in Vermont law

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1	H.128
2	Introduced by Representatives Evans of Essex, O'Brien of Richmond, Sharpe
3	of Bristol, and Toleno of Brattleboro
4	Referred to Committee on
5	Date:
6	Subject: Executive; Legislature; results-based accountability; common
7	language
8	Statement of purpose of bill as introduced: This bill proposes amendments to
9	Vermont law in accordance with 2014 Acts and Resolves No. 186 (An act
10	relating to reporting on population-level outcomes and indicators and on
11	program-level performance measures), which established the framework that
12	enables State government to use results-based accountability (RBA) to assist in
13	its decision making. Amendments in this bill would change language in
14	Vermont laws that already require performance analysis so that those laws use
15	RBA's common language. In RBA, the General Assembly establishes
16	population-level "outcomes," which are analyzed using "indicators," and the
17	Executive Branch analyzes the "results" of its programs using "performance
18	measures" that it establishes.
19	An act relating to the use of results-based accountability common language

1	It is hereby enacted by the General Assembly of the State of Vermont:
2	* * * Governor's Development Cabinet * * *
3	Sec. 1. 3 V.S.A. § 2293 is amended to read:
4	§ 2293. DEVELOPMENT CABINET
5	* * *
6	(b) Development Cabinet.
7	(1) A Development Cabinet is created, to consist of the Secretaries of
8	the Agencies of Administration, of Agriculture, Food and Markets, of
9	Commerce and Community Development, of Education, of Natural Resources,
10	and of Transportation. The Governor or the Governor's designee shall chair
11	the Development Cabinet.
12	(2) The Development Cabinet shall advise the Governor on how best to
13	implement the purposes of this section, and shall recommend changes as
14	appropriate to improve implementation of those purposes.
15	(3) The Development Cabinet may establish interagency work groups to
16	support its mission, drawing membership from any agency or department of
17	State government. Any interagency work groups established under this
18	subsection shall evaluate, test the feasibility of, and suggest alternatives to
19	economic development proposals, including proposals for public-private
20	partnerships, submitted to them for consideration. The Development Cabinet

shall refer to appropriate interagency workgroups any economic development

1	proposal that has a significant impact on the inventory or use of State land or
2	buildings.
3	* * *
4	(d)(1) Pursuant to the recommendations of the Oversight Panel on
5	Economic Development created in 2010 Acts and Resolves No. 146, Sec. 66
6	Sec. G6, the Development Cabinet shall create an interagency work group as
7	provided in subsection (b) of this section with the Secretary of Commerce and
8	Community Development serving as its chair.
9	(2) The mission of the Work Group shall be to develop a long-term
10	economic development plan for the State, which shall identify goals and
11	recommend actions to be taken over ten years, and which shall be consistent
12	with the four goals principles of economic development identified in
13	10 V.S.A. § 3 and the <u>relevant population-level</u> outcomes for economic
14	development identified in 2010 Acts and Resolves No. 68, Sec. 8 set forth in
15	<u>3 V.S.A. § 2311</u> .
16	***
17	Sec. 2. 10 V.S.A. § 3 is amended to read:
18	§ 3. ECONOMIC DEVELOPMENT; LONG TERM GOALS PRINCIPLES;
19	REVIEW AND ASSESSMENT
20	(a) For purposes of the Vermont Statutes Annotated and state State
21	economic development programs and assistance, "economic development"

20

1	means the process of generating economic wealth and vitality, security, and
2	opportunity for all Vermonters.
3	(b) There are established the following four principal, interrelated goals
4	principles for future economic development in Vermont:
5	(1) Vermont's businesses, educators, nongovernmental organizations,
6	and government form a collaborative partnership that results in a highly skilled
7	multigenerational workforce to support and enhance business vitality and
8	individual prosperity.
9	(2) Vermont invests in its digital, physical, and human infrastructure as
10	the foundation for all economic development.
11	(3) Vermont state State government takes advantage of its small scale to
12	create nimble, efficient, and effective policies and regulations that support
13	business growth and the economic prosperity of all Vermonters.
14	(4) Vermont leverages its brand and scale to encourage a diverse
15	economy that reflects and capitalizes on our rural character, entrepreneurial
16	people, and reputation for environmental quality.
17	(c) The four principal goals principles shall be used to guide the design and
18	implementation of each economic development program, policy, or initiative

that is sponsored or financially supported by the state State, its subdivisions,

agencies, authorities, or private partners.

(d)(1) The commission on the future of economic development, or a working group thereof designated by the general assembly, shall work with the state economists and the joint fiscal office to adopt benchmarks for the four principal goals.

(2) The commission or workgroup thereof shall on or before January 15, 2010 report to the house committee on commerce and economic development, the senate committee on finance, and the senate committee on economic development, housing and general affairs concerning its review of the goals, benchmarks, and agency progress pursuant to this subsection.

(3) On or before January 15, 2010, the commission shall recommend to the senate committee on economic development, housing and general affairs, the senate committee on finance, the house committee on commerce and economic development, the house committee on ways and means, and the governor on whether it would promote the best interests of Vermont for the commission to continue its review of the goals and benchmarks, or if a successor to that responsibility should be designated. Notwithstanding any recommendation, the commission shall continue to perform the review unless and until a successor is designated by legislation approved by the legislature and the governor.

1	* * * Partnerships for Children, Families, and Individuals * * *
2	Sec. 3. 3 V.S.A. § 3026 is amended to read:
3	§ 3026. PARTNERSHIPS FOR CHILDREN, FAMILIES, AND
4	INDIVIDUALS
5	(a)(1) The Secretary of Human Services, the Secretary of Education, and
6	the President of the University of Vermont shall establish a research
7	partnership to study and make recommendations for improving the
8	effectiveness of State and local health, human services, and education
9	programs. Critical program outcomes relating to the well-being of Vermonters
10	that should be addressed by the research partnership may include the
11	following:
12	(1) Children, families, and individuals are engaged in and contribute to
13	their community's decisions and activities.
14	(2) Pregnant woman and children thrive.
15	(3) Children are ready for school.
16	(4) Children succeed in school.
17	(5) Children live in stable, supported families.
18	(6) Youth choose healthy behaviors.
19	(7) Youth successfully transition to adulthood.
20	(8) Elders and people with disabilities live with dignity and
21	independence in settings they prefer.

1	(9) Families and individuals live in safe and supportive communities.
2	(10) Adults lead healthy and productive lives. The research partnership
3	shall recommend critical program goals that support the relevant
4	population-level outcomes for children, families, and individuals set forth in
5	3 V.S.A. § 2311.
6	* * *
7	* * * Commission on Juvenile Justice * * *
8	Sec. 4. 3 V.S.A. § 3085c is amended to read:
9	§ 3085c. COMMISSION ON JUVENILE JUSTICE
10	* * *
11	(d)(1) There are established within the Commission, and reporting to the
12	Juvenile Justice Director, the following positions:
13	(A) A Prevention Specialist, responsible for programs intended to
14	reduce delinquency and crime among juvenile offenders, including mentoring
15	programs, early assessments, substance abuse screening, child care services,
16	afterschool programs, and screening for problems which contribute to
17	delinquency and juvenile crime.
18	(B) An Alternative Sanctions Specialist, responsible for programs
19	providing alternatives to incarceration, including court diversion, probation,
20	reparative boards, and community justice programs.

1	(2) The Specialists designated under subdivision (1) of this subsection
2	shall:
3	(A) work with communities throughout the State, and analyze data
4	and outcomes results, to evaluate the efficiency and success of juvenile justice
5	programs;
6	* * *
7	* * * Pesticide Advisory Council * * *
8	Sec. 5. 6 V.S.A. § 1102 is amended to read:
9	§ 1102. PESTICIDE ADVISORY COUNCIL ESTABLISHED
10	* * *
11	(d) The functions of the council Council are:
12	* * *
13	(6) To recommend benchmarks targets with respect to the state State
14	goal of achieving an overall reduction in the use of pesticides consistent with
15	sound pest or vegetative management practices, and to issue an annual report
16	to the general assembly General Assembly, detailing the state's State's
17	progress in reaching those benchmarks targets and attaining that goal. The
18	benchmarks targets should be designed to enable evaluation of multiple
19	indicators measures of pesticide usage, use patterns, and associated risks.
20	Benchmarks Targets should take into consideration, but shall not be limited to
21	at a minimum the following:

1	(A) Reducing reducing the amount of acreage where pesticides are
2	used- <u>;</u>
3	(B) Reducing reducing the risks associated with the use of
4	pesticides- <u>;</u>
5	(C) Increasing increasing the acreage managed by means of
6	integrated pest management techniques-;
7	(D) Decreasing decreasing, within each level of comparable risk, the
8	quantity of pesticides applied per acre-; and
9	(E) Recommendations making recommendations regarding the
10	implementation of other management practices that result in decreased
11	pesticide use.
12	* * *
13	* * * Vermont Farm Viability Enhancement Program * * *
14	Sec. 6. 6 V.S.A. § 4710 is amended to read:
15	§ 4710. VERMONT FARM VIABILITY ENHANCEMENT PROGRAM
16	(a) The Vermont farm viability enhancement program Farm Viability
17	Enhancement Program is a voluntary program established in the agency of
18	agriculture, food and markets Agency of Agriculture, Food and Markets to
19	provide assistance to Vermont farmers to enhance the financial success and
20	long-term viability of Vermont agriculture. In administering the program
21	Program, the secretary Secretary shall:

1 \*\*\*

(d) In consultation with the advisory board, the secretary of agriculture, food and markets Secretary of Agriculture, Food and Markets and the Vermont housing and conservation board Housing and Conservation Board shall establish grant criteria, performance goals, evaluative performance measures that demonstrate Program results, and other criteria to implement the program Program. The grant criteria shall include at least the following requirements:

8 \*\*\*

Housing and Conservation Board, the secretary of agriculture, food and markets Secretary of Agriculture, Food and Markets shall report in writing to the senate and house committees on agriculture Senate Committee on Agriculture and the House Committee on Agriculture and Forest Products on or before January 31 of each year with a report on the activities and performance of the farm viability enhancement program Farm Viability

Enhancement Program. At a minimum, the report shall include an evaluation of the program Program utilizing the performance goals and evaluative performance measures established in consultation with the advisory board pursuant to subsection (b) of this section. The report should assess potential demand for the program Program over the succeeding three years. Further, the agency of agriculture, food and markets

1	(2) The Agency of Agriculture, Food and Markets and the Vermont
2	housing and conservation board Housing and Conservation Board shall
3	describe in their annual budget submissions plans to develop adequate state
4	State, federal, and private funds to carry out this initiative.
5	* * *
6	* * * Vermont Housing and Conservation Board * * *
7	Sec. 7. 10 V.S.A. § 321 is amended to read:
8	§ 321. GENERAL POWERS AND DUTIES
9	(a) The Board shall have all the powers necessary and convenient to carry
10	out and effectuate the purposes and provisions of this chapter, including
11	without limitation those general powers provided to a business corporation by
12	Title 11A and including, without limiting the generality of the foregoing, the
13	power to:
14	(1) upon application from an eligible applicant in a form prescribed by
15	the Board, provide funding in the form of grants or loans for eligible activities;
16	(2) enter into cooperative agreements with private organizations or
17	individuals or with any agency or instrumentality of the United States or of this
18	State to carry out the purposes of this chapter;
19	(3) issue rules in accordance with 3 V.S.A. chapter 25 for the purpose of
20	administering the provisions of this chapter; and

1	(4) transfer funds to the Department of Housing and Community
2	Development to carry out the purposes of this chapter.
3	(b)(1) The Board shall seek out and fund not for profit nonprofit
4	organizations and municipalities that can assist any region of the State which
5	has high housing prices, high unemployment, and low per capita incomes in
6	obtaining grants and loans under this chapter for perpetually affordable
7	housing.
8	(2) The Board shall administer the "HOME" affordable housing
9	program which was enacted under Title II of the Cranston-Gonzalez National
10	Affordable Housing Act (Title II, P.L. 101-625, 42 U.S.C. 12701-12839). The
11	State of Vermont, as a participating jurisdiction designated by Department of
12	Housing and Urban Development, shall enter into a written memorandum of
13	understanding with the board Board, as subrecipient, authorizing the use of
14	HOME funds for eligible activities in accordance with applicable federal law
15	and regulations. HOME funds shall be used to implement and effectuate the
16	policies and purposes of this chapter related to affordable housing. The
17	memorandum of understanding shall include performance measures and
18	outcomes results that the Board will annually report on to the Vermont
19	Department of Housing and Community Development.

1	* * * Farm-to-Plate Investment Program * * *
2	Sec. 8. 10 V.S.A. § 330 is amended to read:
3	§ 330. THE FARM-TO-PLATE INVESTMENT PROGRAM; CREATION;
4	GOALS; TASKS; METHODS
5	* * *
6	(c) Tasks.
7	* * *
8	(4) The farm to plate investment program Farm-to-Plate Investment
9	Program strategic plan shall also include recommendations regarding
10	measurable outcomes goals that shall be tracked over the ten-year life of the
11	plan Plan; methods for the ongoing collection of data necessary to track those
12	outcomes goals; plans for updating the plan Plan as needed; and appropriate
13	methods to track the ongoing economic contribution of the farm and food
14	sector to the Vermont economy.
15	* * *
16	* * * Workforce Education, Training, and Development * * *
17	Sec. 9. 10 V.S.A. § 540 is amended to read:
18	§ 540. WORKFORCE EDUCATION AND TRAINING LEADER
19	The Commissioner of Labor shall be the leader of workforce education and
20	training in the State, and shall have the authority and responsibility for the

1	coordination of workforce education and training within State government,
2	including the following duties:
3	* * *
4	(7) Notwithstanding any provision of State law to the contrary, and to
5	the fullest extent allowed under federal law, ensure that in each State and
6	State-funded workforce education and training program, the program
7	administrator collects and reports data and outcomes results at the individual
8	level by Social Security Number or an equivalent.
9	Sec. 10. 10 V.S.A. § 542 is amended to read:
10	§ 542. REGIONAL WORKFORCE EDUCATION AND TRAINING
11	(a) The Commissioner of Labor, in coordination with the Secretary of
12	Commerce and Community Development, and in consultation with the
13	Workforce Investment Board, is authorized to issue performance grants to one
14	or more persons to perform workforce education and training activities in a
15	region.
16	(b) Each grant shall specify the scope of the workforce education and
17	training activities to be performed and the geographic region to be served, and
18	shall include outcomes and performance measures and results to evaluate the
19	grantee's performance.

1	* * * Vermont Career Internship Program * * *
2	Sec. 11. 10 V.S.A. § 544 is amended to read:
3	§ 544. VERMONT CAREER INTERNSHIP PROGRAM
4	(a)(1) The Department of Labor, in consultation with the Agency of
5	Education, shall develop and implement a statewide Vermont Career
6	Internship Program for Vermonters who are in high school or in college and
7	for those who are recent graduates of 24 months or less.
8	(2) The Department of Labor shall coordinate and provide funding to
9	public and private entities for internship programs that match Vermont
10	employers with students from public and private secondary schools, regional
11	technical centers, the Community High School of Vermont, colleges, and
12	recent graduates of 24 months or less.
13	(3) Funding awarded through the Vermont Career Internship Program
14	may be used to administer an internship program and to provide participants
15	with a stipend during the internship, based on need. Funds may be made only
16	to programs or projects that do all the following:
17	(A) do not replace or supplant existing positions;
18	(B) create real workplace expectations and consequences;
19	(C) provide a process that measures progress toward mastery of
20	skills, attitude, behavior, and sense of responsibility required for success in that
21	workplace;

1	(D) are designed to motivate and educate secondary and
2	postsecondary students and recent graduates through work-based learning
3	opportunities with Vermont employers that are likely to lead to real
4	employment;
5	(E) include mechanisms that promote employer involvement with
6	secondary and postsecondary students and curriculum and the delivery of
7	education at the participating schools; and
8	(F) offer participants a continuum of learning, experience, and
9	relationships with employers that will make it financially possible and
10	attractive for graduates to continue to work and live in Vermont.
11	(4) As used in this section, "internship" means a learning experience
12	working with an employer where the intern may, but does not necessarily,
13	receive academic credit, financial remuneration, a stipend, or any combination
14	of these.
15	(b) The Department of Labor, in collaboration with the Agencies of
16	Agriculture, Food and Markets and of Education, State-funded postsecondary
17	educational institutions, the Workforce Investment Board, and other State
18	agencies and departments that have workforce education and training and
19	training monies, shall:

1	(2) collect data and establish program goals and <del>quantifiable</del>
2	performance measures that demonstrate program results for internship
3	programs funded through the Vermont Career Internship Program;
4	* * *
5	* * * Vermont Forestry and Forest Products Viability Program * * *
6	Sec. 12. 10 V.S.A. § 2721 is amended to read:
7	§ 2721. VERMONT FORESTRY AND FOREST PRODUCTS VIABILITY
8	PROGRAM
9	(a) The Vermont forestry and forest products viability program Forestry
10	and Forest Products Viability Program is a voluntary program established at
11	the department of forests, parks and recreation Department of Forests, Parks
12	and Recreation to provide assistance to Vermont timber harvesters, foresters,
13	and forest products manufacturers to enhance the financial success and
14	long-term viability of the Vermont forest products industry. In administering
15	the program Program, the commissioner Commissioner shall:
16	* * *
17	(5) In consultation with the Vermont housing and conservation board
18	Housing and Conservation Board, other state State agencies, foresters,
19	harvesters, and forest products manufacturers, establish:
20	* * *

1	(C) performance goals, evaluative performance measures that
2	demonstrate Program results, and other criteria to implement and evaluate the
3	effectiveness of the Forestry and Forest Products Viability Program.
4	* * *
5	(c) The Commissioner of Forests, Parks and Recreation shall report in
6	writing to the Senate Committee on Agriculture and the House Committee on
7	Agriculture and Forest Products and the Senate and House Committees on
8	Natural Resources and Energy on or before January 31 of each year on the
9	activities and performance of the forestry and forest products viability
10	program. The provisions of 2 V.S.A. § 20(d) (expiration of required reports)
11	shall not apply to the report to be made under this subsection. At a minimum,
12	the report shall include:
13	(1) an evaluation of the program Program utilizing the performance
14	goals and evaluative performance measures established pursuant to subdivision
15	(a)(5)(C) of this section;
16	* * *
17	* * * Prekindergarten Education * * *
18	Sec. 13. 16 V.S.A. § 829 is amended to read:
19	§ 829. PREKINDERGARTEN EDUCATION
20	* * *

1	(e) Rules. The Secretary of Education and the Commissioner for Children
2	and Families shall jointly develop and agree to rules and present them to the
3	State Board for adoption under 3 V.S.A. chapter 25 as follows:
4	* * *
5	(10) To establish a system by which the Agency of Education and
6	Department for Children and Families shall jointly monitor and evaluate
7	prekindergarten education programs to promote optimal outcomes results for
8	children that support the relevant population-level outcomes set forth in
9	3 V.S.A. § 2311 and to collect data that will inform future decisions. The
10	Agency and Department shall be required to report annually to the General
11	Assembly in January. At a minimum, the system shall monitor and evaluate:
12	(A) programmatic details, including the number of children served,
13	the number of private and public programs operated, and the public financial
14	investment made to ensure access to quality prekindergarten education;
15	(B) the quality of public and private prekindergarten education
16	programs and efforts to ensure continuous quality improvements through
17	mentoring, training, technical assistance, and otherwise; and
18	(C) the outcomes results for children, including school readiness and
19	proficiency in numeracy and literacy.

1	* * * Special Education * * *
2	Sec. 14. 16 V.S.A. § 2974 is amended to read:
3	§ 2974. SPECIAL EDUCATION PROGRAM; FISCAL REVIEW
4	(a) Annually, the Secretary shall report to the State Board regarding:
5	* * *
6	(3) outcomes results for special education students;
7	* * *
8	* * * Education Finance * * *
9	Sec. 15. 16 V.S.A. § 4011a is amended to read:
10	§ 4011a. EARLY COLLEGE PROGRAM; REPORT; APPROPRIATION
11	(a) Notwithstanding 2 V.S.A. § 20(d), any postsecondary institution
12	receiving funds pursuant to subsection 4011(e) of this title shall report annually
13	in January to the Senate and House Committees on Education regarding the
14	level of participation in the institution's early college program, the success in
15	achieving the stated goals of the program to enhance secondary students'
16	educational experiences and prepare them for success in college and beyond,
17	and the specific outcomes results for participating students relating to
18	programmatic goals.
19	* * *

1	* * * Community Health and Wellness Grants * * *
2	Sec. 16. 18 V.S.A. § 104b is amended to read:
3	§ 104b. COMMUNITY HEALTH AND WELLNESS GRANTS
4	(a) The commissioner Commissioner shall establish a program for
5	awarding competitive, substantial, multi-year grants to comprehensive
6	community health and wellness projects. Successful projects must:
7	* * *
8	(3) be goal and outcome result driven;
9	(4) use strategies that have been demonstrated to be effective in reaching
10	the desired <del>outcome</del> goal;
11	* * *
12	* * * Blueprint for Health * * *
13	Sec. 17. 18 V.S.A. § 702 is amended to read:
14	§ 702. BLUEPRINT FOR HEALTH; STRATEGIC PLAN
15	* * *
16	(d) The Blueprint for Health shall include the following initiatives:
17	* * *
18	(5) The adoption and maintenance of clinical quality and performance
19	measures, aligned with but not limited to existing outcome measures within
20	indicators related to outcomes set forth in 3 V.S.A. § 2311 that are relevant to
21	the agency of human services Agency of Human Services, to be reported by

<u>Department of Mental Health</u> shall:

1	health care professionals, providers, or health insurers and used to assess and
2	evaluate the impact of the Blueprint for health Health and cost outcomes. In
3	accordance with a schedule established by the Blueprint executive committee
4	Executive Committee, all clinical quality and performance measures shall be
5	reviewed for consistency with those used by the Medicare program and
6	updated, if appropriate.
7	* * *
8	* * * Mental Health System of Care * * *
9	Sec. 18. 18 V.S.A. § 7253 is amended to read:
10	§ 7253. CLINICAL RESOURCE MANAGEMENT AND OVERSIGHT
11	The Commissioner of Mental Health, in consultation with health care
12	providers as defined in section 9432 of this title, including designated
13	hospitals, designated agencies, individuals with mental conditions or
14	psychiatric disabilities, and other stakeholders, shall design and implement a
15	clinical resource management system that ensures the highest quality of care
16	and facilitates long-term, sustained recovery for individuals in the custody of
17	the Commissioner.
18	* * *
19	(2) For the purpose of maintaining the integrity and effectiveness of the
20	clinical resource management system, the department of mental health

1	* * *
2	(D) use quality indicators measures, manageable data requirements,
3	and quality improvement processes to monitor, evaluate, and continually
4	improve the outcomes results for individuals and the performance of the
5	clinical resource management system;
6	* * *
7	Sec. 19. 18 V.S.A. § 7256 is amended to read:
8	§ 7256. REPORTING REQUIREMENTS
9	Notwithstanding 2 V.S.A. § 20(d), the Department of Mental Health shall
10	report annually on or before January 15 to the Senate Committee on Health and
11	Welfare and the House Committee on Human Services regarding the extent to
12	which individuals with a mental health condition or psychiatric disability
13	receive care in the most integrated and least restrictive setting available. The
14	Department shall consider measures from a variety of sources, including the
15	Joint Commission, the National Quality Forum, the Centers for Medicare and
16	Medicaid Services, the National Institute of Mental Health, and the Substance
17	Abuse and Mental Health Services Administration. The report shall address:
18	* * *
19	(4) individual recovery in terms of clinical, social, and legal outcomes
20	<u>results;</u>

1	(7) outcome performance measures that demonstrate results and
2	other data on individuals for whom petitions for involuntary medication are
3	filed; and
4	* * *
5	Sec. 20. 18 V.S.A. § 9461 is amended to read:
6	§ 9461. QUALITY <del>INDICATORS</del> <u>MEASURES</u>
7	(a) The department of financial regulation Department of Financial
8	Regulation shall develop performance quality indicators measures to evaluate
9	and ensure that health insurers, including managed care organizations that
10	contract with health insurers to administer the insurers' mental health benefits,
11	comply with the provisions of 8 V.S.A. § 4089b and related rules.
12	(b) The departments of health and of mental health Departments of Health
13	and of Mental Health shall develop clinical and performance quality measures
14	to evaluate and ensure that health care professionals and health care facilities
15	in Vermont provide high quality mental health and substance abuse treatment
16	services to their patients.
17	Sec. 21. 2014 Acts and Resolves No. 179, Sec. E.306.2 is amended to read:
18	Sec. E.306.2 SUBSTANCE ABUSE TREATMENT SERVICES
19	(a) Program Objectives Goals And Performance Measures:
20	(1) On or before September 15, 2014, the Chief of Health Care Reform,
21	the Secretary of Human Services, and the Commissioners of Health and of

Vermont Health Access in consultation with the Chief Performance Officer
shall submit to the Joint Fiscal Committee, the House and Senate Committees
on Appropriations, the House Committee on Human Services, and to the
Senate Committee on Health and Welfare the program objectives goals for the
State's substance abuse treatment services and three performance measures to
that demonstrate program results and measure success in reaching those
program objectives goals.

(2) Thereafter, annually, on or before January 15, the Chief, Secretary, and Commissioners shall report to those Committees on the service delivery system's success in reaching the program objectives goals using the performance measure data collected for those services.

12 \*\*:

(c) Transfer of Global Commitment Funds:

(1) Subsequent to meeting the requirements of subsection (a) of this section, the Secretary of Administration and the Chief of Health Care Reform are authorized to transfer Global Commitment funds from the Department of Vermont Health Access (DVHA) to the Office of Alcohol and Drug Abuse Programs for the Care Alliance for Opioid Addiction. A written notification shall be submitted to the Joint Fiscal Committee for funds transferred under this subdivision and shall include a description of the specific use of funds

1	within the Care Alliance for Opioid Addiction consistent with the objectives
2	goals identified in subsection (a) of this section.
3	* * *
4	(d) Payment Methodology:
5	(1) On or before March 15, 2015, the Chief of Health Care Reform,
6	Secretary of Human Services, and Commissioners of Health and of Vermont
7	Health Access shall submit to the House and Senate Committees on
8	Appropriations, the House Committee on Human Services, and to the Senate
9	Committee on Health and Welfare a report on designing the payment
10	methodology for substance abuse and mental health services to achieve the
11	objectives goals in subsection (a) of this section. The report shall include the
12	benefits, drawbacks, and costs of:
13	(A) rate setting;
14	(B) capitated funding;
15	(C) performance-based contracts;
16	(D) cost-based reimbursement;
17	(E) capacity grants; and
18	(F) bundled payments.

1	* * * Hospital Community Reports * * *
2	Sec. 22. 18 V.S.A. § 9405b is amended to read:
3	§ 9405b. HOSPITAL COMMUNITY REPORTS
4	(a) The Commissioner of Health, in consultation with representatives from
5	hospitals, other groups of health care professionals, and members of the public
6	representing patient interests, shall adopt rules establishing a standard format
7	for community reports, as well as the contents, which shall include:
8	(1) measures Measures of quality, including process and outcome
9	performance measures, that are valid, reliable, and useful, including
10	comparisons to appropriate national benchmarks for high quality and
11	successful <del>outcomes;</del> <u>results.</u>
12	(2) measures Measures of patient safety that are valid, reliable, and
13	useful, including comparisons to appropriate industry benchmarks for safety;
14	(3) measures Measures of hospital-acquired infections that are valid,
15	reliable, and useful, including comparisons to appropriate industry
16	benchmarks <u>;.</u>
17	(4) measures Measures of the hospital's financial health, including
18	comparisons to appropriate national benchmarks for efficient operation and
19	fiscal health;.
20	(5) $\frac{1}{8}$ A summary of the hospital's budget, including revenue by source
21	and quantification of cost shifting to private payers;

1	(6) measures Data that provide provides valid, reliable, useful, and
2	efficient information for payers and the public for the comparison of charges
3	for higher volume health care services;.
4	(7) the <u>The</u> hospital's process for achieving openness, inclusiveness, and
5	meaningful public participation in its strategic planning and decision-making;
6	(8) the <u>The</u> hospital's consumer complaint resolution process, including
7	identification of the hospital officer or employee responsible for its
8	implementation;
9	(9) information Information concerning recently completed or ongoing
10	quality improvement and patient safety projects;
11	(10) $\frac{A}{A}$ description of strategic initiatives discussed with or derived
12	from the identification of health care needs; the one-year and four-year capital
13	expenditure plans; and the depreciation schedule for existing facilities;
14	(11) information Information on membership and governing body
15	qualifications, a listing of the current governing body members, and means of
16	obtaining a schedule of meetings of the hospital's governing body, including
17	times scheduled for public participation; and.
18	(12) valid Valid, reliable, and useful information on nurse staffing,
19	including comparisons to appropriate industry benchmarks for safety. This
20	information may include system-centered <u>performance</u> measures, such as skill

mix, nursing care hours per patient day, and other such system-centered

youth smoking rates.

1	performance measures as reliable industry benchmarks become available in the
2	future.
3	* * *
4	(c) The community reports shall be provided to the Commissioner of
5	Health. The Commissioner of Health shall publish the reports on a public
6	website and shall develop and include a format for comparisons of hospitals
7	within the same categories of quality and financial indicators measures.
8	* * * Smoking Cessation * * *
9	Sec. 23. 18 V.S.A. § 9506 is amended to read:
10	§ 9506. ALLOCATION SYSTEM
11	(a) In determining the allocation of funds available for the purposes of this
12	chapter, the Department and the Board shall consider all relevant factors,
13	including:
14	* * *
15	(4) the extent to which the outcomes goals of the project can be
16	measured by reductions in adult or youth smoking rates.
17	(b) The Department's and Board's allocation system shall include a
18	method, developed jointly, that evaluates the need for and impact and quality
19	of the activities proposed by eligible applicants, including, if appropriate,
20	measuring the outcomes results of the project through reductions in adult and

1	Sec. 24. 18 V.S.A. § 9507 is amended to read:
2	§ 9507. ANNUAL REPORT
3	(a) On or before January 15 of each year, the Board shall submit a report
4	concerning its activities under this chapter to the Governor and the General
5	Assembly. The report shall include, to the extent possible, the following:
6	(1) the results of the independent program evaluation, beginning with
7	the report filed on January 15, 2003, and then each year thereafter;
8	(2) a full financial report of the activities of the Departments of Health
9	and of Liquor Control, the Agency of Education, and the Board, including a
10	special accounting of all activities from July 1 through December 31 of the
11	year preceding the legislative session during which the report is submitted;
12	(3) a recommended budget for the Program; and
13	(4) an explanation of the outcomes results of approved programs,
14	measured through reductions in adult and youth smoking rates.
15	(b) [Repealed.]
16	* * * Transportation * * *
17	Sec. 25. 19 V.S.A. § 10g is amended to read:
18	§ 10g. ANNUAL REPORT; TRANSPORTATION PROGRAM;
19	ADVANCEMENTS, CANCELLATIONS, AND DELAYS
20	(a) The Agency of Transportation shall annually present to the General
21	Assembly a multiyear Transportation Program covering the same number of

years as the Statewide Transportation Improvement Plan (STIP), consisting of the recommended budget for all Agency activities for the ensuing fiscal year and projected spending levels for all Agency activities for the following fiscal years. The Program shall include a description and year-by-year breakdown of recommended and projected funding of all projects proposed to be funded within the time period of the STIP and, in addition, a description of all projects which that are not recommended for funding in the first fiscal year of the proposed Program but which are scheduled for construction during the time period covered by the STIP. The Program shall be consistent with the planning process established by 1988 Acts and Resolves No. 200, as codified in 3 V.S.A. chapter 67 and 24 V.S.A. chapter 117, the statements of policy set forth in sections 10b-10f of this title, and the long-range systems plan, corridor studies, and project priorities developed through the capital planning process under section 10i of this title.

\* \* \*

(c) The Program proposed by the Agency shall include systemwide indicators performance measures developed by the Agency to describe the condition of the Vermont transportation network. The Program shall discuss the background and utility of the indicators performance measures, track the indicators performance measures over time, and, where appropriate, recommend the setting of targets for the indicators performance measures.

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2	* * * State Law Enforcement * * *
3	Sec. 26. 20 V.S.A. § 1883 is amended to read:
4	§ 1883. STATE LAW ENFORCEMENT; MEMORANDUM OF
5	UNDERSTANDING
6	(a) The Commissioner of Public Safety shall develop and execute a
7	memorandum of understanding with the Commissioners of Fish and Wildlife,
8	of Motor Vehicles, and of Liquor Control and their respective directors of law
9	enforcement. The memorandum of understanding shall be reviewed at least
10	every two years and shall at a minimum address:
11	* * *
12	(2) Providing for an overall statewide law enforcement strategic plan
13	supported by quarterly planning and implementation strategy sessions to
14	improve efficiencies and coordination on an operational level and ensure
15	interagency cooperation and collaboration of programs funded through grants
16	The strategic plan should identify clear goals and measurable performance
17	outcomes measures that demonstrate results, as well as specific strategic plans
18	for individual enforcement agencies.
19	* * *

1	* * * Tax Increment Financing Districts * * *
2	Sec. 27. 24 V.S.A. § 1901 is amended to read:
3	§ 1901. INFORMATION REPORTING
4	Every municipality with an active tax increment financing district shall:
5	(1) Develop a system, segregated for the tax increment financing
6	district, to identify, collect, and maintain all data and information necessary to
7	fulfill the reporting requirements of this section, including performance
8	indicators measures.
9	* * *
10	(3) Annually:
11	* * *
12	(B) on or before January 15 of each year, on a form prescribed by the
13	Council, submit an annual report to the Vermont Economic Progress Council
14	and the Department of Taxes, including the information required by
15	subdivision (2) of this section if not already submitted during the year, all
16	information required by subdivision (A) of this subdivision (3), and the
17	information required by 32 V.S.A. § 5404a(i), including performance
18	indicators measures and any other information required by the Council or the
19	Department of Taxes.

Sec. 28. 32 V.S.A. § 5404a is amended to read:

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2	§ 5404a. TAX STABILIZATION AGREEMENTS; TAX INCREMENT
3	FINANCING DISTRICTS
4	* * *
5	(i) The Vermont Economic Progress Council and the Department of Taxes
6	shall make an annual report to the Senate Committees on Economic
7	Development, Housing and General Affairs and on Finance and the House
8	Committees on Commerce and Economic Development and on Ways and
9	Means of the General Assembly on or before April 1. The report shall include
10	in regard to each existing tax increment financing district, the date of creation,
11	a profile of the district, a map of the district, the original taxable value, the
12	scope and value of projected and actual improvements and developments,

projected and actual financing, and a set of performance indicators measures

projected and actual incremental revenue amounts and division of the

increment revenue between district debt, the Education Fund, the special

account required by 24 V.S.A. § 1896 and the municipal General Fund,

developed by the Vermont Economic Progress Council, which shall include the

number of jobs created in the district, what sectors experienced job growth,

and the amount of infrastructure work performed by Vermont firms.

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1	* * * Municipal and Regional Planning and Development * * *
2	Sec. 29. 24 V.S.A. § 4306 is amended to read:
3	§ 4306. MUNICIPAL AND REGIONAL PLANNING FUND
4	* * *
5	(b)(1) Allocations for performance contract funding to regional planning
6	commissions shall be determined according to a formula to be adopted by rule
7	under 3 V.S.A. chapter 25 by the Department for the assistance of the regional
8	planning commissions. Disbursement of funding to regional planning
9	commissions shall be predicated upon meeting performance outcomes goals
10	and measures targets pursuant to the terms of the performance contract.
11	* * *
12	Sec. 30. 24 V.S.A. § 4341a is amended to read:
13	§ 4341a. PERFORMANCE CONTRACTS FOR REGIONAL PLANNING
14	SERVICES
15	(a) The Secretary of Commerce and Community Development shall
16	negotiate and enter into performance contracts with regional planning
17	commissions, or with regional planning commissions and regional
18	development corporations in the case of a joint contract, to provide regional
19	planning services.
20	(b) A performance contract shall address how the regional planning
21	commission, or regional planning commission and regional development

1	corporation jointly, will improve outcomes results and achieve savings
2	compared with the current regional service delivery system, which may
3	include:
4	(1) a proposal without change in the makeup or change of the
5	area served;
6	(2) a joint proposal to provide different services under one contract with
7	one or more regional service providers;
8	(3) co-location with other local, regional, or State service providers;
9	(4) merger with one or more regional service providers;
10	(5) consolidation of administrative functions and additional operational
11	efficiencies within the region; or
12	(6) such other cost-saving mechanisms as may be available.
13	* * * Department of Public Service * * *
14	Sec. 31. 30 V.S.A. § 2 is amended to read:
15	§ 2. DEPARTMENT OF PUBLIC SERVICE; POWERS
16	* * *
17	(e) The Commissioner of Public Service (the Commissioner) will work
18	with the Director of the Office of Economic Opportunity (the Director), the
19	Commissioner of Housing and Community Development, the Vermont
20	Housing and Conservation Board (VHCB), the Vermont Housing Finance
21	Agency (VHFA), the Vermont Community Action Partnership, and the

1	efficiency entity or entities appointed under subdivision 209(d)(2) of this title
2	and such other affected persons or entities as the Commissioner considers
3	relevant to improve the energy efficiency of both single- and multi-family
4	affordable housing units, including multi-family housing units previously
5	funded by VHCB and VHFA and subject to the Multifamily Energy Design
6	Standards adopted by the VHCB and VHFA. In consultation with the other
7	entities identified in this subsection, the Commissioner and the Director
8	together shall report twice to the House and Senate Committees on Natural
9	Resources and Energy, on or before January 31, 2015 and 2017, respectively,
10	on their joint efforts to improve energy savings of affordable housing units and
11	increase the number of units assisted, including their efforts to:
12	* * *
13	(4) measure the outcomes results and performance of energy
14	improvements;
15	* * *
16	* * * State Budget * * *
17	Sec. 32. 32 V.S.A. § 306a is amended to read:
18	§ 306a. PURPOSE OF THE STATE BUDGET
19	(a) Purpose of the State budget. The State budget, consistent with
20	Chapter I, Article 7 of Vermont's Constitution, should "be instituted for the
21	common benefit, protection, and security of the people, nation, or

participation from Vermont residents.

1	community" The State budget should be designed to address the needs
2	of the people of Vermont in a way that advances human dignity and equity
3	and in a manner that supports the population-level outcomes set forth in
4	<u>3 V.S.A. § 2311</u> .
5	(b) Spending and revenue policies will seek to promote economic
6	well-being among the people of Vermont, and foster a vibrant economy.
7	Integral to achieving the purpose of the State budget is continuous evaluation
8	of the raising and spending use of public funds by systems of outcome
9	measurement based on indicators that measure success in accomplishing the
10	purposes of the State budget.
11	(c) Spending and revenue policies will reflect the public policy goals
12	established in State law and recognize every person's need for health, housing
13	dignified work, education, food, social security, and a healthy environment.
14	(d) As consistent with State law and in conjunction with the federal
15	government, the budget will reflect support for economic development, public
16	safety, transportation, and other infrastructure needs.
17	(e) Revenue measures shall also be based on the principles of sustainability
18	and stability. The Administration shall develop budget and revenue proposals
19	as part of a transparent and accountable process with direct and meaningful

1	Sec. 33. 32 V.S.A. § 307 is amended to read:
2	§ 307. FORM OF BUDGET
3	* * *
4	(c) The budget shall also include a strategic plan for each State agency,
5	department, office, or other entity or program. A strategic plan shall include
6	the following:
7	(1) a statement of mission and goals that support the relevant
8	population-level outcomes set forth in 3 V.S.A. § 2311;
9	(2) a description of indicators program performance measures used to
10	measure demonstrate output and outcome results;
11	(3) identification of the groups of people served, including those having
12	service priorities or other service measures established by law, and estimates of
13	the changes in those groups expected during the term of the plan;
14	(4) an analysis of the use of resources to meet needs, including future
15	needs, an analysis of additional resources that may be necessary to meet future
16	needs;
17	(5) an analysis of expected changes in the services provided by that
18	agency because of changes in State or federal law;
19	(6) a description of the means and strategies for meeting needs of the
20	agency or program, including future needs and achieving the goals under
21	which the agency or program provides services;

1	(7) a description of the capital improvement needs of the agency during
2	the period covered by the plan;
3	(8) a prioritization, if appropriate, of the capital investment needs of the
4	agency or program during the period covered by the plan; and
5	(9) any other information that may be required.
6	* * *
7	* * * Veteran Tax Credits * * *
8	Sec. 34. 32 V.S.A. § 5930nn is amended to read:
9	§ 5930nn. RECENTLY DEPLOYED VETERAN TAX CREDIT
10	* * *
11	(e) The Department of Labor, in coordination with the Department of
12	Taxes, the Agency of Commerce and Community Development, and the Office
13	of Veterans' Affairs, shall:
14	* * *
15	(4) adopt measurable goals, outcomes performance measures that
16	demonstrate results, and an audit strategy to assess the utilization and
17	performance of the credit authorized in this section; and
18	(5) on or before January 15, 2012, submit a written report on its
19	assessment of the credit to the House Committees on Commerce and Economic
20	Development and on Ways and Means, and to the Senate Committees on
21	Finance and on Economic Development, Housing and General Affairs;

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families employed;

1	(6) engage in efforts to promote the hiring of recently deployed veterans
2	through the hiring practices of the State of Vermont.
3	* * *
4	* * * Reach Up, Reach First, and Reach Ahead * * *
5	Sec. 35. 33 V.S.A. § 1134 is amended to read:
6	§ 1134. PROGRAM EVALUATION
7	(a) On or before January 31 of each year, the Commissioner shall design
8	and implement procedures to evaluate, measure, and report to the Governor
9	and the General Assembly the Department's progress in implementing Reach
10	First, Reach Up, and Reach Ahead and achieving the goals of the programs
11	provided for in sections 1002, 1102, and 1202 of this title. The report shall
12	include:
13	* * *
14	(2) documentation of participant outcomes results, including specific
15	information relating to the number of persons employed, by occupation,
16	industry, and wage; the types of subsidized and unsubsidized jobs secured by
17	participants; any available information about outcomes results for children who
18	have participated in the programs, including objective indicators measures of
19	improved conditions; the number of participating families involved in training

programs; and whether the support services and incentives assist in keeping

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- (b) On or before January 15, 2010 for the analysis of Reach First and on or before January 15, 2012 for the analysis of all programs, the Department shall analyze the effectiveness of the programs and shall consider the following indicators measures:
- (1) For Reach First, the types of crises presented by applicants; the type and duration of case management necessary to respond to a crisis; and the impact of the services on the family, including the actual and perceived outcomes results and material indicators measures of stability.
- (2) For Reach Up, the type and duration of case management provided; and the impact of the services on the family; the family's achievement of the goals in the family development plan; the types of employment engaged in by families; the duration of employment; and actual and perceived outcomes results and material indicators measures of stability and well-being.
- (3) For Reach Ahead, the types of employment engaged in by families; the duration of employment; the type and duration of services necessary to maintain employment; the duration of time the family received food assistance and services in the program; and the impact of the services on the family, including the actual and perceived well-being of the family and material indicators measures of well-being.

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1	* * * Department of Vermont Health Access * * *
2	Sec. 36. 33 V.S.A. § 2032 is amended to read:
3	§ 2032. ROLE OF DEPARTMENT OF VERMONT HEALTH ACCESS
4	* * *
5	(e) The Department shall conduct comprehensive evaluations of the
6	Board's success in improving clinical and utilization outcomes results using
7	claims data and a survey of health care professional satisfaction. The
8	Department shall report annually by January 15 to the House Committee on
9	Health Care and the Senate Committee on Health and Welfare regarding the
10	results of the most recent evaluation or evaluations and a summary of the
11	Board's activities and recommendations since the last report. The provisions
12	of 2 V.S.A. § 20(d) (expiration of required reports) shall not apply to the report
13	to be made under this subsection.
14	* * *
15	* * * Building Bright Futures Council * * *
16	Sec. 37. 33 V.S.A. § 4603 is amended to read:
17	§ 4603. POWERS AND DUTIES
18	The Council established by section 4602 of this title shall have the
19	following powers and duties necessary and appropriate to effectuating the
20	purposes of this chapter:
21	* * *

1	(2) Monitor overall system performance by regularly tracking and
2	reporting system data on the well-being of young children and the performance
3	of the system of care related to the Council's commitments to children and
4	selected population-level indicators.
5	* * *
6	(7) Work with the Agencies of Human Services, of Commerce and
7	Community Development, and of Education, and the regional councils to
8	coordinate and integrate the development of an early childhood budget
9	recommendation that reflects alignment of funding with priorities identified in
10	the system plan.
11	* * *
12	(13) Select the key indicators performance measures to be tracked in
13	early childhood <u>programs</u> and identify priority strategies to improve <del>outcomes</del>
14	<u>results</u> .
15	* * *
16	(15) Analyze data to assess progress in achieving the population-level
17	outcomes eonsistent with No. 68 of the Acts of the 2009 Adj. Sess. (2010)
18	relevant to children set forth in 3 V.S.A. § 2311 and make recommendations
19	for any necessary adjustments.
20	(16) Report to the Governor, the Chief Performance Officer, and the

legislative committees of jurisdiction during the first month of each legislative

1	biennium on the Council's findings and recommendations, progress toward
2	achieving the population-level outcomes consistent with No. 68 of the Acts of
3	the 2009 Adj. Sess. (2010) relevant to children set forth in 3 V.S.A. § 2311,
4	and recommendations for priorities for the biennium. The provisions of
5	2 V.S.A. § 20(d) (expiration of required reports) shall not apply to the report to
6	be made under this subdivision.
7	* * * Home Health Services * * *
8	Sec. 38. 33 V.S.A. § 6303 is amended to read:
9	§ 6303. HOME HEALTH SERVICES; LOCAL PLANS; BOARD
10	COMPOSITION
11	(a) Consistent with the requirements of this section, the Commissioner of
12	Disabilities, Aging, and Independent Living shall adopt by rule minimum
13	program standards for the purpose of providing quality oversight of the home
14	health agencies authorized to provide home health services under this
15	subchapter. The minimum program standards shall include performance
16	standards, quality indicators measures, grievance and complaint procedures,
17	patient safety standards, consumer input mechanisms, accessibility standards,
18	medical necessity standards, and practices to ensure confidentiality of patient
19	records. The rules shall include also minimum program standards to ensure
20	home health agencies do not discriminate in the provision of services based on

income, funding source, geographic status, or severity of health needs and to

1	ensure the attainment or continuance of universal access to medically
2	necessary home health services.

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- 4 Sec. 39. 33 V.S.A. § 6305 is amended to read:
- 5 § 6305. REVIEW OF ACCESS, COST, AND QUALITY ISSUES;

## REMEDIATION PROCESS

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(b) In a form and manner and at intervals prescribed by the Commissioner, the Commissioner shall collect and analyze data regarding access to and the cost and quality of home health services in Vermont. Such data shall include: information on complaints, waiting lists, numbers of individuals ineligible for services, numbers of individuals eligible for but not provided services, numbers of patients served under and over the age of 65 years of age, total number of visits and hours provided to patients by each of the existing home health agencies; the results of patient surveys conducted by the home health agencies; data pertaining to federal and State surveys; scoring by any national accrediting organization, charitable and subsidized programs and services for uninsured or low income persons in their respective communities; copies of audited financial statements and annual cost reports; and any other quality indicators measures or data deemed relevant by the Commissioner to monitor

1	and evaluate access to and the cost and quality of home health services by the
2	designated home health agencies.
3	* * *
4	Sec. 40. REPEAL
5	The following are repealed:
6	(1) 2010 Acts and Resolves No. 146, Sec. H4 (Challenges for Change;
7	quarterly reporting and information); and
8	(2) 2014 Acts and Resolves No. 186, Secs. 7 (quarterly progress reports;
9	temporary suspension), 8 (repeal; annual report on population-level outcomes
10	and indicators), 9 (amending 3 V.S.A. § 2312 (performance accountability
11	liaisons to the General Assembly), and 10(b) (effective dates for Secs. 8
12	and 9).
13	Sec. 41. EFFECTIVE DATE
14	This act shall take effect on July 1, 2015.