



STATE OF VERMONT
GENERAL ASSEMBLY
HOUSE COMMITTEE ON HUMAN
SERVICES

REP. ANN PUGH, CHAIR
REP. SANDY HAAS, VICE CHAIR
REP. ANNE B. DONAHUE, RANKING MEMBER
REP. JILL KROWINSKI, CLERK
REP. LYNN BATCHELOR
REP. TOM BURDITT
REP. BILL FRANK
REP. PATSY FRENCH
REP. FRANCIS "TOPPER" MCFAUN
REP. MICHAEL MROWICKI
REP. MATTHEW TRIEBER

MEMORANDUM

To: Representative Martha Heath, Chair, House Committee on Appropriations
From: Representative Ann Pugh, Chair, House Committee on Human Services
Cc: Representative Shap Smith, Speaker, House of Representatives
Date: February 28, 2014
Subject: FY 2015 Budget Recommendations from House Human Services Committee

The House Human Services Committee supports many of the provisions in the Governor's proposed FY15 budget for the Agency of Human Services (AHS). There are a few areas, however, in which we believe that modifications are appropriate. As before, our priorities are guided by three goals:

- Ensuring that vulnerable Vermonters (children, seniors, and individuals with disabilities) are safe and protected
- Maintaining a structure that helps Vermonters to move out of poverty
- Preventing problems that can lead to even greater costs to the state

We will address several topics under each of these categories below.

Agency of Human Services Central Office: Integrated Family Services

The Committee supports the Governor's proposal to continue the Youth in Transition program, which was initially funded through the federal Youth in Transition grant. Consistent with the original grant, the Committee would like to see these funds distributed statewide.

Department for Children and Families (DCF): Child Development Division

The Committee accepts the proposed budget for the DCF Child Development Division. The Committee supports updating the poverty guidelines for eligibility and continuing to reward quality improvement through the STARS program but is concerned that there are some high-quality programs that are struggling financially and may be forced to close.

DCF: Economic Services Division

The Committee supports the budget proposals regarding housing in Secs. E.321 and E.321.1 and the mental health and substance abuse treatment services pilot.

The Committee supports the Reach Up proposals, including the Administration's proposal to allow nurse practitioners and physician assistants to provide the independent confirmation necessary for beneficiaries to obtain a medical deferment, which would require amending 33 V.S.A. § 1114 to read:

§ 1114. DEFERMENTS, MODIFICATIONS, AND REFERRAL

* * *

(b) The work requirements shall be either modified or deferred for:

* * *

(5) A participant who is needed in the home on a full or part-time basis in order to care for an ill or disabled parent, spouse, or child. In granting deferments, the Department shall fully consider the participant's preference as to the number of hours the participant is able to leave home to participate in work activities. A deferral or modification of the work requirement exceeding 60 days due to the existence of illness or disability pursuant to this subdivision shall be confirmed by the independent medical review of one or more physicians, physician assistants, or advanced practice registered nurses designated by the Secretary of Human Services prior to receipt of continued financial assistance under the Reach Up program.

* * *

(d) Absent an apparent condition or claimed physical, emotional, or mental condition, participants are presumed to be able-to-work. A participant shall have the burden of demonstrating the existence of the condition asserted as the basis for a deferral or modification of the work requirement. A deferral or modification of the work requirement exceeding 60 days due to the existence of conditions rendering the participant unable-to-work shall be confirmed by the independent medical review of one or more physicians, physician assistants, or advanced practice registered nurses designated by the Secretary of Human Services prior to receipt of continued financial assistance under the Reach Up program.

* * *

The Committee is also considering a bill, H.790, An act relating to Reach Up eligibility, which, if passed, will require review by the Appropriations Committee.

A majority of the Committee supports the Administration's budget net-neutral proposal to provide nominal LIHEAP support to certain individuals, which would amend the benefit limits in 33 V.S.A. § 2605 to read:

§ 2605. BENEFIT AMOUNTS

* * *

(f) Households that make undesignated payments for energy for home heat in the form of rent and are participating in a public, subsidized, or Section 8 housing program shall be eligible for a nominal annual home heating fuel assistance benefit of ~~\$5.00~~ \$21.00.

(g) Residents of the dwelling unit who make reasonable compensation in the form of room rent and who are not members of the same household shall be eligible for an annual home heating fuel assistance benefit in the amount of ~~\$50.00~~ \$21.00.

(h) Households receiving benefits from 3SquaresVT whose head of household is not otherwise eligible for a fuel benefit under this section shall be eligible for a nominal annual home heating fuel assistance benefit of ~~\$3.00~~ \$21.00.

DCF: Family Services Division

The Committee accepts the proposals regarding DCF's Family Services Division budget. The Committee supports the appropriation of funds for foster children to attend summer camps and the increase in General Funds due to the decrease in the Federal Medical Assistance Percentage (FMAP) for foster care.

Department of Disabilities, Aging, and Independent Living (DAIL)

The Committee accepts the proposed DAIL budget and agrees that there are no places for reasonable reductions or cuts. The Committee supports the continued funding of developmental disabilities services. In the Choices for Care budget, the Committee would like to be clear that the nursing home utilization assumptions in the Governor's proposed budget were not based on a consensus estimate. The Committee also recommends making some clarifying changes to the Choices for Care savings language from the FY14 budget, and its recommended language is attached.

Department of Health: Alcohol and Drug Abuse Programs

The Committee supports increased funding for substance abuse treatment and prevention. It recommends directing a portion of the funds to expand Medicaid beneficiaries' access to licensed alcohol and drug abuse counselors as described in the Department of Vermont Health Access section below.

Department of Health: Tobacco Programs

Tobacco prevention, control, and cessation are important public health issues, and the Tobacco Trust Fund represents a commitment to long-term public health. The Committee is very

disappointed that the Trust Fund continues to be viewed as a source of funding for areas of State government unrelated to public health, which is not in keeping with the State's commitment and puts tobacco control efforts at risk now and in the future.

Department of Mental Health (DMH)

The Committee accepts the DMH budget proposals, but in evaluating the current state of Vermont's mental health system, the Committee is distressed to find that two years after passage of Act 79 (2012 Acts and Resolves No.79), the financial commitment to community-based psychiatric care is not consistent with the goals of that Act. This has occurred for a number of reasons, including higher than anticipated overhead costs for operating the Vermont Psychiatric Care Hospital, federal cuts to HUD housing, and the end of the federal grant to Pathways. Due to these pressures, housing subsidies cannot be backfilled, the opening of Soteria House will be delayed, seven authorized intensive residential recovery beds in Chittenden County are on hold indefinitely, and the warmline is not operating on a 24/7 basis. The Committee supports exploring efforts to maintain the housing supports integral to the Pathways service model.

The Committee expects that the Vermont Psychiatric Care Hospital will have transitioned to the sole use of electronic health records by 2017. The Committee hopes that the Department of Mental Health's fiscal year 2016 budget presentation will include a plan for funding that transition. The Committee also proposes additional language (attached).

Department of Vermont Health Access: Licensed Alcohol and Drug Abuse Counselors

The Committee passed H.69, An act relating to licensed alcohol and drug abuse counselors as participating providers in Medicaid, on a vote of 10-0-1 and feels that it represents a significant step toward increasing access to substance abuse counseling for Medicaid beneficiaries. It is a priority for the Human Services Committee, which urges the Appropriations Committee to direct a portion of the funds allocated for substance abuse treatment to cover the estimated cost of this expansion in access to care.

Additional bills in the Human Services Committee

In addition to H.790 regarding Reach Up eligibility, the Committee is also considering H.620, An act relating to payment error rates in 3SquaresVT, and H.699, An act relating to temporary housing. All of these bills, if they are voted favorably out of the Committee, will likely require appropriations affecting the Agency of Human Services budget.

New Position: Marijuana Registry Administrator (Sec. E.100)

The Committee did not take sufficient testimony on this topic to form a recommendation. If the Appropriations Committee feels strongly that the Committee's input is necessary, the Committee would be happy to take testimony on this topic after Town Meeting Week.

Public Inebriates (Sec. E.338)

The Committee did not take sufficient testimony on this topic to form a recommendation. If the Appropriations Committee feels strongly that the Committee's input is necessary, the Committee would be happy to take testimony on this topic after Town Meeting Week.