

Legislative Update for February 24, 2015
Vermont Council of Developmental and Mental Health Services

House Health Committee Considers Action or Inaction on Health Reform

With the need to put legislation out by the cross over deadline the House Health Committee took time to determine what they hope to achieve by the end of the first half of the legislative session. They set the context for that discussion by having Legislative Counsel Jennifer Carbee present will what happen if we do nothing in health care this year. They reviewed the impact on the health exchange, the Green Mountain Care Board, fees and taxes, the Medicaid budget and the Blueprint for Health

Leigh Daiken recommended addressing the Medicaid budget shortfall and increasing Blueprint payments to PCPs and community health teams. Other committee members wanted to look at improving transparency, the all payer waiver, and the work of the Green Mountain Care Board.

The Committee's work appears to be stalled while legislative leaders determine how to address the budget gap. The Administration was asked by the legislature to develop a proposal to address the budget gap that has grown larger since the budget and revenue proposals were presented by the Governor in January.

House Human Services Committee Continues Work on Involuntary Treatment

The House Human Services Committee continued their work on involuntary treatment and now are working off of H.241. On February 18th, Dena Monahan, the assistant attorney general for the Department of Mental Health, reviewed the current statutes and the proposed rules around involuntary care.

House Ways and Means and Appropriations Committees Discuss Tax Expenditures

The Joint Fiscal Office presented a summary of the tax expenditures and revenue sources to the House Ways and Means and the Appropriations Committees.

Janet Ancel, the Chair of the Ways and Means Committee said her committee has looked at sales taxes, either adding new ones or changing rates. Another option is changing the base or changing deductions for income tax. The sales tax increases could create a competitive disadvantage for the towns bordering New Hampshire. Income taxes may be progressive and fairer, but we always hear that the rich will leave Vermont. We could also narrow the definition of the current use exemption which taxes some properties at lower rates than other properties. Janet appeared willing to look at limiting tax deductions.

Mitzi Johnson, Chair of the Appropriations Committee acknowledged that in concept tax expenditures seem like an easy target, but most of the exemptions are used by Vermonters for valid and important reasons. Tax expenditures don't tend to have the same level of review on an annual basis as budget items, but they are hard to take away from people who depend on them. Mitzi suggested that we must think about government differently than we have in the past. Mitzi said her committee's analysis of the budget proposal will be wrapping up during the next few days.

House Commerce and Human Services Committees Study Worker Safety

The House Human Services Committee took its first look at H.74, a bill relating to safety protocols for social and mental health workers.

Anne Rich who works with the State of Vermont as a care manager for DMH and who used to do crisis work for a designated agency, said she is representing her colleagues at the state hospital. She is concerned about worker safety and believes there are ways to mitigate the risk of violence. She supports the bill because safety protocols should be widely known and used, even though her experience is that the agencies and programs have had adequate safety protocols in place.

Susan Loynd, the Human Resources Director for Washington County Mental Health Services, speaking for the designated and specialized agencies said she appreciates the spirit of the bill, but questions the administrative burden. She is confident that the agencies meet the safety requirements of the bill already. She reviewed all the work that her agency does to ensure safety. There are extensive trainings and protocols which are based on real life experience in working with the populations which do pose safety risks. She shared the results of a survey of 7 agencies. All agencies have safety protocols and incident reporting in place. Susan said we cover 90% of components in the bill.

Gloria Vandenberg, Executive Director of Alyssum, a peer run crisis program, said they have had no incidence of violence in the 4 years they have been open. They have policy, procedures and trainings in place and they are accountable to DMH. She said if she had to follow the bill, she is concerned about compromising efforts. The bill is focused on staff and worker safety. Peer run operations have lower levels of violence, because they focus on dialog.

Dawn O'Toole, director of operation for the Department of Children and Families (DCF) said this is an important issue for them because they often have to confront families and individuals with information they don't want to hear such as termination of parental rights. They already have two incident report requirements for workers. They are concerned of added administrative burden. DCF Workers receive 3 weeks of safety training. A safety protocol is in draft form for all of DCF and the family services division. Tracking incident reports would be an administrative burden. She assumes that this legislation includes foster families and contractors which would add to the administrative burden.

A member of the Commerce Committee wants to ensure that workers compensation is available for all workers. Commerce Committee Chairman Botsow said they have been unsuccessfully trying to ensure that independent contractors are covered by workers compensation for years.

House Human Services will discuss the bill again next week.

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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- Governor Peter Shumlin (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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