

The Vermont Statutes Online

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Title 18 : Health

Chapter 001 : Department of Health; General Provisions

Subchapter 001 : GENERAL PROVISIONS

(Cite as: 18 V.S.A. § 2)

§ 2. Definitions

The following words and phrases, as used in this title, will have the following meanings unless the context otherwise requires:

(1) “Department” means the Department of Health.

(2) [Repealed.]

(3) “Commissioner” means the Commissioner of Health or the Commissioner’s designee.

(4) “Health officer” means the Commissioner of Health, the Commissioner’s designee, or a local or district health officer.

(5) “Local board of health” means the local health officer, with the selectboard of the town or city council of a city.

(6) “Palliative care” means interdisciplinary care given to improve the quality of life of patients and their families facing the problems associated with a serious medical condition. Palliative care through the continuum of illness involves addressing physical, cognitive, emotional, psychological, and spiritual needs and facilitating patient autonomy, access to information, and choice.

(7) “Permit” means any permit or license issued pursuant to this title.

(8) “Person” means any individual, company, corporation, association, partnership, the U.S. government or any department or agency thereof, and the State of Vermont or any department, agency, subdivision, or municipality thereof.

(9) “Public health hazard” means the potential harm to the public health by virtue of any condition or any biological, chemical, or physical agent. In determining whether a health hazard is public or private, the Commissioner shall consider at least the following

factors:

(A) the number of persons at risk;

(B) the characteristics of the person or persons at risk;

(C) the characteristics of the condition or agent which is the source of potential harm;

(D) the availability of private remedies;

(E) the geographical area and characteristics thereof where the condition or agent which is the source of the potential harm or the receptors exist; and

(F) Department policy as established by rule or agency procedure.

(10) "Public health risk" means the probability of experiencing a public health hazard.

(11) "Selectboard," in the context of this title, includes trustees of an incorporated village, or a city council when appropriate.

(12) "Significant public health risk" means a public health risk of such magnitude that the Commissioner or a local health officer has reason to believe that it must be mitigated. The magnitude of the risk is a factor of the characteristics of the public health hazard and the degree and the circumstances of exposure to such public health hazard. (Amended 1959, No. 329 (Adj. Sess.), § 27, eff. March 1, 1961; 1977, No. 147 (Adj. Sess.); 1985, No. 267 (Adj. Sess.), § 2; 2009, No. 25, § 2; 2023, No. 53, § 17, eff. June 8, 2023; 2023, No. 85 (Adj. Sess.), § 37, eff. July 1, 2024.)