



Supporting Vermonters to lead healthy and satisfying lives community by community

Legislative Update January 23, 2019

Mental Health Advocacy Day

Mental Health Advocacy Day will take place on **Wednesday, January 30, 2019 at the State House**. This is an important opportunity to educate legislators about our system of care, inclusive of developmental disabilities and substance use disorder services. With many new legislators entering the State House at the beginning of the biennium, as well as the beginning of the political process for the state budget it's an excellent opportunity for us to gather support for "shifting the balance" of funding to invest in the community mental health and developmental disabilities system of care.

Activities begin at 8:00 a.m. and continue until 2:00 p.m. This year we are looking for strong attendance to strengthen support for our services in the state house. This effort is led by Vermont Care Partners, VAMHAR and NAMI-VT and has 47 co-sponsors including the full membership of Vermont Care Partners.

The Agenda

- Bagels and Coffee with Legislators (Cafeteria)
- Display by all interested Sponsoring Organizations (Card Room)
- Advocacy Training with Peter Mallary (Room 11)
- Testimony at key Legislative Committees – ALL DAY
- Welcome Address from State Leaders (Room 11)
- Legislative Awards and Team Two Awards (Room 11)
- Sharing Stories/Poems (Room 11)
- Lunch with Legislators (Cafeteria)
- Introduction to the House (House Chamber)

We urge you to come and participate in the day. The more people present, the more impact we will have. It's a great time to meet with your local legislators –not sure how to go about this? Check out our legislative advocacy training webinar. Here is the link:

<https://public3.basecamp.com/p/QWVmZy5w6HN4twAkcfZaDXtQ>

Mental Health Commissioner Sarah Squirrel and Deputy Commissioner Mourning Fox Give Overview

Department of Mental Health (DMH) Commissioner Sarah Squirrel and Deputy Commissioner Mourning Fox provided an overview of mental health services at Senate Health and Welfare on January 18th. In discussing the increase in the number of children served they noted that Vermont is good at identifying need and also there has been increased need and acuity. Success Beyond Six funding has increased over the years. The Commissioner said Success Beyond Six is "one of the best models that we have" but we need to focus on outcomes.

Senator Cummings asked about horror stories regarding children with autism spectrum disorder (ASD). Commissioner Squirrell replied that we've come a long way in terms of our therapeutic response. It can be difficult for parents to manage. DAs have built a lot of capacity and community-based supports. We do have some capacity issues in the state and we need to account for diversity of needs. She also mentioned the system of therapeutic schools.

Senator Westman wanted to know about schools moving away from working with DAs. Commissioner Squirrell acknowledged that a lot of schools are building up their own capacity.

Team Two and strategies to address emergency department wait times, as well as other adult services will be addressed this coming week. Here is a copy of their PowerPoint:

<https://legislature.vermont.gov/assets/Documents/2020/WorkGroups/Senate%20Health%20and%20Welfare/Overviews/W~Sarah%20Squirrell~Department%20of%20Mental%20Health%20Overview~1-18-2019.pdf>

Budget Adjustment Updates

The Developmental Services in the Governor's Budget Adjustment

1) Decrease to SFI Investment Funding (Severely Functionally Impaired)	down	\$ (60,000)
2) ASFCME Collective Bargaining Agreement – Year 1	up	\$ 793,688
3) Allocation of AHS-wide Grants reduction plan (AHS net-neutral)	down	\$ (706,719)
Total	up	\$ 26,969

The grant reduction represents one-time funds that are returned to the AHS Central Office each year and will not reduce funding to DA/SSAs. The House Human Services Committee is submitting a memo to the House Appropriations Committee specific to developmental services, but it is not available at this time.

Tobacco funds for Workforce Development

Tobacco funds for workforce development will be managed by House Appropriations Representative Peter Fagan. He will require a report on how the funds were dispersed. Funds will be distributed to people who agree to stay in Vermont.

AHS overview of Tobacco workforce:

<https://ljfo.vermont.gov/assets/Uploads/f3a1b12569/Summary-Workforce-1-11-19-v2.pdf>

UVM outcomes statement: <https://ljfo.vermont.gov/assets/Uploads/89e7d8714f/UVM-Memo-on-Services-and-Outcomes-for-A-R-workforce.pdf>

The Department of Mental Health Budget Adjustment

The Department of Mental Health Budget Adjustment request can be found here:

<https://ljfo.vermont.gov/assets/Uploads/0d22b77870/Department-of-Mental-HealthFY-2019-BAA-DMH-Talking-Points1-14-2019.pdf>

House Health Care Committee Recommendation for Language for Budget Adjustment:

Sec. 4. INSTITUTIONS FOR MENTAL DISEASE; GLOBAL COMMITMENT WAIVER AMENDMENT

(a) It is the public policy of the State of Vermont to develop a fully integrated continuum of mental health services. In recognition that Institutions for Mental Disease (IMDs) are an essential part of the current continuum of care, the Secretary of Human Services may seek approval from the Centers for Medicare and Medicaid Services to amend Vermont's Global Commitment to Health Section 1115 waiver as it relates to the phase out of coverage of treatment for serious mental illness provided in IMDs.

State Revenue Forecast is Good for the Short Term

The state economists presented their new revenue forecast to the State's Emergency Board which sets the official state revenue projections. After receiving the information the Board agreed to adjust this year's general fund revenue projection up by \$11.2 million and next year's by \$1.6 million. However, the economists were clear that the likelihood of a recession is increasing, and at very least, this period of economic expansion is unlikely to last. An increase in corporate taxes due to repatriation of businesses is giving a short term boost to the economy. The impact of the Trump tax cuts is also unclear. It could lead to a large amount of tax refunds for 2018.

Act 82 Report on Overarching Structure of Delivery of Mental Health Services Submitted by AHS

The Agency of Human Services (AHS) was required by the Legislature to submit an evaluation of the overarching structure for delivery of mental health services. The report is quite comprehensive and only a first step to a larger strategic planning process that will include stakeholder engagement. The following is loosely excerpted from the introduction of the report.

Act 82 (2017) requires the Secretary of the Agency of Human Services (AHS) to "... submit a comprehensive evaluation of the overarching structure for the delivery of mental health services within a sustainable, holistic health care system in Vermont...". The primary desired result of this report is the outline of a 10-year vision for the mental health system of care spanning children, youth, families and adults, accompanied by clear action steps for achievement. AHS found that the process of creating this report was a first and significant step in this direction and that the scope and complexity of the work that the Department of Mental Health leads requires more time and engagement to then create such a plan. The report includes recommended action steps throughout and includes the foundational premise of a 10-year plan. The report includes the draft outline of a plan in section 11, informed by previous input and statutes, rather than a final vision and action plan with concrete steps. The Agency proposes to present a complete plan at the beginning of the second biennium of the 2019-2020 legislative session, following a series of stakeholder engagement meetings.

NEXT STEPS The Department of Mental Health is committed to working towards the articulation of a common, long-term vision and collective commitment towards full integration of mental health services within a comprehensive and holistic health care system, as identified as a key tenet in the overall charge of this report. DMH recommends further engagement with Vermont's Mental System stakeholders in a process to develop a 10-year vision to achieve a comprehensive, coordinated and integrated mental health system for Vermonters. This process should begin in the summer of 2019 and take place over a timeline which recognizes the urgency of the issue and deliver a report no later than January of 2020. This project will focus on maximizing the opportunity that Vermont has to build upon the existing mental health system in a more proactive, integrated, coordinated and holistic direction.

DCF Requests \$2.7 million in Budget Adjustment after Federal Government denies Medicaid Funds

The Department for Children and Families (DCF) is requesting an increase of \$2.7 million for Woodside Juvenile Rehabilitation Center after efforts to continue to receive Medicaid funds were unsuccessful. The facility provides both clinical and residential support to youth between ages 10 to 18, some of whom exhibit aggressive behavior. Commissioner Schatz wants to build a new facility these youth.

New Bills Introduced

H. 25 An act relating to the regulation of electroconvulsive therapy

Introduced by Representatives Anne Donahue and Warren Kitzmiller

Statement of purpose of bill as introduced: This bill proposes to require that the Commissioner of Mental Health ensure that any hospital or health care facility using electroconvulsive therapy be qualified to do so. It further requires a hospital or health care facility administering electroconvulsive therapy on minors to seek specific approval from the Commissioner. The bill requires the Commissioner to adopt related rules.

<https://legislature.vermont.gov/assets/Documents/2020/Docs/BILLS/H-0025/H-0025%20As%20Introduced.pdf>

H.37 An act relating to eliminating the Secretary of Human Services' authority to reverse or modify a decision or order of the Human Services Board

Introduced by Representative Anne Donahue

Statement of purpose of bill as introduced: This bill proposes to eliminate the authority of the Secretary of Human Services to reverse or modify a decision or order of the Human Services Board.

<https://legislature.vermont.gov/assets/Documents/2020/Docs/BILLS/H-0037/H-0037%20As%20Introduced.pdf>

H. 44 An act relating to participating hospital and Vermont Psychiatric Care Hospital advisory groups

Introduced by Representative Anne Donahue

Statement of purpose of bill as introduced: This bill proposes to require that participating hospitals and the Vermont Psychiatric Care Hospital each maintain an advisory group that meets on a bimonthly basis.

<https://legislature.vermont.gov/assets/Documents/2020/Docs/BILLS/H-0044/H-0044%20As%20Introduced.pdf>

S. 5 An act relating to prohibiting the involuntary sterilization of individuals with an intellectual disability

Introduced by Senator Virginia Lyons

Statement of purpose of bill as introduced: This bill proposes to prohibit the involuntary sterilization of individuals with an intellectual disability.

<https://legislature.vermont.gov/assets/Documents/2020/Docs/BILLS/S-0005/S-0005%20As%20Introduced.pdf>

S. 7 An act relating to the evaluation of social service integration with accountable care organizations

Introduced by Senator Virginia Lyons

Statement of purpose of bill as introduced: This bill proposes to require the Green Mountain Care Board to conduct an evaluation of the extent to which social services are integrated into accountable care organizations.

<https://legislature.vermont.gov/assets/Documents/2020/Docs/BILLS/S-0007/S-0007%20As%20Introduced.pdf>

Vermont Care Partners Outcomes Report for FY 2018

The new Vermont Care Partners Outcomes Report for FY2018 can be accessed with this link:

<https://vermontcarepartners.org/wp-content/uploads/2019/01/2018-VCP-Outcomes-Report.pdf>

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

- Legislative home page: <https://legislature.vermont.gov/>
- 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 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 which works in partnership with Vermont Care Network to form Vermont Care Partners. Together our mission is to provide statewide leadership for an integrated, high quality system of comprehensive services and supports. Our membership consists of 16 designated developmental and mental health agencies.