1	TO THE HOUSE OF REPRESENTATIVES:
2	The Committee on Ways and Means to which was referred House Bill
3	No. 213 entitled "An act relating to establishing statewide access to drug and
4	DUI treatment courts" respectfully reports that it has considered the same and
5	recommends that the report of the Committee on Judiciary be amended as
6	follows:
7	First: By striking out Sec. 2, 4 V.S.A. § 40, in its entirety and inserting in
8	lieu thereof a new Sec. 2 to read as follows:
9	Sec. 2. 2 V.S.A. § 40 is added to read:
10	§ 40. STATEWIDE ADULT TREATMENT COURTS; INTENT
11	It is the intent of the General Assembly that Vermonters throughout the
12	State have access to an Adult Treatment Docket within the Criminal Division
13	of the Superior Court that operates in compliance with Adult Drug Court Best
14	Practice Standards as issued by the National Association of Drug Court
15	Professionals.
16	Second: By striking out Sec. 5, 20 V.S.A. § 2063a, in its entirety and
17	inserting in lieu thereof two new sections to be Secs. 5 and 5a to read as
18	follows:
19	Sec. 5. 33 V.S.A. § 2004 is amended to read:
20	§ 2004. MANUFACTURER FEE

1	(a) Annually, each pharmaceutical manufacturer or labeler of prescription
2	drugs that are paid for by the Department of Vermont Health Access for
3	individuals participating in Medicaid, Dr. Dynasaur, or VPharm shall pay a fee
4	to the Agency of Human Services. The fee shall be 1.5 1.64 percent of the
5	previous calendar year's prescription drug spending by the Department and
6	shall be assessed based on manufacturer labeler codes as used in the Medicaid
7	rebate program.
8	(b)(1) Fees collected under this section shall fund:
9	(A) collection and analysis of information on pharmaceutical
10	marketing activities under 18 V.S.A. §§ 4632 and 4633;
11	(B) analysis of prescription drug data needed by the Office of the
12	Attorney General for enforcement activities;
13	(C) the Vermont Prescription Monitoring System established in
14	18 V.S.A. chapter 84A;
15	(D) the evidence-based education program established in 18 V.S.A.
16	chapter 91, subchapter 2;
17	(E) statewide unused prescription drug disposal initiatives;
18	(F) prevention of prescription drug misuse, abuse, and diversion;
19	(G) treatment of substance use disorder;
20	(H) exploration of nonpharmacological approaches to pain
21	management;

1	(I) a hospital antimicrobial program for the purpose of reducing
2	hospital-acquired infections;
3	(J) the purchase and distribution of naloxone to emergency medical
4	services personnel; and
5	(K) any opioid-antagonist education, training, and distribution
6	program operated by the Department of Health or its agents; and
7	(L) operation of court dockets throughout the State relating to
8	individuals with a substance use disorder.
9	(2)(A) The fees shall be collected 91.5 percent of the fees shall be
10	deposited in the Evidence-Based Education and Advertising Fund established
11	in section 2004a of this title.
12	(B) 8.5 percent of the fees shall be deposited in the General Fund and
13	allocated to the Judicial Branch for the operation of court dockets through the
14	State relating to individuals with a substance use disorder.
15	(c) The Secretary of Human Services or designee shall make rules for the
16	implementation of this section.
17	(d) The Department shall maintain on its website a list of the manufacturers
18	who have failed to provide timely payment as required under this section.
19	Sec. 5a. 33 V.S.A. § 2004a is amended to read:
20	§ 2004a. EVIDENCE-BASED EDUCATION AND ADVERTISING FUND
21	* * *

1	(b) Into the Fund shall be deposited:
2	(1) 91.5 percent of the revenue from the manufacturer fee established
3	under section 2004 of this title; and
4	(2) the proceeds from grants, donations, contributions, taxes, and any
5	other sources of revenue as may be provided by statute, rule, or act of the
6	General Assembly.
7	* * *
8	Third: In Sec. 6, Mobile Adult Treatment Court Pilot Program, in
9	subsection (b), by striking out the words "operating at 50 percent or greater
10	<u>FTE</u> "
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18	(Committee vote:)
19	
20	Representative
21	FOR THE COMMITTEE