

Excerpted from the FY 2014 Budget

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Sec. E.308 CHOICES FOR CARE; SAVINGS, REINVESTMENTS, AND SYSTEM ASSESSMENT

(a) In the Choices for Care program, “savings” means the difference between the annual amount of funds appropriated for Choices for Care, excluding allocations for the provision of acute care services, and the sum of expended and obligated funds remaining at the conclusion of the fiscal year.

(b)(1) Any funds appropriated for long-term care under the long-term care waiver authorized by this section shall be used for long-term services and supports to recipients. In using these funds, the Department of Disabilities, Aging, and Independent Living shall give priority for services to individuals assessed as having high and highest needs and meeting the terms and conditions of the waiver as approved by the Centers for Medicare and Medicaid Services.

(2) Priority for the use of any savings from the long-term care appropriation after the needs of all individuals meeting the terms and conditions of the waiver have been met shall be given to home- and community-based services. Savings may be used for quality improvement purposes in nursing homes. Savings either shall be allocated and spent in ways that are sustainable into the future and that do not create an unsustainable base budget or shall be spent as one-time reinvestments that do not require sustainability into the future. Excluding appropriations allocated for the provision of acute services, any unexpended and unobligated state General or Special Fund appropriation at the close of a fiscal year shall be carried over to the next fiscal year. The Department of Disabilities, Aging, and Independent Living shall not obligate funds to reduce the calculation of savings in any fiscal year or reduce the base funding needed in a subsequent fiscal year prior to calculating savings for the current fiscal year.

(c) The Department in collaboration with long-term care providers shall conduct an annual assessment of the adequacy of the provider system for delivery of home- and community-based services and nursing home services. On or before October 1 of each year, the Department of Disabilities, Aging and Independent Living shall report the results of this assessment to the House Committees on Appropriations and on Human Services and to the Senate Committees on Appropriations and on Health and Welfare for the purpose of informing the reinvestment of savings during the budget adjustment process.

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(d) Annually on or before January 15, the Department of Disabilities, Aging, and Independent Living shall propose reinvestment of savings as calculated pursuant to this section to the General Assembly as part of the Department’s proposed budget adjustment presentation.

(e) Concurrent with the procedures set forth in 32 V.S.A. § 305a, the Joint Fiscal Office and the Secretary of Administration shall provide to the Emergency Board their respective estimates of caseloads and expenditures for programs under the Choices for Care Medicaid Section 1115 waiver.