

1 S.116

2 Introduced by Senators Ayer, Bartlett, Campbell, Giard, Hartwell,

3 MacDONald, McCormack, Nitka and White

4 Referred to Committee on

5 Date:

6 Subject: Health; prevention; undocumented workers; agriculture; food service;

7 screening; diagnosis

8 Statement of purpose: This bill proposes to create a public health program for

9 undocumented agricultural and food service workers to provide preventive and

10 prenatal health services and education.

11 An act relating to public health and preventive health services for
12 agricultural and food service workers

13 It is hereby enacted by the General Assembly of the State of Vermont:

14 Sec. 1. 33 V.S.A. chapter 19, subchapter 9 is added to read:

15 Subchapter 9. Healthy Workers Program

16 § 2091. POLICY AND PURPOSE

17 It is the intention of the general assembly to establish the healthy workers

18 program to provide preventive health services, prenatal care, outreach, and

19 education to workers employed in the Vermont agricultural sector.

1 § 2092. DEFINITIONS

2 For the purposes of this subchapter:

3 (1) “Agency” means the agency of human services.

4 (2) “Health service” shall have the same meaning as in section 4080f of
5 Title 8.

6 (3) “Immunizations” shall have the same meaning as in section 1130 of
7 Title 18.

8 (4) “Preventive care” shall have the same meaning as in section 4080f of
9 Title 8 and shall include screening for communicable disease and lead.

10 (5) “Promotor” and “promotora” mean a health educator who speaks the
11 native language of the people receiving outreach for preventive health care.

12 (6) “Resident” shall have the same meaning as in section 1982 of this
13 title.

14 (7) “Secretary” means the secretary of human services.

15 § 2093. ELIGIBILITY

16 (a) An individual shall be eligible for coverage of health services through
17 the healthy workers program if:

18 (1) the individual is a resident employed by a Vermont business in the
19 agricultural sector or residing with an eligible worker; and

20 (2) the individual’s household income is less than or equal to 300
21 percent of the federal poverty guideline for that individual’s family size.

1 (b) An individual's citizenship shall not be a factor of eligibility.

2 § 2094. REIMBURSABLE SERVICES

3 The healthy workers program shall provide payment to health care
4 professionals for preventive care and prenatal health services. Immunizations
5 shall be provided by the department of health through the immunization
6 program established by section 1130 of Title 18 or under this subchapter.
7 Prenatal health services shall be covered to the same extent as under the state
8 Medicaid program.

9 § 2095. ADMINISTRATION

10 (a) The agency or designee shall establish a healthy workers pilot program
11 in one or more counties of Vermont to deliver the following services: health
12 education outreach to the target population conducted by a promotor or
13 promotora, screening for communicable diseases, immunizations in accordance
14 with accepted practice of the Centers for Disease Control, referral to a
15 federally qualified health center or clinic for the uninsured for needed
16 treatment, and referral for prenatal care.

17 (b) The agency may contract with the University of Vermont in any of the
18 following ways: the medical school and school of nursing for the provision of
19 education, outreach program; the Area Health Education Centers for
20 community based education; and the Vermont Research Partnership for

1 evaluating the pilot program and for health care needs assessments of this
2 population in other Vermont counties.

3 (c) The agency or designee shall seek federal financial participation in the
4 pilot program established by subsection (a) of this section to the extent allowed
5 by federal law or waiver from federal law.

6 (d) No later than July 1, 2010, the agency or designee shall expand the
7 healthy workers program to provide coverage for services in all counties in the
8 state and shall, in advance of the statewide launch, adopt rules pursuant to
9 chapter 25 of Title 3 on specific criteria to demonstrate eligibility for
10 participation in the program.

11 (e) An individual aggrieved of an adverse decision under this subchapter
12 may appeal to the human services board.

13 Sec. 2. 21 V.S.A. § 495(h) is added to read:

14 (h) The provisions of this section prohibiting discrimination on the basis of
15 national origin shall include citizenship status.

16 Sec. 3. EFFECTIVE DATE

17 This act shall take effect upon passage, except that on or before July 1,
18 2010, the agency shall implement the healthy workers pilot program and
19 provide prenatal care for all eligible individuals.