

House Proposal of Amendment

S. 27

An act relating to respectful language in the Vermont Statutes Annotated.

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

First: In Sec. 1, subsection (b), by deleting “and 223.” and by inserting “and” before “222” and by deleting Sec. 2a in its entirety

Second: In Sec. 2b, 1 V.S.A. § 146, in the first sentence, by striking out “general”

Third: By inserting a Sec. 2d after Sec. 2c to read as follows:

Sec. 2d. 1 V.S.A. § 148 is added to read:

§ 148. DEVELOPMENTAL DISABILITY

“Developmental disability” or “person with developmental disabilities” shall have the same meaning as in 18 V.S.A. § 9302.

Fourth: By deleting Sec. 9 in its entirety

Fifth: By deleting Sec. 10 in its entirety

Sixth: In Sec. 11, 4 V.S.A. § 33, subdivision (13), by striking out “developmental” and inserting in lieu thereof “intellectual”

Seventh: In Sec. 12, 4 V.S.A. § 36(a), subdivision (2)(B)(v), by striking out “developmental” and inserting in lieu thereof “intellectual”

Eighth: In Sec. 15, 6 V.S.A. § 2777(d), in subdivisions (2)(E) and (4)(B), by striking out “persons who are elderly” and inserting in lieu thereof “elders”

Ninth: By deleting Sec. 17 in its entirety

Tenth: In Sec. 19, 8 V.S.A. § 4089b, by deleting subdivision (c)(1) and inserting in lieu thereof the following:

(c) A health insurance plan shall provide coverage for treatment of a mental ~~health~~ condition and shall:

(1) not establish any rate, term, or condition that places a greater burden on an insured for access to treatment for a mental ~~health~~ condition than for access to treatment for other health conditions, including no greater co-payment for primary mental health care or services than the co-payment applicable to care or services provided by a primary care provider under an insured’s policy and no greater co-payment for specialty mental health care or services than the co-payment applicable to care or services provided by a specialist provider under an insured’s policy;

Eleventh: In Sec. 19, 8 V.S.A. § 4089b, by deleting subdivision (d)(1)(A) and inserting in lieu thereof the following:

(d)(1)(A) A health insurance plan that does not otherwise provide for management of care under the plan, or that does not provide for the same degree of management of care for all health conditions, may provide coverage for treatment of mental ~~health~~ conditions through a managed care organization, provided that the managed care organization is in compliance with the rules adopted by the Commissioner that assure that the system for delivery of treatment for mental health conditions does not diminish or negate the purpose of this section. In reviewing rates and forms pursuant to section 4062 of this title, the Commissioner or the Green Mountain Care Board established in 18 V.S.A. chapter 220, as appropriate, shall consider the compliance of the policy with the provisions of this section.

Twelfth: By deleting Sec. 19a in its entirety

Thirteenth: In Sec. 25, 8 V.S.A. § 10501, in the third sentence, by striking out “elderly” and inserting in lieu thereof “old”

Fourteenth: In Sec. 31, 9 V.S.A. § 4501, in subdivision (3)(C), in the first sentence, by striking out “intellectual” and inserting in lieu thereof “developmental” and by inserting “substance use disorders, including” before “drug addiction and alcoholism” and in the second sentence, by striking out “who is an alcoholic or drug abuser” and inserting in lieu thereof “with a substance use disorder”

Fifteenth: In Sec. 32, 9 V.S.A. § 4503, in subdivision (b)(3), by striking out “persons who are elderly” and by inserting in lieu thereof “elders”

Sixteenth: In Sec. 35, 10 V.S.A. § 622(7), in the last sentence, by inserting “elders or” after “independent living for” and by striking out “are” before “~~handicapped~~” and by striking out “elderly or” after “~~handicapped~~”

Seventeenth: In Sec. 51, in 13 V.S.A. § 1306, by striking out “intellectual” and inserting in lieu thereof “developmental”

Eighteenth: In Sec. 80, 16 V.S.A. § 3851(c), by deleting subdivision (5)(D) and inserting in lieu thereof the following:

(D) nonprofit assisted living facility, nonprofit continuing care retirement facility, nonprofit residential care facility or similar nonprofit facility for the continuing care of ~~the elderly~~ elders or the infirm, provided that such facility is owned by or under common ownership with an otherwise eligible institution, and in the case of facilities to be financed for an eligible institution provided by this subdivision (5) of this subsection, for which the Green Mountain Care Board, if required, has issued a certificate of need.

Nineteenth: In Sec. 82, 17 V.S.A. § 2502, in subsection (b), in the first sentence, by striking out “elderly” and inserting in lieu thereof “elders” and in the second sentence by striking out “a” before “~~handicapped or elderly~~” and

by inserting “an elder or to a” after “~~handicapped or elderly~~” and by striking out “is elderly or” after “person who”

Twentieth: In Sec. 85, 17 V.S.A. § 2667, in the first sentence, by striking out “elderly” and inserting in lieu thereof “elders”

Twenty-first: In Sec. 93, 18 V.S.A. § 1751(b)(26), by striking out “persons who are elderly” and by inserting in lieu thereof “elders”

Twenty-second: In Sec. 104, in 18 V.S.A. § 7401, in subdivisions (14) and (15), by striking out “or mental condition” after “a psychiatric disability” and by inserting “mental condition or” before “psychiatric disability”

Twenty-third: In Sec. 111, in 18 V.S.A. § 8706, in subdivision (1), by striking out “and” after the semicolon and in subdivision (3) by inserting “and” after the semicolon

Twenty-fourth: In Sec. 113, 18 V.S.A. § 8731(d), by striking out “adults who are elderly” and by inserting in lieu thereof “elders” and by inserting “adults who” after “~~disabled adults or~~”

Twenty-fifth: In Sec. 114, in 18 V.S.A. § 8839, in subdivision (3)(A), by inserting before the semicolon “, which means significantly subaverage intellectual functioning existing concurrently with deficits in adaptive behavior that were manifest before 18 years of age”

Twenty-sixth: In Sec. 121, 20 V.S.A. § 2063(b)(1), by striking out “persons who are elderly” and inserting in lieu thereof “elders”

Twenty-seventh: In Sec. 122, 20 V.S.A. § 2730(a)(1)(A), by inserting “elders or” before “persons who” and by striking out “are elderly,” after “persons who” and by striking out the comma after “infirmity”

Twenty-eighth: In Sec. 125, 20 V.S.A. § 3072(b), in subdivision (3), by striking out the second section symbol

Twenty-ninth: In Sec. 130, 21 V.S.A. § 495d, in subdivision (7)(B), by striking out “intellectual” and inserting in lieu thereof “developmental”

Thirtieth: In Sec. 137, 21 V.S.A. § 644(a), in subdivision (6), by striking out “incurable”

Thirty-first: In Sec. 139, 21 V.S.A. § 1301(6)(C)(vii), in subdivision (IV), by striking out “elderly” and inserting in lieu thereof “an elder”

Thirty-second: In Sec. 141, 23 V.S.A. § 4(15), by inserting “elders or” after “nor one which is used to transport” and by striking out “are elderly” and by striking out “or” before “have a disability”

Thirty-third: By striking Sec. 142 in its entirety, and inserting in lieu thereof the following:

Sec. 142. 23 V.S.A. § 304a is amended to read:

§ 304a. SPECIAL REGISTRATION PLATES AND PLACARDS FOR
PEOPLE WITH DISABILITIES

* * *

(b) Special registration plates or removable windshield placards, or both, shall be issued by the Vermont Commissioner of Motor Vehicles. The placard shall be issued without a fee to a person who is blind or has an ambulatory disability. One set of plates shall be issued without additional fees for a vehicle registered or leased to a person who is blind or has an ambulatory disability. The Commissioner shall issue these placards or plates under rules adopted by him or her after proper application has been made to the Commissioner by any person residing within the State of Vermont. Application forms shall be available on request at the Department of Motor Vehicles.

* * *

(4) An applicant for a ~~special handicapped~~ registration plate or placard for persons with disabilities may request the Civil Division of the Superior Court in the county in which he or she resides to review a decision by the Commissioner to deny his or her application for a special registration plate or placard.

* * *

(d) A person who has an ambulatory disability or an individual transporting a person who is blind shall be permitted to park and to park without fee for at least 10 continuous days in a parking space or area which is restricted as to the length of time parking is permitted or where parking fees are assessed, except that this minimum period shall be 24 continuous hours for parking in a State- or municipally operated parking garage. This section shall not apply to spaces or areas in which parking, standing, or stopping of all vehicles is prohibited by law or by any parking ban, or which are reserved for special vehicles. As a condition to this privilege, the vehicle shall display the ~~special handicapped~~ registration plate or placard issued by the Commissioner or a special registration license plate or placard issued by any other jurisdiction.

* * *

(f) Persons who ~~are temporarily disabled with an~~ have a temporary ambulatory disability may apply for a temporary removable windshield placard to the Commissioner on a form prescribed by him or her. The placard shall be valid for a period of up to six months and displayed as required under the provisions of subsection (c) of this section. The application shall be signed by a licensed physician, certified physician assistant, or licensed advanced practice registered nurse. The validation period of the temporary placard shall

be established on the basis of the written recommendation from a licensed physician, certified physician assistant, or licensed advanced practice registered nurse. The Commissioner shall promulgate rules to implement the provisions of this subsection.

Thirty-fourth: In Sec. 152, 24 V.S.A. § 2691, by striking out “persons who are elderly” and inserting in lieu thereof “elders”

Thirty-fifth: In Sec. 153, 24 V.S.A. § 2694, by striking out “persons who are elderly” and inserting in lieu thereof “elders”

Thirty-sixth: In Sec. 156, 24 V.S.A. § 4001(4), by striking out “persons who are elderly and” and inserting in lieu thereof “elders” in all three places that it appears and by striking out “persons who are elderly” and inserting “elders” in both places that it appears and by striking out “persons who are elderly” and inserting “elders” in lieu thereof and by restoring “inevitably” by removing the striking

Thirty-seventh: In Sec. 157, 24 V.S.A. § 4002, in subdivision (10)(B), by striking “persons” after “elderly” and inserting in lieu thereof “elders” and by striking out “elderly and” before “of low income”

Thirty-eighth: In Sec. 157, 24 V.S.A. § 4002, in (11), in the first sentence, by striking out “who are elderly” and inserting in lieu thereof “elders” and in the second sentence, by striking out “elderly” and inserting in lieu thereof “elder”

Thirty-ninth: In Sec. 158, 24 V.S.A. § 4003(b), in subdivision (2), in the first sentence, by striking out “persons” before “~~of a low income~~” and by striking out “who are elderly” after “~~of a low income~~” and inserting in lieu thereof “elders of a low income”

Fortieth: In Sec. 159, 24 V.S.A. § 4008, in subdivision (6), by striking out “persons who are elderly and” and inserting in lieu thereof “elders who are”

Forty-first: In Sec. 159, 24 V.S.A. § 4008, in subdivision (8), in the first sentence, by striking out “persons who are elderly” and inserting in lieu thereof “elders” and in the second sentence, by striking out “Persons who are elderly” and inserting in lieu thereof “Elders”

Forty-second: In Sec. 160, 24 V.S.A. § 4010(a)(1), by striking out “persons who are elderly and” and inserting in lieu thereof “elders who are”

Forty-third: In Sec. 161, 24 V.S.A. § 4302(c)(11)(D), by inserting “elders,” before “~~or disabled or elderly~~” and by striking out “or are elderly” before “should be allowed”

Forty-fourth: In Sec. 163, 24 V.S.A. § 5091, in subdivision (i)(1)(A), by striking out “who are elderly” and inserting in lieu thereof “of elders”

Forty-fifth: In Sec. 165, 24 App. V.S.A. chapter 5 § 1201, in the second sentence, by striking out “persons who are elderly” and inserting in lieu thereof “elders”

Forty-sixth: By deleting Sec. 172 in its entirety

Forty-seventh: In Sec. 175, 26 V.S.A. § 1446, by striking out “people who are elderly” and inserting in lieu thereof “elders”

Forty-eighth: In Sec. 182, 26 V.S.A. § 4451, in subdivisions (7) and (8), by striking out “hearing impaired” and inserting in lieu thereof “hard of hearing”

Forty-ninth: In Sec. 183, 26 V.S.A. § 4464(b), in subdivision (10), by restoring “or client” by removing the striking

Fiftieth: In Sec. 185, 27 V.S.A. § 1331, in subdivision (4), by striking out “elderly” and inserting in lieu thereof “an elder”

Fifty-first: In Sec. 186, 27 V.S.A. § 1333, in subsections (a) and (b), by striking out “elderly” and inserting in lieu thereof “elders”

Fifty-second: By deleting Sec. 188 in its entirety

Fifty-third: In Sec. 190, in 28 V.S.A. § 906, in subdivision (3), by striking out “intellectual” and inserting in lieu thereof “developmental”

Fifty-fourth: In Sec. 190, in 28 V.S.A. § 907, in subdivision (6)(B), by striking out “substance use or abuse” and restoring “chemical dependence” by removing the striking

Fifty-fifth: In Sec. 190, in 28 V.S.A. § 907, in subdivision (6)(E), by striking out “intellectual” and inserting in lieu thereof “developmental”

Fifty-sixth: In Sec. 191, 30 V.S.A. § 209c(a), in the third sentence, by striking out “people who are elderly” and inserting in lieu thereof “elders”

Fifty-seventh: In Sec. 193, 30 V.S.A. § 7059(a)(1), in subdivision (F), by striking out “individuals who are elderly” and inserting in lieu thereof “elders”

Fifty-eighth: In Sec. 194, 31 V.S.A. chapter 19, in the chapter’s catchline, by striking out “PEOPLE WHO ARE ELDERLY” and inserting in lieu thereof “ELDERS” and by deleting everything after the first set of ellipses

Fifty-ninth: In Sec. 202, in 33 V.S.A. § 1502, subdivision (1), by striking out “persons who are elderly and” and inserting in lieu thereof “elders who are”

Sixtieth: By deleting Sec. 204 in its entirety

Sixty-first: In Sec. 207, 33 V.S.A. § 1951, in subdivision (8), in the first sentence, by striking out “disability” and inserting in lieu thereof “disabilities” and by striking out the last sentence in its entirety

Sixty-second: In Sec. 208, 33 V.S.A. § 1955, by striking out “ICF/ID” in every instance in which it appears and inserting in lieu thereof “ICF/DD” and by striking out “ICF/ID’s” in both instances in which it appears and inserting in lieu thereof “ICF/DD’s”

Sixty-third: By deleting Sec. 210 in its entirety

Sixty-fourth: In Sec. 211, 33 V.S.A. § 2078, by striking out “elderly” after “Vermonters who are” and inserting in lieu thereof “elders”

Sixty-fifth: In Sec. 212, 33 V.S.A. § 2501a(c), in the second sentence, by striking out “people who are elderly” and inserting in lieu thereof “elders”

Sixty-sixth: In Sec. 213, 33 V.S.A. § 4301(3), in subdivision (D), by striking out “intellectual” and inserting in lieu thereof “developmental”

Sixty-seventh: In Sec. 214, 33 V.S.A. § 6321, in subdivision (a)(3), by striking out “elderly” and inserting in lieu thereof “an elder”

Sixty-eighth: In Sec. 214, 33 V.S.A. § 6321, in subsection (d), in the last sentence, by striking out “individuals who are elderly” and inserting in lieu thereof “elders”

Sixty-ninth: In Sec. 215, 33 V.S.A. § 6902, in subdivision (2), by striking out “elderly” and inserting in lieu thereof “an elder”

Seventieth: In Sec. 216, 33 V.S.A. § 6903(a), in subdivision (5), by striking out “intellectual” and inserting in lieu thereof “developmental”

Seventy-first: In Sec. 217, 33 V.S.A. § 6912(b), by striking out “elderly” and inserting in lieu thereof “elders”

Seventy-second: By deleting Sec. 223 in its entirety

Seventy-third: In Sec. 224 in the section catchline, by striking “DATES” and inserting in lieu thereof “DATE” and by deleting everything after the section catchline and inserting in lieu thereof the following:

This act shall take effect on July 1, 2014.