Recent Legislation Addressing Substance Use Disorder

Prepared by the Office of Legislative Counsel

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Act 16 (H.218): An act relating to fiscal year 2026 appropriations from the Opioid Abatement Special Fund

- Made various fiscal year 2026 appropriations from the Opioid Abatement Special Fund, such as:
  - $1.9 million to fund 26 outreach or case management staff positions within the preferred provider network
  - $1.4 million to fund recovery residences certified by the Vermont Alliance for Recovery Residences
  - $850,000.00 to fund syringe services
  - $50,000.00 to train Vermont's judges on issues related to opioid use disorder and strategies for use in dockets statewide
  - $1.1 million to award grants to Burlington to establish an overdose prevention center (OPC) upon submission of a grant proposal approved by the Burlington City Council
- Requires the Opioid Settlement Advisory Committee to base its annual recommendations for expenditures from the Special Fund on previously reported outcomes and measurements and to include with its recommendations the corresponding citation for authorized use of the Special Fund

Act 22 (S.36): An act relating to the delivery and payment of certain services provided through the Agency of Human Services, services for persons who are incapacitated, and Human Services Board proceedings

- Requires the Agency of Human Services (AHS) to provide coverage for medically necessary high-intensity, medically monitored residential treatment episodes and medically necessary low-intensity, clinically managed residential treatment episodes when prescribed by a health care professional employed by a residential treatment program who is practicing within the scope of the health care professional's license and the residential treatment program is participating in Vermont's Medicaid program
- Requires that coverage of these residential treatment episodes be for the entire length of stay prescribed by the health care professional
- Required AHS to conduct a review of the Medicaid payment model for residential substance use disorder treatment services and submit the results of the review to the General Assembly by December 1, 2025

Act 22 (S.36): An act relating to the delivery and payment of certain services provided through the Agency of Human Services, services for persons who are incapacitated, and Human Services Board proceedings (continued)

- Eliminated a repeal that would have prohibited individuals who are incapacitated due to the use of alcohol or other drugs from being held at a Department of Corrections' facility
- Required the Departments of Health and of Mental Health's existing plan to expand services and programming for individuals incapacitated due to the use of alcohol or other drugs to prioritize Chittenden County, including the submission of the following two presentations to the General Assembly by February 15, 2026:
  - A joint presentation from the Departments of Health and of Mental Health on efforts to expand services and programming for individuals who are incapacitated due to the use of alcohol or other drugs
  - A presentation from the Department of Corrections on efforts to reinstate the practice of connecting individuals who are in a correctional facility due to incapacitation from alcohol or other drug use with appropriate community-based substance use recovery providers

Act 45 (H.105): An act relating to expanding the Youth Substance Awareness Safety Program

- Expanded the Youth Substance Awareness Safety Program (YSASP) to include underage violations for cannabis possession and impaired driving
- Repealed the statutes governing underage cannabis possession and impaired driving violations and established that the violations are no longer delinquencies adjudicated in the Family Division of the Vermont Superior Court and instead refers these violations to YSASP for appropriate remedial programming, including automatic license suspensions for impaired driving violations and automatic license reinstatements for successful completion of YSASP
- Created reporting requirements on various data points related to underage impaired driving violations and suspensions, along with a Public Records Act exemption for information disclosed during the YSASP process

Act 103 (S.157): An act relating to recovery residence certification

- Builds upon work completed pursuant to 2024 Acts and Resolves No. 163 that directed the Department of Health and partners to develop and recommend a voluntary certification program for recovery residences operating in the State
- Requires that the Department of Health's Division of Substance Use Programs assume responsibility for recovery residence services in the State by directing the Department to file an initial proposed rule with the Secretary of State by September 1, 2027, for the purpose of establishing a voluntary recovery residence certification program and requires that the permanent rule be adopted by December 1, 2028
- Amended an existing law that enables a recovery residence to immediately exit or transfer a resident if certain conditions are met and both added and amened conditions for the immediate exit or transfer of a resident related to behavior that impacts the health or safety of other individuals residing, working, or volunteering at the recovery residence

Act 141 (H.660): An act relating to fiscal year 2027 Opioid Abatement Special Fund and Substance Misuse Prevention Special Fund appropriations

- Appropriates funds in fiscal year 27 from the Opioid Abatement Special Fund for programming, services, and staffing related to opioid use disorder, such as for outreach or case management staff positions, peer recovery center coaches, and new recovery residence beds
- Specifies that the General Assembly intends to consider the funding needs of the OPC during the fiscal year 27 budget adjustment process and appropriate up to $1,100,000.00 if it finds that a location for the OPC has been procured, the OPC is being fit up for its intended use, and the OPC is currently or will imminently become operational
- Specifies that each funding proposal submitted to the Opioid Settlement Advisory Committee contain a sustainability plan from the applicant to ensure consideration of future expenses and available resources apart from the Special Fund

Act 141 (H.660): An act relating to fiscal year 2027 Opioid Abatement Special Fund and Substance Misuse Prevention Special Fund appropriations (continued)

- Prohibits the Advisory Committee from accepting new funding proposals from the Special Fund in fiscal year 28, except where previous statute anticipated annual funding, instead requiring review of programs and initiatives previously funded through the Special Fund to assess effectiveness, long-term sustainability, and the appropriateness of the Special Fund as a funding source, where applicable, to inform recommendations made in fiscal year 29 and thereafter
- Requires the Department of Health to submit a plan to the General Assembly by December 15, 2026, containing recommendations for the implementation of one or more syringe recovery models throughout the State
- Appropriates funds in fiscal year 27 from the Substance Misuse Prevention Special Fund for programming and services related to substance use disorder