



Supporting Vermonters to lead healthy and satisfying lives community by community

## LEGISLATIVE UPDATE FOR SESSION WEEK 2 (January 8<sup>th</sup> to 12<sup>th</sup>)

### The BAA is in Full Swing and the Housing Tri-partisan Bill Calls for Solutions

*On Wednesday many legislators, guests, lobbyists, and members of the press convened in the*



*Governor's ceremonial office for the press conference related to H.719, the tri-partisan bill connected to housing development and rehab which seeks to create long-term solutions to Vermont's housing crisis. There seemed to be much hope and excitement for the bill. We'll continue to follow it closely to ensure that it's supportive of those we serve. GA Housing was also front and center this week with presentations from DCF Commissioner, Chris Winters and Interim Director of OEO Lily Sojourner. We know that time is running out for folks supported by this program during the pandemic, including individuals with disabilities and families with young children. Meanwhile BAA conversations ramped*

*up this week with presentations from DAIL (among many other departments) and the House Human Services committee moved closer to making recommendations on budget items directly connected to our request. Lastly, we were invited to give testimony on mental health in schools. This testimony will happen in a joint meeting with House Healthcare and House Education on Wednesday, January 17<sup>th</sup> at 1:30pm.*

### THIS WEEK'S COMMITTEE AND WORKGROUP HIGHLIGHTS

**Senate Appropriations** - Department of Disabilities, Aging, and Independent Living (DAIL) BAA discussion. Commissioner Monica White, DAIL, presented the DAIL overview for BAA. The total net increase (all funds combined) is \$22,004,453. This includes Support and Services at Home (SASH) program funding \$541,947 and for the Brain Injury (BIP) caseload/utilization pressure \$300,000, which represents 4 additional people. The approximate total number of people served by the BIP is 42 in long-term care and 43 in rehabilitative care. Also included is a 5% increase from Global Commitment for rates not increased in the base budget, at \$917,500. This increase represents providers who did not receive an increase last year. The committee asked if the increase would be retroactive, and Commissioner White responded that it uses a Jan. 1 start date. Additional funds for Choices for Care are included to meet Emergency Financial Relief requests for nursing homes at \$17,000,000 and the \$2,835,000 Vermont Veterans Home cost settlement.



The committee asked for clarity on the timeline for Conflict Free Case Management costs. Deputy Commissioner Tierney-Ward responded that conflict free case management would be fully implemented in 2026 with budget work in-between.

**House Healthcare** – This week the social work licensure compact (H.543) was discussed. The ask from the committee was for a date change from January 1<sup>st</sup> to July 1<sup>st</sup> of 2025. No pushback on this change. No further discussion this week.

On Friday, **House Healthcare** did a walkthrough of H.721 – an act relating to expanding access to Medicaid and Dr. Dynasaur. The bill, in short, would expand coverage to individuals up to 26 years of age (non-inclusive). The committee discussed that the creation of the bill was driven by the need to bring down the cost of healthcare to make it more affordable and accessible for Vermonters. Rep. Houghton noted that during the height of the COVID pandemic the state saw success in Medicaid supports as more folks were able to access it. The bill also seeks to pay providers what they should get paid for their services. There are several noteworthy pieces of the bill. One specific section of the bill discusses. MEDICAID COVERAGE OF MENTAL HEALTH SERVICES FOR CHILDREN AND YOUNG ADULTS WITHOUT A DIAGNOSIS. The language reads as follows:

*The Department of Vermont Health Access shall amend its rules and provider manuals as necessary to ensure that children and young adults up to 26 years of age receive coverage for mental health services without a specific mental health diagnosis if they have one or more of the following life experiences:*

- (1) separation from a parent or guardian due to incarceration or immigration;*
- (2) death of a parent or guardian;*
- (3) death of a family member or friend by suicide;*
- (4) foster home placement;*
- (5) food insecurity or housing instability, or both;*
- (6) exposure to domestic violence or other traumatic events;*
- (7) maltreatment;*
- (8) severe and persistent bullying; or*
- (9) experience of discrimination based on race, ethnicity, gender identity, sexual orientation, religion, learning differences, or disability*

**Senate Health and Welfare** – This week the doula bill (S.109) finally made its way off the wall and the committee, along with leg council, did a walk-through of the bill. Senator Gulick introduced the bill noting her personal connection to the topic. This bill seeks to expand Medicaid access to doula services. The committee discussed the importance of doula work connected to health outcomes and health equity for marginalized and BIPOC families. Both WCMHS and NCSS have doula programs that support their regions and have demonstrated



great outcomes for families. We are working in partnership with the Vermont Early Childhood Advocacy Alliance to get folks on the docket to testify to the value of doula services during the perinatal period.

In addition to the doula bill, **Senate Health and Welfare** also did a walk-through, with leg council, of S.211 a bill that proposes a transfer of certain duties of Green Mountain Care Board to Director of Health Care Reform in AHS and to modify and/or eliminate other board duties. We will be following this bill closely and working with our partners at the Healthcare Association Coalition to see where we fit within the conversation.

**House Human Services & House General Housing** – This week DCF Commissioner Chris Winters along with Lily Sojourner, Interim Director of OEO, presented on GA Housing. Among other things, Commissioner Winters noted the importance of protections for mental health recovery programs to encourage development and circumvent zoning laws.

Lily Sojourner's presentation focused on what constitutes homelessness and cited statistics for VT in 2023 point-in-time count as of January 2023 (new count coming this winter/spring). Standout stats: 40% adults served by shelters have a mental health diagnosis, 28% have a SUD diagnosis, 38% other disability, 26% experience chronic homelessness.

Important questions raised by House General Housing committee:

- Are shelters actually more effective than hotel/motels?
- How are we here again after grant funds awarded last June?
- How do housing programs impact communities?

Chris Winters PowerPoint presentation can be found here:

[W~Chris Winters~Housing Presentation, Department for Children and Families~1-9-2024.pdf \(vermont.gov\)](#)

A GREAT overview of how housing support works in the state (presented by Lily Sojourner):

[Homeless Assistance \(vermont.gov\)](#)

**Department of Housing and Community Development** – On Thursday the Department hosted a webinar to walk through the new tri-partisan housing bill (H.719). The webinar highlighted the priorities that aim to create more housing units to increase and restore the state's housing supply, make housing more affordable for Vermont families, create more opportunities for renters and homebuyers, rehouse homeless Vermonters in more permanent units, and respond to the housing needs of our current and future workforce. For an overview of the bill and a link to the webinar recording click [HERE!](#)

**House Human Services** – We stopped by HHS to listen in on the BAA recommendations going in the memo to House Appropriations. We were informed that the recommendations would be



discussed on Tuesday of next week. The committee is working diligently to comb through the proposed budget and list of “asks” to the committee. We appreciate all the work that goes into ensuring that Vermonters have their needs met.

**House Healthcare and Senate Health and Welfare** – The AHEAD model was discussed.

LINK TO CMS’ AHEAD MODEL: <https://www.cms.gov/priorities/innovation/ahead/fags>

LINK TO AHEAD MODEL OVERVIEW IN VERMONT

[https://lifo.vermont.gov/assets/Meetings/Health-Reform-Oversight-Committee/2023-11-30/034b71a2c8/HROC\\_Jones-Trafton\\_2023-11-30.pdf](https://lifo.vermont.gov/assets/Meetings/Health-Reform-Oversight-Committee/2023-11-30/034b71a2c8/HROC_Jones-Trafton_2023-11-30.pdf)

### SPONSOR SPOTLIGHT SERIES

The Sponsor Spotlight Series is part of a collaboration produced by members of Vermont Care Partners – the statewide network for sixteen non-profit, community-based agencies providing mental health, substance use, and intellectual and developmental disability support.

This Week’s Agency Spotlight: [Community Care Network – Rutland Mental Health Services: Strengthening Families through Horses](#)

### BILLS, ACTS, RESOLUTIONS DISCUSSED THIS WEEK – QUICK LINKS

- [H.721- An act relating to expanding access to Medicaid and Dr. Dynasaur](#)
- [S.211 – An act relating to health care reform and the regulatory duties of the Green Mountain Care Board](#)
- [S.109 – An act relating to Medicaid coverage for doula services](#)
- [H.719 – An act relating to housing development and rehabilitation](#)
- [H.409 – Education; Seclusion and Restraints](#)
- [H.543 – Social Work Licensure Compact](#)
- [Act 27 \(S.89\) – An Act Related to Establishing a Forensic Facility](#)

### ADVOCACY TOOLS

The [Vermont General Assembly](#) website helps you to navigate the state house and get up to date information on:

- Committee assignments
- Weekly committee agendas
- Legislator information – including contact info, assigned committees, bio, sponsored bills, etc.



- Bills, acts, resolutions
- State house announcements and events
- Maps of the statehouse
- And more!

FIND YOUR LEGISLATOR! A handy list of key committees, committee members, and the DA/SSA connected to each. Find it [HERE](#)

Housing and Homelessness Alliance of Vermont – [2024 Legislative Priorities](#)

### IN THE NEWS

- [Nearly 30,000 Vermonters have lost Medicaid coverage in past 8 months](#)
- [Tri-partisan group of lawmakers joins Phil Scott to pitch sweeping housing proposal](#)
- [Scott administration proposes PCB testing slowdown as schools struggle to keep up](#)
- [Bill H.27 first to pass the house chamber – seeks to stop intimate partner violence](#)
- [Vermont House votes to establish overdoes prevention centers](#)
- [Adopting a “housing first” model in VT could end homelessness, advocates say](#)

### FY25 BUDGET ASK & STATUTE LANGUAGE

#### ***A Medicaid Rate Increase is A Top Priority***

Vermont Care Partners is requesting a 6.5% Medicaid rate increase as our top priority which yields a 5.63% increase overall for agencies. This rate increase is based on a robust analysis conducted by the VCP network agency finance directors of critical factors necessary to keep the lights on and maintain services for the people we serve. The analysis focused on five categories: salaries, health insurance, other fringe, other insurance, and all other operating expenses. The proposed increase combined the following factors:

- A 5% salary increase based on the U.S. Bureau of Labor Statistics;
- An average projected health insurance increase of 16.6%;
- An average projected increase of 7% for other fringe;
- General/liability/auto/property insurance projected to increase an average of 10.8%;  
and
- All other operating projected to increase 3.3% based on New England CPI, updated through October.

This analysis is consistent with 18 V.S.A. § 8914 which directs the Secretary of Human Services to adjust agency rates to take into account factors that reflect changes in reasonable costs of goods and services of designated and specialized service agencies, including those attributed to inflation and labor market dynamics.



## **Chapter 207 : Community Mental Health and Developmental Services**

**(Cite as: 18 V.S.A. § 8914)**

- **§ 8914. Rates of payments to designated and specialized service agencies**

(a) The Secretary of Human Services shall have sole responsibility for establishing the Departments of Health's, of Mental Health's, and of Disabilities, Aging, and Independent Living's rates of payments for designated and specialized service agencies that are reasonable and adequate to achieve the required outcomes for designated populations. When establishing rates of payment for designated and specialized service agencies, the Secretary shall adjust rates to take into account factors that include:

(1) the reasonable cost of any governmental mandate that has been enacted, adopted, or imposed by any State or federal authority; and

(2) a cost adjustment factor to reflect changes in reasonable costs of goods and services of designated and specialized service agencies, including those attributed to inflation and labor market dynamics.

(b) When establishing rates of payment for designated and specialized service agencies, the Secretary may consider geographic differences in wages, benefits, housing, and real estate costs in each region of the State. (Added 2017, No. 82, § 11, eff. June 15, 2017.)

We're also asking for an increase to the Eldercare program - The Eldercare program serves older Vermonters facing mental health and substance use challenges who have limited access to services and supports. An additional **\$453,000** GF is necessary to achieve full funding of the program which has been level funded for years.

### **UPCOMING EVENTS**

**Governor's Budget Address** – Slated for January 23, 2024, at 1pm

**Vermont Care Partners – Legislative Advocacy Webinar:** January 22, 2024, 12 - 1 PM. Please Register in advance: [https://us02web.zoom.us/webinar/register/WN\\_THn65NOPSUqY-fBttJm44Q](https://us02web.zoom.us/webinar/register/WN_THn65NOPSUqY-fBttJm44Q)



### **Join us for Mental Health Advocacy January 29, 2024**

On Monday, January 29<sup>th</sup> please join us from 10 AM to 2 PM for an interesting and interactive virtual webinar. This year's theme is **"Welcoming and Caring Communities – Belonging for All"**. The morning features a panel of legislators facilitated by Mental Health Commissioner Emily Hawes who will address how a sense of belonging contributes to mental wellness and how to best advocate for inclusive communities. A second panel facilitated by Robin Shabazz will be composed of people with diverse experiences who will address why belonging how to create a sense of belonging. We will also recognize unsung heroes with awards. In the afternoon people will share their stories of hope and recovery.

As part of this advocacy event VCP, VAMHAR and NAMI-VT, the organizers of the event, will be coordinating testimony at key legislative committees and will have a display set up at the card room in the State House.

#### **Registration Link for the Day of the**

**Event:** [https://us02web.zoom.us/webinar/register/WN\\_1gc2eCabS6uazCojYlkuUA](https://us02web.zoom.us/webinar/register/WN_1gc2eCabS6uazCojYlkuUA) (please register in advance)

**Registration to Share Your Story:** <https://namivt.org/2024-advocacy-day-share-your-story/>

#### **Agenda for Advocacy Day**

10:00 am Welcome and Introductions

10:15–11:00 am Legislative Panel: Advocacy to Strengthen our Sense Belonging and Mental Wellness

11:00–11:45 am Community Leader Panel: How does a sense of belonging support mental health and how can we strengthen it?

11:45–12:00 pm Mental Health Advocacy Day Awards

12:00–12:30 pm Lunch Break

12:30–2:00 pm Sharing Stories – Live and pre-recorded

Jan. 30–Feb. 2 Testimony at Key Legislative Committees (schedule to be sent once finalized)

**Vermont Care Partners – Legislative Advocacy Webinar:** January 22, 2024 (12 - 1 PM). Please Register in advance: [https://us02web.zoom.us/webinar/register/WN\\_THn65NOPSUqY-fBttJm44Q](https://us02web.zoom.us/webinar/register/WN_THn65NOPSUqY-fBttJm44Q) This is an excellent opportunity to learn advocacy skills and the information necessary to become an effective mental health advocate.

#### **Registration for NAMI Smarts Training - Saturday, January 13, 2024:**

Modules 1, 2 & 3 – "Telling Your Story, Contacting and Meeting Your Policymaker"

<https://namivt.org/advocacy/nami-smarts-registration/>

#### **Homelessness Awareness Day – Thursday January 18, 2024**



Service and shelter providers and housing advocates from across the state will join homeless and formerly homeless Vermonters to reflect on all we must do in the coming year to end homelessness in Vermont!

This year's Homelessness Awareness Day will take place at the statehouse in Montpelier, virtually, and at many locations around the state on Thursday January 18th. The Housing & Homelessness Alliance of Vermont, Vermont Interfaith Action, and Chittenden County Homeless Alliance are sponsoring the activities related to Homelessness Awareness Day.

[2024 Homelessness Awareness Day - Vermont Coalition to End Homelessness \(helpingtohousevt.org\)](https://helpingtohousevt.org)

### **NAMI-VT Fact Sheet on Mental Health**

Here is the [NAMI-VT fact sheet on mental health](#).

## **VERMONT CARE PARTNERS' 2024 LEGISLATIVE PRIORITIES**

### ***Other Important Legislative Priorities Include:***

1. Educating about the Value of Designated and Specialized Service Agencies
2. I/DD Service Delivery and Payment Reform
3. Educating about the Increasing Acuity of Individuals with I/DD including those with Forensic Needs
4. Planning and Implementing of the CCBHC Model
5. Adjustments for Mental Health Warrant Statute Act 25
6. Access to Affordable Housing for Staff and People Served including Supportive Housing Maintaining Community-Based Principles and Principles of the DD Act and State System of Care Plan
7. Current or Anticipated Gaps in Services for Investments as Acuity and Demand Increases
8. Investment in Home and Community-Based Services in Health Reform Initiatives
9. Strong Stakeholder Involvement in Payment and Service Delivery Reform Process for Substance Use Services
10. Suicide Prevention
11. Peer Certification Program, Training and Medicaid Funding
12. Reducing Unnecessary Use of Seclusion and Restraint
13. Expand Access to Affordable Housing
14. Preventing NIMBYism to Support Residential and Treatment Facility Development
15. Sustainable Funding for Public Inebriate Programs
16. Access to Early Childhood Mental Health Consultation Services
17. Mental Health Needs of Individuals Involved in Law Enforcement and Criminal Justice Systems
18. Adoption by Vermont of the Social Work Interstate Compact
19. Protection of ABLE Savings Accounts
20. Improved Funding for Applied Behavioral Analysis (ABA)





- 21. Increased Resources for Youth Crisis Stabilization Across Vermont**
- 22. Medicaid funding for doula services**