

No. 117. An act relating to extending the moratorium on home health agency certificates of need.

(S.256)

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

Sec. 1. 2010 Acts and Resolves No. 83, Sec. 1 is amended to read:

Sec. 1. FINDINGS

The ~~general assembly~~ General Assembly finds that:

* * *

(5) A temporary suspension of the granting of any certificate of need for a new home health agency is warranted for the following reasons:

(A) to measure the impact of the statewide certificate of need granted to a for-profit home health agency; ~~and~~

(B) to allow time for the ~~state~~ State to consider changes to the certificate of need law and engage in long-term planning in this complex and increasingly important area of health care services; and

(C) to allow time for the Executive Branch and the Green Mountain Care Board to implement health care reform initiatives such as accountable care organizations and an all-payer model, which will likely have a significant impact on home health agencies and the rest of Vermont's health care delivery system.

Sec. 2. 2010 Acts and Resolves No. 83, Sec. 2, as amended by 2013 Acts and Resolves No. 65, Sec. 1, is further amended to read:

Sec. 2. CERTIFICATE OF NEED WORK GROUP; MORATORIUM

* * *

(d) Notwithstanding any other provision of law, no CON shall be granted for the offering of home health services, which includes hospice, or for a new home health agency during the period beginning on the effective date of this act and continuing through January 1, ~~2017~~ 2020, or until the General Assembly lifts the moratorium after considering a progress report on the Green Mountain Care Board's implementation of its health care reform initiatives and health planning function and how ~~it relates~~ they relate to home health agencies, whichever occurs first; provided, however, that the moratorium established pursuant to this subsection shall not apply to a continuing care retirement community that has been issued a certificate of authority or to a licensed home for the terminally ill as defined in 33 V.S.A. § 7102.

* * *

Sec. 3. 2013 Acts and Resolves No. 65, Sec. 2 is amended to read:

Sec. 2. PERIODIC HEALTH PLANNING FUNCTION PROGRESS
REPORTS

For as long as the moratorium continues for certificates of need for the offering of home health services, as established in 2010 Acts and Resolves No. 83, Sec. 2, as amended by 2013 Acts and Resolves No. 65, Sec. 1 and this

act, the Green Mountain Care Board shall provide to the House Committees on Health Care and on Human Services and the Senate Committee on Health and Welfare any progress reports the Board generates on its implementation of its health care reform initiatives and health planning function and how ~~it relates~~ they relate to home health agencies.

Sec. 4. EFFECTIVE DATE

This act shall take effect on July 1, 2016.

Date Governor signed bill: May 17, 2016