 4. STATE PLAN AMENDMENT

The Department of Vermont Health Access shall seek a state plan amendment from the Centers for Medicare and Medicaid Services if needed to allow Vermont's Medicaid program to provide coverage for doula services in accordance with Sec. 1 of this act.

#### Sec. 5. EFFECTIVE DATES

(a) Sec. 1 shall take effect on July 1, 2025 or, if a state plan amendment is necessary, upon approval of the state plan amendment, whichever is later.

(b) The remaining sections shall take effect on passage.

And that when so amended the bill ought to pass.

Senator Lyons, for the Committee on Appropriations, to which the bill was referred, reported recommending that the report of the Committee on Health and Welfare be amended by striking out all after the enacting clause and inserting in lieu thereof the following:

#### Sec. 1. OFFICE OF PROFESSIONAL REGULATION; DOULAS; SUNRISE REVIEW

(a) The Office of Professional Regulation, in consultation with interested stakeholders, shall undertake a review of doulas in accordance with 26 V.S.A. chapter 57 to determine the appropriate form of regulation for the profession. For purposes of this review, and in accordance with 26 V.S.A. § 3105(b), the General Assembly finds that it is necessary for the State to regulate doulas.

(b) On or before January 8, 2025, the Office of Professional Regulation shall report the results of the review required by subsection (a) of this section to the House Committees on Health Care and on Government Operations and Military Affairs and the Senate Committees on Health and Welfare and on Government Operations, including a recommendation regarding whether doulas in Vermont would be regulated most appropriately through a registration, certification, or licensure process, along with the Office's proposals for legislative action to establish that process.

#### Sec. 2. MEDICAID COVERAGE FOR DOULA SERVICES; COSTS; REPORT

(a) As used in this section, “qualified doula” means a doula who is registered with or certified or licensed by the Office of Professional Regulation.

(b) The Department of Vermont Health Access shall develop a proposed methodology and determine the estimated costs if Vermont Medicaid were to provide reimbursement to qualified doulas for providing childbirth education and support services, including physical and emotional support, to individuals covered by Medicaid during pregnancy, labor and delivery, and the postpartum period, regardless of the outcome of the pregnancy.

(c) In its fiscal year 2026 budget proposal, the Department shall provide:

(1) its proposed reimbursement methodology for and estimated costs of providing Medicaid coverage for doula services;

(2) a recommendation for whether doula services should be covered by Vermont Medicaid;

(3) if doula services are covered, ways to recognize the potentially beneficial impacts of doula coverage on Medicaid spending over time; and

(4) information regarding whether a Medicaid state plan amendment would be necessary in order for Vermont Medicaid to cover doula services.

### Sec. 3. EFFECTIVE DATE

This act shall take effect on passage.

And that when so amended the bill ought to pass.

Thereupon, the bill was read the second time by title only pursuant to Rule 43, and the recommendation of the Committee on Health and Welfare was amended as recommended by the Committee on Appropriations.

Thereupon, the pending question, Shall the bill be amended as recommended by the Committee on Health and Welfare, as amended? was agreed to and third reading of the bill was ordered.

### **Bill Amended; Third Reading Ordered**

#### **S. 189.**

Senator Lyons, for the Committee on Health and Welfare, to which was referred Senate bill entitled:

An act relating to mental health response service protocols.

Reported recommending that the bill be amended by striking out all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. 18 V.S.A. § 7260 is added to read:

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§ 7260. MENTAL HEALTH RESPONSE SERVICE GUIDELINES

(a) The Department shall develop guidelines for use by municipalities, including use by emergency medical technicians and public safety personnel, such as law enforcement officers as defined by 20 V.S.A. § 2351a and firefighters as defined in 20 V.S.A. § 3151, who are employed, volunteer, or are under contract with a municipality. The guidelines shall recommend best practices for de-escalation and for mental health response services, including crisis response services. The Department shall make the guidelines available to municipalities and publish the guidelines on the Department's website.

(b) In developing the guidelines required pursuant to subsection (a) of this section, the Department shall consult with the following entities:

- (1) the Department of Health;
- (2) the Department of Disabilities, Aging, and Independent Living;
- (3) the Department of Public Safety;
- (4) the Vermont Care Partners;
- (5) the Vermont Psychiatric Survivors;
- (6) the Vermont chapter of the National Alliance on Mental Illness;
- (7) the Vermont Criminal Justice Council;
- (8) the Vermont League of Cities and Towns; and
- (9) any other entity the Department deems appropriate.

**Sec. 2. PRESENTATION; SOCIAL SERVICE PROVIDER SAFETY**

(a) On or before November 15, 2024, the Agency of Human Services, in collaboration with the Vermont chapter of the National Association of Social Workers, shall convene one or more meetings related to social service provider safety with community-based social service organizations.

(1) The following community-based social service organizations and professions may be included in the meeting or meetings described in this subsection:

- (A) the Vermont Network Against Domestic and Sexual Violence;
- (B) the Vermont Coalition to End Homelessness;
- (C) mental health and health care providers;
- (D) community action programs;
- (E) restorative justice service providers; and

(F) disability service providers and advocates.

(2) In advance of the meeting or meetings described in this subsection, the participating community-based social service organizations and professions may review both studies related to social service provider safety and individual social service provider safety experiences.

(b) On or before January 31, 2025, the Agency of Human Services, in collaboration with the Vermont chapter of the National Association of Social Workers, shall present findings and recommendations to the House Committee on Human Services and the Senate Committee on Health and Welfare, including a list of the community-based social service organizations that participated in the meeting or meetings and the number of meetings convened.

### Sec. 3. EFFECTIVE DATE

This act shall take effect on July 1, 2024.

and that after passage the title of the bill be amended to read: “An act relating to mental health response service guidelines and social service provider safety”

And that when so amended the bill ought to pass.

Thereupon, the bill was read the second time by title only pursuant to Rule 43, the recommendation of amendment was agreed to, and third reading of the bill was ordered.

### **Bill Amended; Third Reading Ordered**

#### **S. 191.**

Senator Hashim, for the Committee on Education, to which was referred Senate bill entitled:

An act relating to New American Advancement Grant Applicants.

Reported recommending that the bill be amended by striking out all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. 16 V.S.A. § 2846 is amended to read:

#### § 2846. ADVANCEMENT GRANTS

(a) The Corporation may establish an advancement grant program for residents pursuing nondegree education and training opportunities who do not meet the definition of student in subdivision 2822(3) of this title, and who may not meet the requirements of this subchapter.

(b) Advancement grants may be used at institutions that are not approved postsecondary education institutions.

(c) The Corporation may adopt rules or establish policies, procedures, standards, and forms for advancement grants, including the requirements for applying for and using the grants and the eligibility requirements for the institutions where the grants may be used. Such rules shall be consistent with subsection (d) of this section.

(d) Notwithstanding subsection (a) of this section, applicants who qualify for in-state tuition to the Community College of Vermont pursuant to subsection 2185(c) of this title shall not be ineligible for the advancement grant solely on account of the applicant's residency status under subdivision 2822(7) of this title. The Corporation shall establish policies, procedures, standards, or forms regarding required documentation for eligibility under this subsection.

## Sec. 2. INCENTIVE GRANT ELIGIBILITY; RESIDENCY

(a) Notwithstanding any provision of law to the contrary, a person who qualifies for in-state tuition to the Community College of Vermont pursuant to 16 V.S.A. § 2185(c) shall not be ineligible for the Vermont incentive grant program under 16 V.S.A. §§ 2841–2844 solely on account of that person's residency status.

(b) This section shall be repealed on July 1, 2027.

## Sec. 3. EFFECTIVE DATE

This act shall take effect on July 1, 2024.

and that after passage the title of the bill be amended to read: “An act relating to New American educational grant opportunities”

And that when so amended the bill ought to pass.

Thereupon, the bill was read the second time by title only pursuant to Rule 43, the recommendation of amendment was agreed to, and third reading of the bill was ordered.

## Adjournment

On motion of Senator Baruth, the Senate adjourned until one o'clock in the afternoon on Wednesday, March 13, 2024.