

The Vermont Statutes Online

The Statutes below include the actions of the 2025 session of the General Assembly.

NOTE: The Vermont Statutes Online is an unofficial copy of the Vermont Statutes Annotated that is provided as a convenience.

Title 18 : Health

Chapter 003 : Department of Health; Commissioner of Health

(Cite as: 18 V.S.A. § 127)

§ 127. Emergency health orders

(a) A health officer may, without a prior hearing, issue an emergency health order when necessary to prevent, remove, or destroy an imminent and substantial public health hazard or to mitigate an imminent and substantial significant public health risk. Such order may include any actions available under section 126 of this title. An emergency health order shall be effective upon actual notice to the person against whom the order is directed.

(b) The health officer may issue an emergency health order only after preparation of a written statement of reasons stating the need for an emergency health order together with the supporting evidence and a statement of procedural rights available under this section. The order, together with the statement and the evidence, shall be made available as soon as possible to the person to whom the order is directed. An emergency order shall be served in person by a health officer or in accordance with the procedures set forth in Rule 4 of the Vermont Rules of Civil Procedure. If the person resides out of state, the emergency health order shall be served on the person against whom the order is sought through certified mail.

(c) A person to whom an emergency health order is directed shall be given the opportunity for a hearing within five business days after the issuance of such order. A person who is in full compliance with an emergency health order may request, and shall be granted, an extension of the hearing date. If the emergency order was issued by the Commissioner, such hearing shall be in front of the Commissioner. If the emergency order was issued by a local health officer, such hearing shall be in front of the selectboard. At the hearing, the person to whom the order is directed shall be given the opportunity to rebut allegations upon which the emergency health order is based. After the hearing, the Commissioner or selectboard shall issue a health order pursuant to section 126 of this title affirming, modifying, or terminating the emergency health order. (Added 1985, No. 267 (Adj. Sess.), § 11; amended 2021, No. 15, § 8; 2023, No. 6, § 95, eff. July 1, 2023.)

