



Helping people and communities live healthy, safe and satisfying lives

## Legislative Update February 7, 2017

### **Mental Health Advocacy Day**

Mental Health Advocacy Day which was hosted by NAMI-VT, VAMHAR and Vermont Care Partners in collaboration with 41 co-sponsoring agencies on January 31st was very successful. We had excellent turnout at the State House with many individuals testifying in committees and meeting with Legislators. House Speaker Mitzi Johnson was honored with an award for legislative leadership and Mary Moulton, Executive Director of Washington County Mental Health Services was honored with an award for her advocacy work.

Human Services Secretary Al Gobeille read a proclamation from the Governor and committed to work with us to address the challenges in our system of care. Mental Health Commissioner Melissa Bailey shared her vision of mental health services and emphasized the need to offer hope and strengthen resiliency. Lieutenant Governor David Zuckerman, Senate President Tim Ashe and Speaker of the House Mitzi Johnson all expressed their support for mental health workers and the work of specialized and designated agencies. Overall, the day provided our system of care with an excellent opportunity to make the case for our services to our legislators individually and collectively.

### **Governor Proposes Level Funding plus Caseload Increases for Fiscal Year 2018 Budget**

Governor Scott's proposed FY'18 budget is based on the assumption of no new taxes or fees. The 2% cost of living adjustment (COLA) from FY'17 was annualized (from 10 months to 12 months) and developmental services caseload is funded at \$8 million. Additionally, there is \$1.1 million for CRT caseload increase which adds and annualizes funding in the FY'17 budget adjustment bill for a few high cost wrap around service packages needed to assist people return to the community from inpatient psychiatric care.

In testimony to the House Appropriations Committee and the House Human Services Committee Secretary Gobeille shared a graph charting the increase in funding to Designated and Specialized Service Agencies. He acknowledges our workforce challenges and said, 'DAs require a fresh look and deep dive to figure out what we need to do'.

An anticipated federal funding reduction for vocational rehabilitation programs will reduce supported employment programs in developmental services and the JOBS youth employment programs by approximately \$1 million. In FY'17 these monies were backfilled with global commitment funds, but no global commitment funds are directed to these services in the proposed budget for FY'18.

Funding for the Transformation grants through the Global Commitment waiver are also not in the budget proposal and the work on the Medicaid Pathway, a service delivery and payment reform initiative for designated and specialized service agencies has been halted for the time being.

Vermont Care Partners has been in discussions with other community providers, One Care and Secretary Gobeille about the next steps for payment reform and the investments necessary to move forward.

Vermont Care Partners is working with legislative leaders and the policy committees to educate on and address the workforce crisis our system is experiencing. There is some discussion about how to redirect resources from the hospitals to our agencies with a greater role for the Green Mountain Care Board.

Many members of Vermont Care Partners have been meeting with legislators, giving tours, testifying and encouraging communication with staff and the people we serve. As a result, there is a growing concern about the need to improve support for developmental, mental health and substance use disorder services.

### **Budget Adjustment Bill for Fiscal Year 2017**

The Budget Adjustment Bill passed the House of Representatives. Unfortunately we were unable to convince the Appropriations Committee to include funding to cover the costs that most of our agencies incurred in advance of the halt to the implementation of the Department of Labor Overtime rule. The Senate Appropriations Committee is expected to concur with the House version of the bill.

### **Duty to Warn Legislation**

Vermont Care Partners is working with a coalition of advocates and providers to support Bill S.3 to clarify that a mental health professional has a duty to warn. This statute would replace the Supreme Court decision and largely return Vermont law to the case law that set the standard before the Kuligowski decision.

The Senate Judiciary Committee under the leadership of Senator Sears is actively taking testimony. Mary Moulton testified on behalf of Vermont Care Partners and Doug Bouchard, Dillon Burns and Julie Tessler are participating on the stakeholder coalition. For information on the latest draft of the bill or for a document of frequently asked questions contact Vermont Care Partners. It is a complex issue which is being carefully managed.

### **Corrections and Institutions Receives Update on New Secure Residential Facility Development**

Act 178 required that Agency of Human Services develop a proposal for permanent replacement of the secure residential facility for people with complex needs. The target population is individuals who no longer require hospitalization, but remain emotionally or behaviorally dysregulated and in need of supervision within locked treatment setting. This population profile accounts for unnecessary Level I or other involuntary inpatient bed days. The proposal presented by Frank Reed, the Director of Operations for the Department of Mental Health, and Nick Nichols, the Director of Policy, is for establishing a 14-bed involuntary, secure (locked) facility on lands to be acquired for construction or renovation. The estimated capital cost is \$12 million. The annual operating costs: \$5.1 million. It is expected to be funded through Global Commitment dollars with some private pay.

### **Upcoming Public Hearings**

The Senate Health and Welfare Committee and the House Human Services Committee will hold a public hearing on mental health on Tuesday, February 7<sup>th</sup>. The Senate and House Appropriations Committees will hold regional public hearings on the fiscal year 2018 state budget on Monday February 13<sup>th</sup> and on February 16<sup>th</sup> at the State House. Vermont Care Partners is working with executive directors of the agencies to turn out small, but balanced representation at the hearings.

**To take action or for more information, including the weekly committee schedules:**

- Legislative home page: <http://www.leg.state.vt.us>
- Sergeant-at-Arms Office: (802) 828-2228 or (800) 322-5616
- State House fax (to reach any member): (802) 828-2424
- State House mailing address (to reach any member):

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- Email, home address and phone: Legislators' email addresses and home contacts may be found on the Legislature home page at <http://www.leg.state.vt.us>
- Governor Phil Scott (802) 828-3333 or <http://governor.vermont.gov/>

The purpose of the legislative update is to inform individuals who are interested in developmental, mental health and substance abuse services about legislative advocacy, policy development and activities that occur in the State Legislature. The Vermont Council is a non-profit trade association whose membership consists of 16 designated developmental and mental health agencies.

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