

1 H.777

2 Introduced by Representatives Long of Newfane and Mrowicki of Putney

3 Referred to Committee on

4 Date:

5 Subject: Mental health; Mental Health Assistance Fund

6 Statement of purpose of bill as introduced: This bill proposes to provide
7 financial support to surviving family members when a suicide has been
8 committed in their private residence.

9 An act relating to creating a Mental Health Assistance Fund for surviving
10 family members after suicide

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

12 Sec. 1. 18 V.S.A. § 7114 is added to read:

13 § 7114. MENTAL HEALTH ASSISTANCE FUND

14 (a) Creation. The Mental Health Assistance Fund is established, to be
15 managed in accordance with 32 V.S.A. chapter 7, subchapter 5, and
16 administered by the Department of Mental Health. The Fund shall consist of
17 the monies appropriated to it by the General Assembly and received from any
18 other source, private or public, approved by the Department. Unexpended
19 balances and any earnings shall remain in the Fund for use in accordance with
20 the purposes of this section.

1 (b) Definitions. As used in this section:

2 (1) "Pecuniary loss" shall mean the amount of medical or medically
3 related expenses, loss of wages, and any other expenses that the Department of
4 Mental Health feels became necessary as a direct result of the suicide. Medical
5 or medically related expenses may include the costs of individual or family
6 psychological, psychiatric, or mental health counseling. In the case of a
7 dependent, "pecuniary loss" means the cost of psychological, psychiatric, or
8 mental health counseling; funeral expenses for the person who committed
9 suicide; and, upon demonstration of financial hardship, temporary living
10 expenses.

11 (2) "Suicide" shall mean a death as determined by autopsy and reported
12 in a death certificate pursuant to the requirements of section 5205 of this title.

13 (3) "Surviving family member" shall mean an immediate family
14 member of the person who committed suicide, including a spouse, domestic
15 partner, parent, sibling, child, grandparent, or other survivor who may suffer
16 severe emotional harm as a result of the suicide as determined on a
17 case-by-case basis in the discretion of the Department of Mental Health.

18 (c) Rules. In order to carry out the purposes of this section, the Department
19 shall adopt rules under 3 V.S.A. chapter 25, including rules relating to income
20 eligibility and the evaluation and determination of awards under this section.

1 (d) Application for reimbursement. An eligible surviving family member
2 may apply to the Department for reimbursement. The Department of Mental
3 Health shall review applications and determine whether a surviving family
4 member is eligible for reimbursement pursuant to the rules adopted under
5 subsection (c) of this section. All documents reviewed by the Department for
6 purposes of approving an application for reimbursement shall be confidential
7 and shall not be disclosed without the consent of the applicant, except as
8 otherwise provided by law.

9 (e) Amount of reimbursement. If the application is approved, the
10 Department shall authorize a cash payment, not to exceed \$10,000.00, to or on
11 behalf of the applicant, equal to the pecuniary loss directly caused by the
12 suicide. Applications approved in any fiscal year shall not exceed funds
13 appropriated and authorized in that fiscal year for this purpose.

14 Sec. 2. EFFECTIVE DATE

15 This act shall take effect on July 1, 2016.