



Supporting Vermonters to lead healthy and satisfying lives community by community



## Legislative Update for December 29, 2021

### **WHAT'S HAPPENING IN THE LEGISLATURE**

*In advance of the start of the 2022 Legislative Session, legislators are gearing up by collecting information, setting priorities, and finalizing work done throughout the summer and fall. At this time, they have determined that the first two weeks of the session will be held remotely.*

### **Vermont Care Partners Legislative Agenda for 2022**

*The Vermont Care Partners legislative agenda is quite comprehensive and focuses on our need for adequate resources to meet our mission and mandates. See this link:*

<https://vermontcarepartners.org/wp-content/uploads/2021/12/legislative-agenda-2022-working-draft-1-1.pdf>

*VCP joined with 11 other health provider associations to urge the Legislative health and human services committees to prioritize the following in the upcoming legislative session:*

- 1. The workforce recommendations contained in the Agency of Human Services (AHS) Health Care Workforce Strategic Plan required by Act 155 of 2020.*
- 2. The financial needs of our provider organizations.*
- 3. Passing the recommendations of the telehealth working group and updating Act 6 (2021) COVID-19 flexibilities which expire in March of 2022.*

### **Budget Adjustment Act Hearings – January 6, 2022**

The House Appropriations Committee will take testimony on the Governor's recommended FY22 budget adjustment on January 6th. Anyone interested in testifying should sign up in advance of the hearing through this online form: <https://legislature.vermont.gov/links/fy22-budget-adjustmenthearing> no later than noon on January 5, 2022. The public hearings will be available to watch live on YouTube at the following link: <https://legislature.vermont.gov/committee/streaming/house-appropriations> For more information contact Theresa Utton-Jerman at [tutton@leg.state.vt.us](mailto:tutton@leg.state.vt.us) or call 802-828-5767 or toll-free within Vermont at 1-800-322-5616 (responses to phone calls may be delayed). Written testimony is encouraged and can be submitted electronically to Theresa through e-mail or mailed to the House Committee on Appropriations, c/o Theresa Utton-Jerman, 133 State Street, Montpelier, VT, 05633

## *This Week's Testimony*

### **House Appropriations Committee Begins Hearing Testimony on the FY22 Budget Adjustment**

During the week of December 14<sup>th</sup>, the House Appropriations Committee began to accept testimony on the FY22 budget adjustment bill (BAA) with a presentation by the Commissioner of Finance and Management Adam Greshin. The budget adjustment bill will determine the use of the surplus revenue. The bill will also direct the appropriations of ARPA funds.

Based on the October 2021 HCBS spending plan as submitted to the Center for Medicare and Medicaid Services, the following amounts shall be appropriated in Fiscal Year 2022 as onetime Global Commitment fund appropriations and carried forward until fully expended for the following departments: (1) \$85,601,939 to the Agency of Human Services – Secretary's Office (2) \$2,370,000 to Department of Disabilities, Aging and Independent Living (3) \$6,171,000 to Department of Mental Health (4) \$390,000 to the Department of Vermont Health Access (5) \$4,942,586 to the Department of Health

Commissioner Greshin highlighted major human services issues. He explained that Medicaid expenditures are up because during the pandemic no redeterminations are allowed, leading to an increase in caseload size. \$28 million in general fund (GF) will be necessary to cover the increased caseload. There are also increased expenditures for state employees at Vermont Psychiatric Care Hospital (VPCH) and Middlesex Therapeutic Care Residence due to increases in shift differentials, hiring incentives, retention bonuses.

Representative Yacavone asked about adjustment for workforce for our community partners. Commissioner Greshin said there will be proposals for FY 23 budget, but not in budget adjustment, although Jarrett House received \$225,000. He also reported that DA/SSAs would be receiving up to \$3 million for COVID-19-related expenses incurred through December 31, 2021 to address emergent needs.

The Administration is proposing additional funding in the FY22 budget for housing and homelessness program:

- \$5 million rental risk mitigation
- \$50 million Housing and homeless investments VHCB
- \$20 million Housing and homeless investments VHIP
- \$5 million Home Ownership VHFA

Committee Chair Hooper told Commissioner Greshin that she was hoping to find specific requests for DA/SSAs for workforce. She wants to make sure we are doing what we can to attract workforce to achieve our goals.

Secretary of Human Services Mike Smith began his testimony by introducing Richard Donahey, the new CFO for AHS. Sarah Clark, the former CFO for AHS, has moved to the Joint Fiscal Office. The Secretary highlighted:

- VPCH/MTCR staff incentive/retention funding [\$1.8M gross, \$760k GF],
- 16 bed Secure Residential Start-up cost \$150,000,
- \$5.7 million for DOC and VPCH for staffing,
- Medicaid rate increase for providers – 4.7% - the bulk to Physicians. Effective January 1, 22.

Representative Yacavone asked about funding for DA/SSAs given other retention bonuses. The Secretary said there will be some relief funds for DA/SSAs in addition to the \$2 million. Representative Yacavone

noted that it's a workforce crisis the likes of which has never been seen before. He wanted to know why wait until the FY23 budget. The reply was that there are enormous staffing issues across all health providers and he is looking at opportunities to address the problem. Representative Yacavone suggested investing funding in the BAA for loan repayment because the sooner the investment is made, the better. Committee Chair Hooper said she expects a robust dialog on this in the FY23 budget.

On December 16<sup>th</sup>, DMH Commissioner Emily Hawes, Deputy Commissioner Alison Krompf, and DMH Finance Director Shannon Thomsen explained that the \$1.4 million for VPCH and Middlesex Secure Residential facility is for \$500 recruitment payments and shift differential increases for nurses, mental health specialists. At the time of their testimony VCPH had 16 out of 25 beds open due to staffing shortages and the presence of 5 COVID positive patients. DMH was planning to move the census up to 21 beds in the coming weeks. They are also in the process of doing a labor market analysis. The BAA includes funding to purchase furniture for the new secure residential which won't open until Spring of 2023. Additionally, DMH is requesting \$225 for Jarrett House children's crisis facility to enable them to hire travelers to improve capacity. The Commissioner reported that \$2 million went out earlier this week to DA/SSAs for 24/7 residential and crisis services.

In response, Chair Hooper asserted that the amount is so small compared to the level of need. She asked, "What is the plan to meet the needs across the system?" She noted that the level of funding added to the community doesn't come close to meeting the need and doesn't compare to the investment in the DMH facilities

The Commissioner replied that an additional \$15 million in ARPA one-time funds will be coming out for home and community-based services. Representative Houghton asked if those investment could be used for school-based services. The Commissioner will check and respond later. Deputy Commissioner Kompf added that the FY23 budget request they will address the expansion of 988, continuing zero suicide and establishing a position for suicide prevention.

Additionally, there is a \$13 million in additional funding for the Brattleboro Retreat to support the alternative payment model. Funding in the amount of \$202,051 will be transferred from DMH to DVHA for NFI hospital diversion rate changes. A Burns and Associates study indicated the current rates do not cover costs. When questioned about whether the rates for NFI are sufficient, Shannon spoke about the rate setting process with Burns and Associates prior to COVID but acknowledged that rates may not be sufficient given the current COVID workforce crisis. Rutland Regional Medical Center will receive \$430,000 for a level 1 cost settlement.

Heather Bouchey, Deputy Secretary of Agency of Education (AOE) was asked to discussion mental health services in schools. She explained that each school was required to do a needs assessment including mental health and social and emotional well-being. The biggest challenge is not enough workforce to meet needs. Many districts are using ESR dollars for clinicians, social workers, and community engagement to liaise with designated agencies or provide services in combination with designated agencies. It was reported that AOE has used ESR dollars to launch a platform to educate teachers on social and emotional learning. The goal is to embed social and emotional learning into classwork. Also, ESR funds are being used for mental health first aid training. DMH and AOE are working together to blend and braid funding to address student mental health needs. They are identifying data to build a wholistic picture of student mental health. Committee Chair Hooper said we need to make sure LEAs don't make decisions that hurt DAs.

DAIL budget was presented by Commissioner White. No changes in the Development Disabilities Division were requested.

## ***Plan to Participate in these Advocacy Events***

### **Mental Health Advocacy Day – January 31, 2022**

Join us for Mental Health Advocacy Day on January 31st from 10:00 a.m.-2:00 p.m. by Zoom. Vermonters including peers, staff, families and advocates will be advocating for an improved mental health and developmental disability services focusing on “Now is the Time for Hope & Recovery”. The agenda includes activities that will be of interest to all including a welcome address from state leaders a keynote presentation by Senate President Becca Baling, recognition of outstanding advocates, and community members sharing their mental health stories and experiences. For more information: Email Laurie Emerson - [lemerson@namivt.org](mailto:lemerson@namivt.org) or call 800-639-6480 x101 or Julie Tessler at [julie@vermontcarepartners.org](mailto:julie@vermontcarepartners.org), or phone 802-279-0464

**Registration to Share Your Story:** <https://zfrmz.com/O1HXF2d3NVHgkJu6o15z>

**Registration to Provide Testimony to Legislative Committees:**

<https://zfrmz.com/RRhKjXOU4oU8k9L2EcjI>

**More Resources:** <http://namivt.org/advocacy/advocacy-day/>

### **Legislative Advocacy Webinar – January 10, 2022**

Make your voice heard at the (virtual) Statehouse this year! January 10, 2022 10:00 am  
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 without ever going to the Statehouse. 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. You’ll learn how legislative work is getting done during the pandemic and how you can participate in the process.

Registration link: [https://us02web.zoom.us/webinar/register/WN\\_7iySwsaNTlqkO8bcgHiy7A](https://us02web.zoom.us/webinar/register/WN_7iySwsaNTlqkO8bcgHiy7A)

### **Homelessness Awareness Day - January 20, 2022**

Advocates, service providers, and dedicated Vermonters from across the state will convene virtually on January 20<sup>th</sup> for the annual Homelessness Awareness Day and Memorial Vigil. You can give testimony, share your story, or tune in via livestream on YouTube or Facebook to tell your lawmakers how we can alleviate and end homelessness in Vermont!

If you or anyone in your networks would be interested in sharing experience, please reach out to Molly Shimko at [mdavisshimko@capstonevt.org](mailto:mdavisshimko@capstonevt.org) or Martin Hahn at [mhahn@helpingtohousevt.org](mailto:mhahn@helpingtohousevt.org).

- Homelessness Awareness Day 2022 will take place on Zoom and will be live streamed on Facebook and YouTube. Folks watching the livestream can participate in the conversation by leaving comments and questions on either platform.
- Events will be scheduled between 9 am and 2 pm on January 20th. An agenda with a confirmed schedule will be sent out closer to the event date.
- Only those giving testimony or helping organize the event will be invited to join the Zoom call. If you would like to participate in any way, please reach out to [Molly](#) or [Martin](#).

### ***Information on Your Senators and Representatives***

Follow this link to determine your legislators and access their contact information. Legislators are listed both by DA/SSA and by the Committee they serve on. Please note there are new legislators on committees that have purview over policy and funding for the Vermont Care Partners network.

[2021 Legislative Committees by DA-SSA.xlsx](#)

### ***Action Circles Calendar***

Action Circles maintains a calendar of Legislative breakfasts and events. This information can be found at: <https://www.action-circles.com/legislator-events/>

### ***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
- Legislators' email addresses 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.

