



S.262, Miscellaneous Medicaid Bill Sections 5, 7, and Request for Additional Section

Written Testimony from Ashley Berliner, DVHA, Director of Healthcare Policy, provided to the Senate Committee on Finance, March 15, 2018:

Thank you for the opportunity to testify in front of your committee this week on Sections 5 and 7 of S.262, the Miscellaneous Medicaid Bill. During my testimony, Jen Carbee referenced a federal statute that DVHA was not previously aware of, related to the potential requirement that Medicaid reimburse financial institutions when seeking asset verification for Medicaid eligibility determinations.

In researching that federal reference, it became apparent that it is an incredibly complex set of law that is fraught with convoluted cross references and exemptions, and has the significant potential to be misinterpreted and misapplied. Given this complexity, DVHA has sought clarification from the Centers for Medicare and Medicaid Services (CMS).

Due to the limited time this week to vote the bill out of the Senate, **it is DVHA's request that the addition of 33 VSA 403(a) within Section 5 of S.262 be struck** in order for the bill to be taken up in the House and allow adequate time to hear back from CMS on the fiscal obligation of the state, if any.

We would still ask for the Committee's recommendation to approve the remainder of Section 5, as well as Section 7 of S.262, and to amend the bill to allow additional bronze enrollment options as discussed Tuesday. Legislative Council has drafted such an amendment, and it is currently under review with Senator Sirotkin.