

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 bill be amended as follows:

6 First: In Sec. 2, 4 V.S.A. § 40, by striking out subsection (b) and inserting  
7 in lieu thereof the following:

8 (b) Adult Treatment Courts Fund.

9 (1) The Adult Treatment Courts Fund is established in the State  
10 Treasury as a special fund to be used for the sole purpose of providing the  
11 financial means for the Judicial Branch to operate and expand geographic  
12 access to adult treatment courts across the State. Into the Fund shall be  
13 deposited:

14 (A) private gifts, bequests, grants, or donations of any amount made  
15 to the State from any public or private source for the purposes for which the  
16 Fund was established;

17 (B) 8.5 percent of the revenue from the pharmaceutical manufacturer  
18 fee pursuant to 33 V.S.A. § 2004; and

19 (C) other funds as appropriated by the General Assembly.

1           (2) The Fund shall be administered pursuant to 32 V.S.A. chapter 7,  
2           subchapter 5, except that interest earned on the Fund and any remaining  
3           balance shall be retained in the Fund.

4           Second: By striking out Sec. 5, 33 V.S.A. § 2004, and inserting in lieu  
5           thereof the following:

6           Sec. 5. 33 V.S.A. § 2004 is amended to read:

7           § 2004. MANUFACTURER FEE

8           (a) Annually, each pharmaceutical manufacturer or labeler of prescription  
9           drugs that are paid for by the Department of Vermont Health Access for  
10           individuals participating in Medicaid, Dr. Dynasaur, or VPharm shall pay a fee  
11           to the Agency of Human Services. The fee shall be ~~4.5~~ 1.64 percent of the  
12           previous calendar year's prescription drug spending by the Department and  
13           shall be assessed based on manufacturer labeler codes as used in the Medicaid  
14           rebate program.

15           (b)(1) Fees collected under this section shall fund:

16                   (A) collection and analysis of information on pharmaceutical  
17           marketing activities under 18 V.S.A. §§ 4632 and 4633;

18                   (B) analysis of prescription drug data needed by the Office of the  
19           Attorney General for enforcement activities;

20                   (C) the Vermont Prescription Monitoring System established in  
21           18 V.S.A. chapter 84A;

1            (D) the evidence-based education program established in 18 V.S.A.  
2 chapter 91, subchapter 2;

3            (E) statewide unused prescription drug disposal initiatives;

4            (F) prevention of prescription drug misuse, abuse, and diversion;

5            (G) treatment of substance use disorder;

6            (H) exploration of nonpharmacological approaches to pain  
7 management;

8            (I) a hospital antimicrobial program for the purpose of reducing  
9 hospital-acquired infections;

10           (J) the purchase and distribution of naloxone to emergency medical  
11 services personnel; ~~and~~

12           (K) any opioid-antagonist education, training, and distribution  
13 program operated by the Department of Health or its agents; and

14           (L) operation of adult treatment courts throughout the State.

15           ~~(2)(A) The fees shall be collected~~ 91.5 percent of the fees shall be  
16 deposited in the Evidence-Based Education and Advertising Fund established  
17 in section 2004a of this title.

18           (B) 8.5 percent of the fees shall be deposited in the Adult Treatment  
19 Courts Fund established in 4 V.S.A. § 40(b).

20           (c) The Secretary of Human Services or designee shall make rules for the  
21 implementation of this section.

1 (d) The Department shall maintain on its website a list of the manufacturers  
2 who have failed to provide timely payment as required under this section.

3 Sec. 5a. 33 V.S.A. § 2004a is amended to read:

4 § 2004a. EVIDENCE-BASED EDUCATION AND ADVERTISING FUND

5 \* \* \*

6 (b) Into the Fund shall be deposited:

7 (1) 91.5 percent of the revenue from the manufacturer fee established  
8 under section 2004 of this title; and

9 (2) the proceeds from grants, donations, contributions, taxes, and any  
10 other sources of revenue as may be provided by statute, rule, or act of the  
11 General Assembly.

12 \* \* \*

13 Third: In Sec. 6, Mobile Adult Treatment Court Pilot Program, in  
14 subsection (b), by striking out the words “operating at 50 percent or greater  
15 FTE”

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17 (Committee vote: \_\_\_\_\_)

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\_\_\_\_\_

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Representative \_\_\_\_\_

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FOR THE COMMITTEE