



Supporting Vermonters to lead healthy and satisfying lives community by community

Legislative Update for January 6, 2020



The 2020 legislative session begins on January 7th. There are many important fiscal and policy issues which Vermont Care Partners will be following and communicating about. We look forward to collaborative advocacy with all interested Vermonters including: peers, self-advocates, service providers, advocates, family members and other stakeholders.

Vermont Care Partners Legislative Agenda

Designated and Specialized Service Agencies (DA/SSAs) are nonprofit community-based agencies doing the work of the state to meet mental health, developmental disability and substance use disorder needs of Vermonters. Our comprehensive array of services addresses the social determinants of health including clinical care, community supports and crisis services on a 24/7 basis.

By statute, “Vermont’s mental health system shall be adequately funded and financially sustainable to the same degree as other health services.” Yet, the State has not provided adequate funding for our workforce to fully achieve the outcomes the State requires. Vermont Care Partners’ intent is to bring the language of this statute closer to reality with a 3% rate increase for workforce investment. These funds could be used to target compensation increases to the most critical positions to meet community needs, address local labor market dynamics, and cover health benefit costs.

- After years of insufficient investment in DA/SSAs the State needs to create parity in funding with physical health care and then provide for annual funding increases for DA/SSAs in the context of annual increases for state employees, health care and school employees.
- Designated and Specialized Service Agencies’ (DA/SSAs) rates of reimbursement are insufficient to cover costs. There is no direct correlation between payment rates and actual cost of services.
- The mental health challenge of patients in Emergency Departments cannot be solved without an investment in the community-based service to ensure adequate access to upstream services and to prevent people from getting stuck in inpatient care due to inadequate resources in the community.
- Staff turnover is at 27% and over 400 positions are vacant including nearly 1 in 5 licensed clinical positions.

Vermont Care Partners Top Legislative priorities:

- Increase the Medicaid reimbursement rates for DA/SSAs by 3%
- Ensure full funding for the developmental disabilities caseload increase
- Improve ADAP funding for treatment services
- Increase funding for elder care mental health services
- Educate on developmental services systems reform and develop ombudsman program
- Green Mountain Care Board Review of DA/SSA budgets
- Health reform – investment in DA/SSA services to achieve goals
- Investment in DA/SSAs to address emergency room back up and demand for inpatient care
- Educate on the value of independent therapeutic schools and school-based services plus address special education rate criteria process

The Vermont Care Partners full legislative agenda with a complete summary of our fiscal and policy position is at this link: <https://vermontcarepartners.org/wp-content/uploads/2020/01/VCP-Leg-Agenda-for-2020-draft-1c.pdf>

Mental Health Advocacy Day and Advocacy Webinar

We urge you to participate in Mental Health Advocacy Day on January 29th, 2020. We will celebrate and advocate for both mental health and developmental disability services. Community Advocate awards will be based on nominations from around the State. Vermont Care Partners will put on an advocacy webinar on January 13th to prepare staff, peers, self-advocates, board members and others to participate in the event and strengthen their advocacy skills and knowledge. The day is led collaboratively by Vermont Care Partners, VAMHAR and NAMI-VT with all VCP members serving as co-sponsors. Further information is below and can be found at this link:

https://vermontcarepartners.org/evrplus_registration/?action=evrplusegister&event_id=25

Budget Adjustment and Fiscal Issues

The House Appropriations Committee met in December for fiscal updates and to begin their review of the Scott Administration's proposal for the FY'20 Budget Adjustment Act (BAA). The total revenues for FY'20 are up \$22 million from the July forecast. A new revenue forecast will be issued later during the legislative session.

A new amendment to the global commitment waiver will allow Medicaid funding to continue to fund inpatient psychiatric care at the Vermont Psychiatric Care Hospital and Brattleboro Retreat with the exception of forensic and longer stay patients. This will free up global investment funds, but still leave a loss of \$28 million from current funding levels for these facilities. Ena Backus, the Director of Health Reform for the Agency of Human Services (AHS) believes that this amendment is likely to be honored by CMS when we go to renew our Medicaid waiver. The Medicaid caseload is running below expectations and is expected to continue to decline which frees up Medicaid funds for other purposes.

Budget Adjustment Highlights

- The Administration's proposal is to utilize the \$22 million in unexpected revenues for the BAA with \$9.5 targeted to AHS
- DMH general fund increases - Brattleboro Retreat, Psychiatrist salaries, PNMI, and Success Beyond Six, level
- DMH general fund savings –AHS-wide grant reduction plan, delayed start on enhanced adult services
- See link for full list of budget adjustments for DMH:
<https://legislature.vermont.gov/Documents/2020/WorkGroups/House%20Appropriations/FY%202019%20Budget%20Adjustment/19->

[0729~Sarah%20Squirrel,%20Commissioner,%20Department%20of%20Mental%20Health~FY%202019%20BAA%20-%20DMH%20Talking%20Points~1-14-2019.pdf](#)

- There is a request to add language creating a new deputy secretary for the Agency of Human Services (AHS)
- Additional funding to maintain the 211 support line to cover the unanticipated cost increase
- Additional \$1.9 million for emergency housing and hotel vouchers with a program redesign planned
- New Delivery System Reform funds to OneCare Vermont of \$3.8 million (one-time)
- The closure of Woodside is not in the BAA because DCF Commissioner Schatz says it would be premature, but he may seek authority to move funds into residential programming for youth

OneCare and Delivery System Reform Funding

The Green Mountain Care Board (GMCB) approved the OneCare budget with a series of 23 conditions after there was much public discourse about the All Payer Model and OneCare. OneCare was directed to develop an online dashboard to increase transparency and public access to data. Additionally, they are required to submit a work plan to GMCB on evaluating the effectiveness of its population health investments. To-date investments in community health programs have not been tracked.

The 2020 budget includes \$19 million in administrative costs and \$43 million in investments in primary care and community programs. It also calls for a \$13 million increase in Medicaid funding which will need to be approved by the legislature.

In December at the House Appropriations Committee the new Secretary of Human Services, Mike Smith, shared his perspective on OneCare and the Delivery System Reform investments (DSR). He believes that there has not been enough transparency and recommended limited investments for OneCare at this time. He wants to see more investment in prevention and mental health care. He also noted that after 24 months it's too early to tell if the health reform changes are working. Right now as he looks at the data, he views this as the best chance to change the health care delivery system. Investments in 2019 and 2020, which he supports, include the implementation of home health and mental health navigators in hospital emergency departments. That said he would like to have meaningful discussions on \$3.9 million in investments for the DSR funds. The Secretary voiced his opinion that OneCare should look into changing to nonprofit status. If it can't, then at least it must have the same level of transparency as a nonprofit. Mike Smith was very firm in his stance that it's important to tie DSRs to some level of measurement and transparency.

Woodside Juvenile Detention Center Discussed at Justice Oversight

Secretary of Human Services Mike Smith testified at the Justice Oversight Committee that over the last few months 2 – 5 youth have been cared for there at any one time and, at that moment they were down to zero youth. The annual cost of the program is \$6 million. He will propose that the State close Woodside in FY'21. That will give time to find alternatives to Woodside. He credited the development of robust community services for youth developed over the years as the reason for the decline in the population at Woodside. AHS will send out an RFP with a statement of needs and wants for community wrap-around and secure facility developed with 15 beds. They will wind down Woodside in a deliberate manner. Frank Reed of DMH has been appointed as the interim director. The law suit filed by Disability Rights Vermont on the use of restraints in the facility was not mentioned.



SAVE THESE DATES

Monday, January 13th at 12 – 1 PM Vermont Care Partners Legislative Advocacy Training Webinar

This webinar is for board members, staff, standing committees, families and other people who support and/or use the services of designated and specialized service agencies. Participants will learn how to reach out, communicate and build relationships with our legislative representatives. Tips will be given to enable members of our community to feel comfortable sharing their personal stories and advocate for investment in our system of care.

https://vermontcarepartners.org/evrplus_registration/?action=evrplusegister&event_id=25

Saturday, January 25th, at 10 AM – 3 PM, Berlin, VT NAMI Smarts Advocacy Training

Want to make a positive change in mental health services? Become an advocate!! NAMI Smarts for Advocacy gives you the strategies to build knowledge, confidence, and competence in:

- Writing and delivering short and compelling personal stories that have an “ask”
- Finding and using facts in speaking and writing
- Preparing for and conducting a successful meeting with legislators
- Following-up with savvy thank you notes that reinforce a key message
- Writing focused emails that have an impact
- Making effective phone calls

This advocacy skills training is especially for advocates who will join Mental Health Advocacy Day on January 29, 2020. For more information call: 800-639-6480 or Email: program@namivt.org Pre-registration required:

<https://forms.zohopublic.com/namivermont/form/2020NAMISmartsAdvocacyTraining/formperma/TcMKKBbF9A2fiH564IMOZMzzaB7kKshM26zI52P-9a4>

Wednesday, January 29th, Vermont State House, Montpelier - Mental Health Advocacy Day

Mental health advocates, peers, family members, professionals, providers, community members and mental health stakeholders will urge “*Support Your Community ~ Invest in Mental Health*”. The agenda includes activities that will be of interest for every mental health and developmental disabilities advocate and supporter including advocacy training, opportunities to interact with legislators, Award presentations, providing testimony and listening to personal stories of lived experience. For information on participating in Mental Health Advocacy Day including the agenda, how to make nominations for the Community Advocate Awards, signing up to share your story, testifying at a committee or volunteering for the day of the event Click this link:

https://vermontcarepartners.org/evrplus_registration/?action=evrplusegister&event_id=26

Monday, February 10, 6 – 7 PM Public Hearings on the Fiscal Year 2021 State Budget in 4 Regions of Vermont

Thursday, February 13, Vermont State House, Montpelier – Suicide Prevention Day

Thursday, March 12, Vermont State House, Montpelier – Disability Awareness Day

**Friday March 13, Davis Center, University of Vermont – STEPPING FORWARD TOGETHER 2020:
Creating Solutions that Promote Health Equity**

Vermont Care Partners Annual conference will enable you to join national and regional experts to learn how to promote equity in your community. The conference includes over 20 workshops on topics:

- Promotion of Cultural and Linguistic Competence
- Collaboration with Faith Based Leaders to Promote Health Equity for All
- Tracking “isms” in Systems for People with Disabilities
- Disrupting White Supremacy Culture Organizations
- LGBTQ+ Inclusion in the Behavioral Health System
- Making Room at the Table: A Model for Real Peer Leadership
- Understanding the Impact of Untreated Adverse Childhood Experiences on the Health and Well-being of Vermonters with Intellectual and Developmental Disabilities
- Understanding Adoption Competent Care
- Leading from Where You Are: How to Affect Policy and Legislative Decisions

This year’s featured speakers:

Sydney Hankerson, MD

Co-Director, Columbia University Wellness Center Assistant Professor of Clinical Psychiatry, Columbia University, Vagelos College of Physicians and Surgeons Assistant Attending, New York-Presbyterian Hospital Research Scientist, New York State Psychiatric Institute

Vivian H. Jackson, Ph.D., ACSW

Adjunct Assistant Professor, Senior Policy Associate National Center for Cultural Competence Georgetown University Center for Child and Human Development Washington, DC

Maria Mercedes Avila, Ph.D.

Associate Professor of Pediatrics, Larner College of Medicine, University of Vermont

For further information and registration here is the link:

<https://vermontcarepartners.org/2020conference/>

The conference flyer is attached is here: <https://vermontcarepartners.org/wp-content/uploads/2020/01/VCP-Conference-2020-Flier.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):
Your Legislator
State House
115 State Street, Drawer 33
Montpelier, VT 05633-5501
- Email, home address and phone: Legislators' email addresses and home contacts may be found on the Legislature home page at <https://legislature.vermont.gov/>
- 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.