

1
2
3
4
5
6
7

8
9

10
11
12
13
14
15
16
17
18
19

H.965

Introduced by Committee on Appropriations

Date:

Subject: Appropriations; health care; human services; Coronavirus Relief Fund

Statement of purpose of bill as introduced: This bill proposes to appropriate \$300 million from the Coronavirus Relief Fund for health care- and human services-related expenses incurred as a result of the COVID-19 pandemic.

An act relating to health care- and human services-related appropriations from the Coronavirus Relief Fund

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

~~*** Purpose ***~~

~~Sec. 1. PURPOSE~~

~~The purpose of this act is to appropriate \$300,000,000.00 from the Coronavirus Relief Fund for health care- and human services-related expenses incurred as a result of the COVID-19 pandemic.~~

~~*** Coronavirus Relief Fund; Administrative Provisions ***~~

~~Sec. 2. CONSISTENCY WITH CARES ACT AND GUIDANCE~~

~~The General Assembly determines that the expenditure of monies from the Coronavirus Relief Fund as set forth in this act complies with the requirements~~

1 ~~of Sec. 5001 of the CARES Act, Pub. L. No. 116-136 and related guidance~~

2 because the costs to be covered:

3 (1) are necessary expenditures incurred due to the public health
4 emergency with respect to Coronavirus Disease 2019 (COVID-19);

5 (2) were not accounted for in Vermont's fiscal year 2020 budget; and

6 (3) were, or will be, incurred during the period beginning on March 1,
7 2020 and ending on December 30, 2020.

8 Sec. 3. GRANT RECIPIENT REQUIREMENTS; REVERSION AND
9 REALLOCATION SCHEDULE

10 All appropriations made from the State's Coronavirus Relief Fund (CRF)
11 in this and other bills passed after March 1, 2020 as part of the 2020
12 legislative session are made with the knowledge that the statutory and
13 regulatory context is constantly changing. Additional federal legislation may
14 further change the potential for and appropriateness of CRF usage. As a
15 result:

16 (1) Appropriations from the CRF are subject to changes in source of
17 funds that may occur as the result of subsequent legislation or through
18 administrative actions, where permissible by law.

19 (2) Specific CRF uses may need to change based on changes to federal
20 laws or on revised or updated federal guidance.

1 ~~(3) It is the responsibility of all entities receiving CRF monies to ensure~~
2 ~~compliance with all federal guidelines as to CRF spending and use.~~

3 ~~(4) Unless otherwise authorized by the Commissioner of Finance and~~
4 ~~Management, any monies appropriated from the CRF shall revert to the CRF~~
5 ~~to the extent that they have not been expended by December 20, 2020 to~~
6 ~~enable reallocation.~~

7 Sec. 4. CORONAVIRUS RELIEF FUND GRANTS; CONDITIONS

8 ~~(a) Any person receiving a grant comprising monies from the Coronavirus~~
9 ~~Relief Fund shall use the monies only for purposes that comply with the~~
10 ~~requirements of Sec. 5001 of the CARES Act, Pub. L. No. 116-136 and related~~
11 ~~guidance.~~

12 ~~(b) Any person who expends monies from the Coronavirus Relief Fund for~~
13 ~~purposes not eligible under Sec. 5001 of the CARES Act, Pub. L. No. 116-136~~
14 ~~and related guidance shall be liable for repayment of the funds to the State of~~
15 ~~Vermont; provided, however, that a person shall not be liable for such~~
16 ~~repayment if the person expended the monies in good faith reliance on~~
17 ~~authorization of the proposed expenditure by or specific guidance from the~~
18 ~~agency or department administering the grant program.~~

19 ~~(c) The Attorney General or a State agency or department administering a~~
20 ~~grant program established or authorized under this act may seek appropriate~~

1 ~~criminal or civil penalties as authorized by law for a violation of the terms or~~
2 conditions of the applicable program, grant, or award.

3 Sec. 5. CORONAVIRUS RELIEF FUND; RECORD KEEPING;
4 COMPLIANCE; REPORTS

5 (a) In order to ensure compliance with the requirements of Sec. 5001 of the
6 CARES Act, Pub. L. No. 116-136, and related guidance, and to assist the State
7 in demonstrating such compliance:

8 (1) any agency or department, and any subrecipient of a grant, that is
9 authorized to disburse grant funds appropriated by this act shall include
10 standard audit provisions, as required by Agency of Administration Bulletins
11 3.5 and 5, in all contracts, loans, and grant agreements; and

12 (2) each grant recipient shall report on its use of the monies received
13 pursuant to this act to the agency or department administering the grant as
14 required by that agency or department and shall maintain records of its
15 expenditures of the monies for three years, or for a longer period if so required
16 by State or federal law, to enable verification as needed.

17 (b) On or before July 31, 2020 and September 1, 2020, each agency or
18 department administering a grant program pursuant to this act shall provide
19 information to the legislative committees of jurisdiction, including the House
20 and Senate Committees on Appropriations, regarding its distribution of grant

1 ~~funds to date, the amount of grant funds that remains available for distribution~~
2 ~~and its plans for awarding the available funds by December 20, 2020.~~

3 * * * Health Care Provider Stabilization Program * * *

4 Sec. 6. HEALTH CARE PROVIDER STABILIZATION PROGRAM;
5 CORONAVIRUS RELIEF FUND; APPROPRIATION

6 (a) The sum of \$250,570,000.00 is appropriated from the Coronavirus
7 Relief Fund to the Agency of Human Services in fiscal year 2021 for purposes
8 of establishing the Health Care Provider Stabilization Grant Program as set
9 forth in this section.

10 (b) The General Assembly determines that the expenditure of monies from
11 the Coronavirus Relief Fund as set forth in this section is necessary to stabilize
12 health care providers based on their COVID-19-related costs and the fiscal
13 impacts of disruptions to their business operations as a result of COVID-19.
14 Health care providers have had to change their care delivery models, suspend
15 elective procedures and surgeries, reduce patient volume, acquire additional
16 equipment and supplies, and make other modifications to their practices in
17 order to respond to and mitigate the effects of the COVID-19 public health
18 emergency.

19 (c)(1) The Agency of Human Services shall establish the Health Care
20 Provider Stabilization Grant Program to disburse the funds appropriated in this

1 ~~section to eligible health care provider applicants as expeditiously as possible~~
2 using a needs-based application process.

3 (2) Based on federal law and guidance, the Agency shall establish
4 guidelines identifying the specific types of costs for which grant recipients
5 may use grant funds. Costs are not compensable under this section if the same
6 costs or expenses have been or will be covered by insurance or by another
7 State or federal grant; provided, however, that this restriction does not include
8 loans or advance payments for which repayment is expected.

9 (3)(A) Providers of health care services in the following categories shall
10 be eligible to apply for grant funds pursuant to this section if the provider is
11 located in Vermont and delivers health care services in this State:

12 (i) hospitals, including community hospitals and psychiatric
13 hospitals;

14 (ii) health care professional services, including independent
15 medical practices, hospital-owned medical practices, designated and
16 specialized services agencies, federally qualified health centers, rural health
17 clinics, ambulatory surgical centers, and laboratory and imaging centers;

18 (iii) dental services;

19 (iv) other professional services, including mental health providers,
20 ~~residential and nonresidential substance use disorder treatment providers,~~

1 ~~dentists, podiatrists, optometrists, physical therapists, podiatrists,~~
2 optometrists, chiropractors, and other health care providers;
3 (v) home health and hospice agencies;
4 (vi) pharmacy services;
5 (vii) facility- and community-based long-term care services,
6 including skilled nursing facilities, nursing homes, residential care homes,
7 assisted living facilities, and adult day service providers; and
8 (viii) organizations recognized by the Agency of Human Services
9 through their status as provider grant recipients providing health support
10 services, including the area agencies on aging and organizations providing peer
11 support services.

12 (B) The Agency of Human Services shall evaluate applicants based
13 on their demonstrated need and ability to meet the criteria set forth in
14 subsection (d) of this section, not on the basis of a provider applicant's size or
15 its proportion of health care spending in this State, and shall consider the
16 impact of the requested funds on the applicant's sustainability.

17 (d) In determining whether and how much to award an applicant from the
18 Health Care Provider Stabilization Grant Program, the Agency shall consider
19 the applicant's demonstrated need and the extent to which the applicant meets
20 some or all of the following criteria, to the extent applicable:

1 ~~(1) The applicant would use the grant funds to sustain or improve the~~
2 ~~quality of health care services, including essential community services and~~
3 ~~services delivered using telehealth, provided during the COVID-19 public~~
4 ~~health emergency.~~

5 ~~(2) The applicant would use the grant funds to prepare for mitigating or~~
6 ~~responding to anticipated surges in COVID-19 cases or to prepare to meet~~
7 ~~increased needs for specific types of services, such as the likely demand for~~
8 ~~mental health services as a result of prolonged social isolation and economic~~
9 ~~stress due to the COVID-19 public health emergency.~~

10 ~~(3) The applicant would use the grant funds to provide or support~~
11 ~~services that would otherwise likely become limited or unavailable as a result~~
12 ~~of business disruptions caused by the COVID-19 public health emergency, or~~
13 ~~the grant funds would enable the applicant to withstand and recover from~~
14 ~~business disruptions caused by the COVID-19 public health emergency, or~~
15 ~~both.~~

16 ~~(4) The applicant would use the grant funds to supplement existing~~
17 ~~patient financial assistance programs in order to assist patients whose financial~~
18 ~~situations have been negatively affected by the COVID-19 public health~~
19 ~~emergency or to enable the applicant to continue providing services to~~
20 ~~Medicaid beneficiaries, or both.~~

1 ~~(5) The applicant appears capable of making appropriate and efficient~~
2 ~~use of the grant funds.~~

3 ~~(e)(A) The Agency shall provide notice and outreach regarding the~~
4 ~~availability of the grants and grant applications to health care providers and~~
5 ~~provider organizations in a timely manner.~~

6 ~~(B) The information the Agency requires a provider to provide in an~~
7 ~~application for the Health Care Provider Stabilization Grant Program should~~
8 ~~not exceed the minimum necessary to demonstrate the applicant's need for the~~
9 ~~grant funds requested and the degree to which the provider satisfies some or all~~
10 ~~of the criteria in subsection (d) of this section, to the extent applicable.~~

11 ~~(C) The Agency shall consider each application received and shall~~
12 ~~prioritize applications and the amount of each grant award based on the~~
13 ~~applicant's level of financial need and on the extent to which the applicant~~
14 ~~satisfies some or all of the criteria set forth in subsection (d) of this section, to~~
15 ~~the extent applicable.~~

16 ~~(2) Grants to be awarded pursuant to this section may be requested and~~
17 ~~disbursed as a single payment or as multiple payments, depending on the needs~~
18 ~~of the applicant and the proposed uses of the funds, provided that all funds~~
19 ~~shall be disbursed, and cover costs incurred, on or before December 30, 2020~~
20 ~~as required by the CARES Act.~~

1 ~~(3) Notwithstanding any provision of this section to the contrary, of the~~
2 ~~funds appropriated pursuant to subsection (a) of this section:~~

3 ~~(A) at least \$5,000,000.00 in grant funds shall be awarded to nursing~~
4 ~~homes; and~~

5 ~~(B) at least \$8,500,000.00 in grant funds shall be awarded and~~
6 ~~divided between residential and nonresidential substance use disorder~~
7 ~~treatment programs, home health and hospice agencies, and designated and~~
8 ~~specialized services agency programs specific to individuals with intellectual~~
9 ~~and developmental disabilities and traumatic brain injuries.~~

10 ~~(f)(1) On or before July 31, 2020, the Agency of Human Services shall~~
11 ~~provide information to the House Committees on Appropriations, on Health~~
12 ~~Care, and on Human Services and the Senate Committees on Appropriations~~
13 ~~and on Health and Welfare regarding its distribution of Health Care Provider~~
14 ~~Stabilization Program grant funds to date, including the types of providers~~
15 ~~awarded funds, the aggregate amounts awarded by provider type, and the~~
16 ~~aggregate amounts awarded by geographic region of the State.~~

17 ~~(2) On or before September 1, 2020, the Agency of Human Services shall~~
18 ~~provide information to the House Committees on Appropriations, on Health~~
19 ~~Care, and on Human Services and the Senate Committees on Appropriations~~
20 ~~and on Health and Welfare regarding its distribution of Health Care Provider~~
21 ~~Stabilization Program grant funds since those included in the report required in~~

1 ~~subdivision (1) of this subsection, including the types of providers awarded~~
2 funds, the aggregate amounts awarded by provider type, and the aggregate
3 amounts awarded by geographic region of the State, and any amounts
4 remaining for allocation.

5 (3) On or before January 15, 2021, the Agency of Human Services shall
6 report to the House Committees on Appropriations, on Health Care, and on
7 Human Services and the Senate Committees on Appropriations and on Health
8 and Welfare the specific grant amount or amounts awarded to each recipient of
9 funds under the Health Care Provider Stabilization Program.

10 * * * Community Health Investments * * *

11 Sec. 7. COMMUNITY HEALTH INVESTMENTS; CORONAVIRUS
12 RELIEF FUND; APPROPRIATION

13 (a) The sum of \$9,000,000.00 is appropriated from the Coronavirus Relief
14 Fund to the Agency of Human Services in fiscal year 2021 in order to sustain
15 existing population health management programs.

16 (b) The General Assembly determines that the expenditure of monies from
17 the Coronavirus Relief Fund as set forth in this section is necessary to promote
18 the health of Vermonters, including identifying patients most at risk from
19 COVID-19, providing outreach and education regarding prevention of and
20 testing for COVID-19, expanding access to telehealth, and maintaining care
21 ~~management programs to help patients manage chronic conditions while~~

1 ~~access to health care services is limited as a result of the COVID-19 public~~
2 ~~health emergency.~~

3 * * * COVID-19-Related Health Disparities * * *

4 Sec. 8. ADDRESSING HEALTH DISPARITIES; CORONAVIRUS RELIEF
5 FUND, APPROPRIATION

6 (a) The sum of \$1,000,000.00 is appropriated from the Coronavirus Relief
7 Fund to Department of Health in fiscal year 2021 for purposes of addressing
8 health disparities in Vermont as they relate to COVID-19 by providing direct
9 services to affected populations and conducting outreach to isolated
10 individuals at high risk of adverse outcomes from COVID-19.

11 (b) The General Assembly determines that the expenditure of monies from
12 the Coronavirus Relief Fund as set forth in this section is necessary to reduce
13 health disparities that disproportionately affect individuals who belong to or
14 identify with certain social categories by providing all Vermont residents with
15 an equal opportunity to be healthy and to protect themselves and others from
16 COVID-19.

17 (c)(1) The Department of Health shall use the funds appropriated in this
18 section to provide up to 10 grants to community agencies to provide direct
19 services to populations most likely to experience adverse outcomes from
20 COVID-19 based on factors such as race or ethnicity, immigrant status, sexual
21 orientation, gender identity, disability, age, and geographic location. Grantees

1 ~~shall work directly with affected populations and conduct outreach to isolated~~
2 ~~individuals at high risk of adverse outcomes from COVID-19 to assess and~~
3 ~~identify their needs during the COVID-19 public health emergency in order to~~
4 ~~help them protect themselves and others from the disease, such as by providing~~
5 ~~education and resources regarding prevention of COVID-19 in languages and~~
6 ~~formats appropriate to the population, assisting with access to COVID-19~~
7 ~~testing and treatment, and identifying and addressing difficulties in safely~~
8 ~~meeting essential needs, including food, shelter, health care, and emotional~~
9 ~~support, during the public health emergency.~~

10 (2) ~~The Department shall select grantees based on prior demonstrated~~
11 ~~work with the affected population, membership as part of the affected~~
12 ~~population, and ability to rapidly implement programming in response to the~~
13 ~~COVID-19 public health emergency.~~

14 (d)(1) ~~The grantees under the program established in this section shall~~
15 ~~provide insights gathered from their work under the grant, and~~
16 ~~recommendations for further actions based on those insights to the~~
17 ~~Department to inform the Department's future efforts to address health~~
18 ~~disparities in Vermont.~~

19 (2) ~~The Department of Health shall use the insights and~~
20 ~~recommendations provided by the grantees, along with the recommendations~~
21 ~~from the Governor's Racial Equity Task Force expected on or before August~~

1 ~~15. 2020, to enhance and expand upon the Department's previous work in~~
2 ~~addressing health disparities in Vermont and shall consider ways to continue~~
3 ~~involving members of the affected populations in the Department's health~~
4 ~~equity planning processes and action plans going forward.~~

5 * * * Mental Health Services * * *

6 Sec. 9. SUICIDE PREVENTION; CORONAVIRUS RELIEF FUND;

7 APPROPRIATION

8 (a) The sum of \$800,000.00 is appropriated from the Coronavirus Relief
9 Fund to Department of Mental Health in fiscal year 2021 for purposes of
10 implementing suicide prevention initiatives focused on individuals at
11 heightened risk of death by suicide due to economic stress, social isolation, or
12 other impacts of the COVID-19 public health emergency.

13 (b) The General Assembly determines that the expenditure of monies from
14 the Coronavirus Relief Fund as set forth in this section is necessary to mitigate
15 the negative effects of COVID-19 on Vermonters' mental health as economic
16 stress, social isolation, and other impacts of the COVID-19 public health
17 emergency have increased many individuals' feelings of panic, fear, anxiety,
18 depression, loneliness, and other mental health concerns.

1 ~~Sec. 10. PEER WARM LINE; CORONAVIRUS RELIEF FUND.~~

2 APPROPRIATION

3 (a) The sum of \$200,000.00 is appropriated from the Coronavirus Relief
4 Fund to the Department of Mental Health in fiscal year 2021 for purposes of a
5 grant to Pathways Vermont to operate its peer warm line 24 hours per day,
6 seven days per week until December 30, 2020 and to conduct outreach to
7 health care providers and others across Vermont to make them aware of the
8 warm line and encourage them to use it.

9 (b) The General Assembly determines that the expenditure of monies from
10 the Coronavirus Relief Fund as set forth in this section is necessary because
11 call volume to Pathways Vermont's warm line has increased substantially as a
12 result of the COVID-19 public health emergency, including significantly
13 increased numbers of calls regarding suicidality; the warm line provides an
14 essential service to Vermonters on which their mental health and, in some
15 cases, their lives may depend; and currently, Pathways only has sufficient
16 funds to continuing operating the warm line 24 hours per day, seven days per
17 week through June 30, 2020. In addition, responding to the COVID-19 public
18 health emergency has taken an enormous toll on the mental health of health
19 care providers across the State, and it is vital that they be aware of the support
20 available to them through the warm line.

1 ~~(c) Pathways Vermont shall use the funds received pursuant to this section~~

2 to:

3 (1) operate its warm line 24 hours per day, seven days per week, until
4 December 30, 2020;

5 (2) conduct outreach to health care providers across provider types in all
6 geographic regions of the Vermont to make them aware of the warm line and
7 of existing hotline options in Vermont and encourage them to use those
8 resources; and

9 (3) conduct outreach to Vermonters all across the State to make them
10 aware of the warm line and of existing hotline options in Vermont and
11 encourage them to use those resources.

12 * * * Child Care and Family Supportive Services * * *

13 Sec. 11. PARENT CHILD CENTER NETWORK: CORONAVIRUS RELIEF
14 FUND; APPROPRIATION

15 (a) The sum of \$3,900,000.00 is appropriated from the Coronavirus Relief
16 Fund to the Department for Children and Families' Child Development
17 Division in fiscal year 2021 for distribution to the Parent Child Center Network
18 for the purpose of supporting parent child centers' response to an increased
19 demand for services, such as supporting clients with housing and food
20 insecurity, responding to child development inquiries, and providing parental

1 ~~supports, technology support and training, and other supplies and services to~~
2 meet families' immediate needs.

3 (b) The General Assembly determines that the expenditure of monies from
4 the Coronavirus Relief Fund as set forth in this section is necessary because
5 the Parent Child Center Network serves many of Vermont's most vulnerable
6 families, and the COVID-19 public health emergency has rendered the State's
7 most vulnerable families even less secure in terms of food, housing, and
8 parental and other educational supports.

9 Sec. 12. CHILD CARE, SUMMER CAMP, AND AFTERSCHOOL

10 PROGRAM RESTART GRANTS; CORONAVIRUS RELIEF

11 FUND; APPROPRIATION

12 (a) The sum of \$9,000,000.00 is appropriated from the Coronavirus Relief
13 Fund to the Department for Children and Families' Child Development
14 Division in fiscal year 2021 for purposes of providing additional restart grants
15 to summer camps, afterschool programs, and child care providers through the
16 month of August. Of the sum appropriated, \$3,000,000.00 shall be designated
17 for summer camps and afterschool programs and \$6,000,000.00 shall be
18 designated for child care providers.

19 (b) The General Assembly determines that the expenditure of monies from
20 the Coronavirus Relief Fund as set forth in this section is necessary to ensure
21 that summer camps, afterschool programs, and child care providers are able to

1 conform to health and safety standards designed to mitigate the risk of
2 COVID-19 infections, such as altering staffing patterns, securing personal
3 protective equipment and cleaning supplies, and retrofitting facilities. This
4 appropriation is also necessary to cover budgetary shortfalls resulting from the
5 inability of a summer camp, afterschool program, or child care provider to
6 open at full capacity, which is due to or resulting from COVID-19, because
7 families are either unenrolling children to prevent transmission of the virus or
8 summer camps, afterschool programs, and child care providers are reducing
9 their capacity to conform with required health and safety standards.

10 Sec. 13. CHILDREN'S INTEGRATED SERVICES; CORONAVIRUS
11 RELIEF FUND; APPROPRIATION

12 (a) The sum of \$100,000.00 is appropriated from the Coronavirus Relief
13 Fund to the Department for Children and Families' Child Development
14 Division in fiscal year 2021 for purposes of addressing immediate needs
15 related to providing Children's Integrated Services, including information
16 technology training and the provision of equipment necessary for telehealth
17 services.

18 (b) The General Assembly determines that the expenditure of monies from
19 the Coronavirus Relief Fund as set forth in this section is necessary to provide
20 remote services because the risk of COVID-19 infection has limited the
21 provision of in-person Children's Integrated Services.

1 ~~Sec. 14. INFANT SUPPLIES; CORONAVIRUS RELIEF FUND;~~

2 APPROPRIATION

3 (a) The sum of \$50,000.00 is appropriated from the Coronavirus Relief
4 Fund to the Department for Children and Families in fiscal year 2021 for
5 distribution to the Junior League of Champlain Valley Diaper Bank for
6 purposes of providing supplies to families statewide who are facing economic
7 hardship as a result of the COVID-19 pandemic.

8 (b) The General Assembly determines that the expenditure of monies from
9 the Coronavirus Relief Fund as set forth in this section is necessary because
10 many families with infants and young children are in need of diapering and
11 other supplies and the COVID-19 pandemic has created economic hardships
12 for many families, including loss of employment, that render them unable to
13 procure these supplies.

14 * * * Addressing Food Insecurity * * *

15 Sec. 15. CHARITABLE FOOD SYSTEM; CORONAVIRUS RELIEF

16 FUND; APPROPRIATION

17 (a) The sum of \$4,600,000.00 is appropriated from the Coronavirus Relief
18 Fund to the Department of Health in fiscal year 2021 for distribution to the
19 Vermont Foodbank for purpose of addressing food insecurity throughout the
20 State, including purchasing more food, providing subgrants to partner food
21 shelves and meal sites, and for additional personnel, supplies, materials,

1 ~~warehouse space, delivery services, and equipment to meet the increased need~~
2 of Vermonters for access to food as a result of the COVID-19 public health
3 emergency.

4 (b) The General Assembly determines that the expenditure of monies from
5 the Coronavirus Relief Fund as set forth in this section is necessary because
6 the Vermont Foodbank has experienced a 46 percent increase in demand for
7 services resulting from high unemployment rates, business closures, and
8 significant business interruptions during the COVID-19 public health
9 emergency. In addition, the Vermont Foodbank will also incur significant
10 expenses to access the food assistance funds available from the U.S.
11 Department of Agriculture's Coronavirus Food Assistance Program, especially
12 if the availability of the Vermont National Guard to support food distribution
13 changes, because the Vermont Foodbank does not currently have the resources
14 needed to independently manage food distributions on its own.

15 Sec. 16. SUMMER MEALS TO CHILDREN; CORONAVIRUS RELIEF

16 FUND; APPROPRIATION

17 (a) The sum of \$12,000,000.00 is appropriated from the Coronavirus Relief
18 Fund to the Agency of Education for distribution to Summer Meal Sponsors in
19 fiscal year 2021 for purposes of continuing meal delivery services to children
20 during the months of June, July, and August.

1 ~~(b) The General Assembly determines that the expenditure of monies from~~
2 the Coronavirus Relief Fund as set forth in this section is necessary to provide
3 meal delivery services to children, including the preparation, packaging, and
4 delivery of meals. Food insecurity has increased significantly during the
5 COVID-19 pandemic, and settings that often provide meals during summer
6 months, like congregate settings, may not be available in the summer of 2020
7 due to public health considerations. This appropriation shall assist in the
8 payment of costs incurred by sponsors to address one or both of the following:

9 (1) compliance with COVID-19 public health precautions; or

10 (2) accommodation of increased participation in the Program due to the
11 increase in number of eligible participants due to the negative economic effects
12 of the COVID-19 public health emergency.

13 (c)(1) The Agency of Education shall continue to seek waivers from the
14 U.S. Department of Agriculture for the Summer Food Service Program to
15 enable the State to draw down federal funds for the delivery of meals in
16 accordance with this section.

17 (2) The provision of summer meals to children is not compensable
18 under this section to the extent that the same costs or expenses have been or
19 will be covered by other federal grant funds.

1 ~~Sec. 17. FOOD DISTRIBUTION TO OLDER VERMONTERS AND~~

2 ~~OTHER VULNERABLE POPULATIONS; CORONAVIRUS~~

3 ~~RELIEF FUND; APPROPRIATION~~

4 ~~(a) The sum of \$2,000,000.00 is appropriated from the Coronavirus Relief~~
5 ~~Fund to the Department of Disabilities, Aging, and Independent Living in~~
6 ~~fiscal year 2021 for distribution to the Area Agencies on Aging for the purpose~~
7 ~~of providing nutrition services to older Vermonters and other vulnerable~~
8 ~~populations in compliance with public health or social distancing requirements~~
9 ~~implemented in response to the COVID-19 public health emergency.~~

10 ~~(b) The General Assembly determines that the expenditure of monies from~~
11 ~~the Coronavirus Relief Fund as set forth in this section is necessary to address~~
12 ~~the increased demand for nutrition services and the added costs of public~~
13 ~~health precautions incurred by the Area Agencies on Aging due to or resulting~~
14 ~~from COVID-19 because the public health emergency has increased food~~
15 ~~insecurity in Vermont and has restricted the availability of congregate settings~~
16 ~~in which many older Vermonters and other vulnerable populations are typically~~
17 ~~served.~~

~~*** Adult Day Programs ***~~

~~Sec. 18. ADULT DAY PROGRAMS; CORONAVIRUS RELIEF FUND;
APPROPRIATION~~

~~(a) The sum of \$850,000.00 is appropriated from the Coronavirus Relief Fund to the Department of Disabilities, Aging, and Independent Living in fiscal year 2021 to provide sustainability payments to adult day programs during the months of July, August, and September to ensure that these programs remain viable and will be able to reopen once the risk of COVID-19 transmission in congregate settings dissipates.~~

~~(b) The General Assembly determines that the expenditure of monies from the Coronavirus Relief Fund as set forth in this section is necessary to provide financial stability to Vermont's adult day programs while clients remain socially distanced to prevent the risk of COVID-19 transmission in congregate settings and to ensure that programs are able to reopen once the risk of COVID-19 transmission in congregate settings dissipates.~~

~~*** Supports for New Americans, Refugees, and Immigrants ***~~

~~Sec. 19. SUPPORTS FOR NEW AMERICANS, REFUGEES, AND
IMMIGRANTS; CORONAVIRUS RELIEF FUND;
APPROPRIATION~~

~~(a) The sum of \$700,000.00 is appropriated from the Coronavirus Relief Fund to the Agency of Human Services in fiscal year 2021 for distribution in~~

1 ~~equal amounts to the Association of Africans Living in Vermont and the U.S.~~
2 Committee for Refugees and Immigrants' Vermont Refugee Resettlement
3 Program for various purposes related to COVID-19, including:
4 (1) hiring outreach staff to communicate health and hygiene information
5 related to COVID-19 in many languages, including the of symptoms of
6 COVID-19, how to access health care, and the importance of social distancing;
7 (2) preparing and delivering care packages of food, clothing, and
8 cleaning and hygiene products to persons experiencing economic hardship as a
9 result of high unemployment rates, business closure, or significant business
10 interruption during the COVID-19 pandemic;
11 (3) providing navigation of case management services to clients in need
12 of unemployment insurance, Reach Up, the Supplemental Nutrition Assistance
13 Program, and other benefits as a result of high unemployment rates, business
14 closure, or significant business interruption during the COVID-19 pandemic;
15 and
16 (4) hiring a coach to collaborate with the Department for Children and
17 Families' Child Development Division to assist New Americans interested in
18 becoming registered family child care providers, including gaining a better
19 understanding of the challenges facing New Americans in accessing child care
20 as a result of the COVID-19 public health emergency and providing a career
21 path for New Americans who have lost employment as a result of COVID-19.

1 ~~(b) The General Assembly determines that the expenditure of monies from~~
2 ~~the Coronavirus Relief Fund as set forth in this section is necessary because~~
3 ~~many members of Vermont's New American, refugee, and immigrant~~
4 ~~populations have been unable to access information related to:~~

5 ~~(1) the prevention of COVID-19 transmission; and~~

6 ~~(2) support services for persons experiencing either symptoms of the~~
7 ~~virus or financial hardship as a result of high unemployment rates, business~~
8 ~~closure, or significant business interruption due to the COVID-19 public health~~
9 ~~emergency.~~

10 * * * Peer Supports for Persons with Intellectual Disabilities * * *

11 Sec. 20. PEER SUPPORTS FOR PERSONS WITH INTELLECTUAL
12 DISABILITIES; CORONAVIRUS RELIEF FUND;
13 APPROPRIATION

14 (a) ~~The sum of \$50,000.00 is appropriated from the Coronavirus Relief~~
15 ~~Fund to the Department for Disabilities, Aging, and Independent Living in~~
16 ~~fiscal year 2021 for distribution to the Green Mountain Self Advocates for the~~
17 ~~purposes of providing peer outreach services to persons with intellectual~~
18 ~~disabilities regarding:~~

19 (1) ~~health and hygiene precautions related to avoiding exposure to and~~
20 ~~transmission of COVID-19,~~

1 ~~(2) resources and services for persons impacted by financial hardship as~~
2 a result of high unemployment rates, business closure, or significant business
3 interruption during the COVID-19 pandemic; and

4 (3) training, assistance, and acquisition of digital equipment to access
5 the supports described in subdivisions (1) and (2) of this subsection.

6 (b) The General Assembly determines that the expenditure of monies from
7 the Coronavirus Relief Fund as set forth in this section is necessary to ensure
8 that persons with intellectual disabilities understand how to:

9 (1) reduce the risk of exposure to and transmission of COVID-19; and

10 (2) access health, social, and financial supports necessitated due to
11 infection from COVID-19, social distancing, or financial hardship as a result
12 of the high unemployment rates, business closure, or significant business
13 interruption during the COVID-19 pandemic.

14 * * * Supplemental Reach Up Assistance * * *

15 Sec. 21. SUPPLEMENTAL REACH UP ASSISTANCE; CORONAVIRUS
16 RELIEF FUND; APPROPRIATION

17 (a)(1) The sum of \$300,000.00 is appropriated from the Coronavirus Relief
18 Fund to the Department for Children and Families' Economic Services
19 Division in fiscal year 2021 for purposes of providing small supplemental
20 grants to families in the Reach Up program experiencing extraordinary

1 financial hardship due to the COVID-19 public health emergency for expenses

2 such as:

3 (A) cleaning supplies and personal protective equipment to prevent
4 infection by transmission of COVID-19;

5 (B) cash assistance to families with children under six years of age,
6 which is linked to better health outcomes for young children;

7 (C) expenses related to remote learning or employment, including
8 access to the Internet; and

9 (D) transportation-related expenses to offset limited public
10 transportation options during the COVID-19 public health emergency.

11 (2) The Department shall distribute the supplemental grants in
12 accordance with its standard process for distributing supplemental Reach Up
13 financial assistance.

14 (b) The General Assembly determines that the expenditure of monies from
15 the Coronavirus Relief Fund as set forth in this section is necessary because
16 Vermont's most vulnerable families, many of whom are Reach Up participants,
17 have been especially susceptible to financial hardship as a result of the high
18 unemployment rates, business closures, and significant business interruptions
19 due to the COVID-19 public health emergency and may require supplemental
20 funds to provide COVID-19 related resources for their families.

~~*** Recovery Residences ***~~

~~Sec. 22. RECOVERY RESIDENCES; CORONAVIRUS RELIEF FUND;~~

~~APPROPRIATION~~

~~(a) The sum of \$350,000.00 is appropriated from the Coronavirus Relief Fund to the Department of Health in fiscal year 2021 for distribution to recovery residences for the purposes of:~~

~~(1) providing rental payments on behalf of residents who are unable to pay rent due to unemployment as a result of COVID-19; and~~

~~(2) purchasing cleaning supplies and personal protective equipment necessary to mitigate the transmission of COVID-19 within a recovery residence.~~

~~(b) The General Assembly determines that the expenditure of monies from the Coronavirus Relief Fund as set forth in this section is necessary to ensure that residents are able to remain in recovery residences despite experiencing unemployment as a result of COVID-19 and to ensure that recovery residences have the cleaning and other supplies necessary to mitigate the transmission of COVID-19.~~

1 * * * COVID-19 Public Health Precautions on State Lands * * *

2 Sec. 23. AGENCY OF NATURAL RESOURCES; COVID-19 PUBLIC
3 HEALTH EXPENSES ON STATE LANDS;
4 APPROPRIATIONS

5 In addition to any other funds appropriated to the Agency of Natural
6 Resources in fiscal year 2021, the amount of \$3,500,000.00 is appropriated
7 from the Coronavirus Relief Fund in fiscal year 2021 for necessary
8 expenditures incurred by the Agency for the purpose of implementing COVID-
9 19 public health precautions on lands owned or controlled by the Agency of
10 Natural Resources. Eligible projects to implement COVID-19 public health
11 precautions include:

12 (1) updating of signage or information provided at entry to or access to
13 trails, access areas, forests, parks, or other areas where information regarding
14 COVID-19 public health precautions would be available to the users;

15 (2) temporary campsites or structures to allow for proper social
16 distancing of users and staff;

17 (3) the cost or expense of services or equipment required to clean or
18 sanitize public spaces; and

19 (4) expanding, improving, or adding public access to State lands and
20 public waters to allow greater social distancing among users, including

1 ~~purchase, building, repairing, or expanding parking areas, boat ramps,~~
2 restrooms, trail heads, visitor centers, and other amenities.

3 * * * Legislative Branch; Health and Safety * * *

4 Sec. 24. LEGISLATIVE BRANCH; SPACE AND HEALTH AND SAFETY
5 ASSESSMENT; COVID-19 MITIGATION PREPARATION;
6 CORONAVIRUS RELIEF FUND; APPROPRIATION

7 (a) The sum of up to \$750,000.00 is appropriated from the Coronavirus
8 Relief Fund to the Sergeant at Arms in fiscal year 2021 as described below.

9 (1) Of the amount appropriated in this section, the Sergeant at Arms
10 may use up to \$100,000.00 for a short-term and long-term space and health
11 and safety needs assessment for the Legislative Branch for COVID-19
12 mitigation and meeting social distancing requirements. Any funds not
13 expended for the assessment shall be used for the purpose described in
14 subdivision (2) of this subsection (a).

15 (2) Of the amount appropriated in this section, the Sergeant at Arms
16 may use up to \$150,000.00 for COVID-mitigation equipment or upgrades to
17 the State House, including personal protective equipment (PPE) and other
18 health and safety equipment or infrastructure; and

19 (3) Of the amount appropriated in this section, the Sergeant at Arms
20 may use up to \$500,000.00 for the costs to purchase any equipment or

1 ~~implement upgrades or space transfers recommended in the assessment~~

2 described in subdivision (1) of this subsection (a).

3 (b) The General Assembly determines that the expenditure of monies from
4 the Coronavirus Relief Fund as set forth in this section is necessary for
5 addressing the health and safety of legislators, staff, and the public in the State
6 House and other legislative space for the purpose of COVID-19 mitigation.

7 (c) On or before July 10, 2020, the Sergeant at Arms, in consultation with
8 the Department of Buildings and General Services, shall contract with an
9 independent third party for a short-term and long-term space and health and
10 safety needs assessment for the Legislative Branch for COVID-19 mitigation.

11 The assessment shall include:

12 (1) recommendations for health and safety infrastructure measures
13 needed to protect staff, legislators, and the public, mitigate COVID-19, and
14 meet social distancing requirements in the State House and any other
15 Legislative Branch space;

16 (2) short and long-term options for use of space or development of
17 additional space in the Capitol Complex for legislators, committee meetings,
18 and legislative staff offices, including 133 State Street; and

19 (3) short and long-term options for use of space for legislators,
20 committee meetings, and legislative staff offices statewide.

1 ~~(d) On or before August 10, 2020, the Sergeant at Arms shall submit the~~
2 assessment described in subsection (a) of this section to the House Committee
3 on Corrections and Institutions and the Senate Committee on Institutions. The
4 assessment shall include cost estimates for the recommendations and options
5 described in subdivisions (a)(1)-(3).

6 (e) Notwithstanding any provision of law to the contrary, the Sergeant at
7 Arms may enter into a contract with an independent third party for the
8 assessment described in this section without the need to competitively bid such
9 contracts. For the purposes of the assessment, the public health risk posed by
10 COVID-19 shall be deemed to be an emergency situation that justifies the
11 execution of sole source contracts pursuant to Bulletin 3.5, the State's
12 Procurement and Contracting Procedures.

13 Sec. 25. LEGISLATIVE INFORMATION TECHNOLOGY;

14 CORONAVIRUS RELIEF FUND; APPROPRIATION

15 (a) The sum of \$250,000.00 is appropriated from the Coronavirus Relief
16 Fund to the Office of Legislative Information Technology in fiscal year 2021
17 for legislative information technology equipment, including any networking
18 set-up required for the State House or new legislative space, camera and video
19 set-up, and purchasing hardware, such as laptops and tablets.

20 (b) The General Assembly determines that the expenditure of monies from
21 the Coronavirus Relief Fund as set forth in this section is necessary for

1 addressing upgrades to the State House information technology infrastructure
2 the potential transition to a new legislative space to meet social distancing
3 requirements, to support a remote work environment for legislators and
4 legislative staff, and to ensure remote public access to legislative meetings
5 resulting from the COVID-19 emergency.

6 * * * Strategic Plan for Equity and Inclusion * * *

7 Sec. 26. OFFICE OF THE ATTORNEY GENERAL'S STRATEGIC PLAN
8 FOR EQUITY AND INCLUSION PROJECT; CORONAVIRUS
9 RELIEF FUND; APPROPRIATION

10 (a) The sum of \$30,000.00 is appropriated from the Coronavirus Relief
11 Fund to the Office of the Attorney General in fiscal year 2021 for purposes of
12 the Office's Strategic Plan for Equity and Inclusion project.

13 (b) The General Assembly determines that the expenditure of monies from
14 the Coronavirus Relief Fund as set forth in this section:

15 (1) is necessary because race-based disparities and implicit bias continue
16 to persist throughout the State of Vermont; and

17 (2) is due to COVID-19 because its proven disproportionate impact on
18 people of color, which has resulted in substantially greater difficulties in their
19 abilities during the pandemic to find and obtain such services as access to
20 justice, housing, employment, transportation, and emergency relief, has

1 ~~_____~~

2 severely that immediate action is necessary.

3 * * * Effective Date * * *

4 Sec. 27. EFFECTIVE DATE

5 ~~This act shall take effect on July 1, 2020.~~

* * * Purpose * * *

Sec. 1. PURPOSE

(a) The purpose of this act is to appropriate \$326,850,000.00 from the Coronavirus Relief Fund to cover necessary health care- and human services-related expenses incurred due to, or as a result of, the COVID-19 pandemic.

(b)(1) Costs are not compensable under this act if the same costs or expenses have been or will be covered by insurance or by another State or federal funding source; provided, however, that this restriction does not include loans or advance payments for which repayment is expected.

(2) Costs that are eligible for coverage by other federal funding sources are not compensable under this act unless authorized by the Secretary of Administration.

** * * Coronavirus Relief Fund; Administrative Provisions * * **

Sec. 2. CONSISTENCY WITH CARES ACT AND GUIDANCE

(a) The General Assembly determines that the expenditure of monies from the Coronavirus Relief Fund as set forth in this act complies with the requirements of Sec. 5001 of the CARES Act, Pub. L. No. 116-136 and related guidance because the costs to be covered:

(1) are necessary expenditures incurred due to the public health emergency with respect to Coronavirus Disease 2019 (COVID-19);

(2) were not accounted for in Vermont's fiscal year 2020 budget; and

(3) were, or will be, incurred during the period beginning on March 1, 2020 and ending on December 30, 2020.

(b) Additional details regarding the consistency of each appropriation with the requirements of the CARES Act and related guidance are contained in a supplemental memorandum that accompanies this act.

Sec. 3. GRANT RECIPIENT REQUIREMENTS; REVERSION AND

REALLOCATION SCHEDULE

All appropriations made from the State's Coronavirus Relief Fund (CRF) in this and other bills passed after March 1, 2020 as part of the 2020 legislative session are made with the knowledge that the statutory and regulatory context is constantly changing. Additional federal legislation may further change the potential for and appropriateness of CRF usage. As a result:

(1) Appropriations from the CRF are subject to changes in source of funds that may occur as the result of subsequent legislation or through administrative actions, where permissible by law.

(2) Specific CRF uses may need to change based on changes to federal laws or on revised or updated federal guidance.

(3) It is the responsibility of all entities receiving CRF monies to ensure compliance with all federal guidelines as to CRF spending and use.

(4) Unless otherwise authorized by the Commissioner of Finance and Management, any monies appropriated from the CRF shall revert to the CRF to the extent that they have not been expended by December 20, 2020 to enable reallocation.

Sec. 4. CORONAVIRUS RELIEF FUND GRANTS; CONDITIONS

(a) Any person receiving a grant comprising monies from the Coronavirus Relief Fund shall use the monies only for purposes that comply with the requirements of Sec. 5001 of the CARES Act, Pub. L. No. 116-136 and related guidance.

(b) Any person who expends monies from the Coronavirus Relief Fund for purposes not eligible under Sec. 5001 of the CARES Act, Pub. L. No. 116-136 and related guidance shall be liable for repayment of the funds to the State of Vermont; provided, however, that a person shall not be liable for such repayment if the person expended the monies in good faith reliance on authorization of the proposed expenditure by or specific guidance from the agency or department administering the grant program.

(c) The Attorney General or a State agency or department administering a grant program established or authorized under this act may seek appropriate criminal or civil penalties as authorized by law for a violation of the terms or conditions of the applicable program, grant, or award.

Sec. 5. CORONAVIRUS RELIEF FUND; RECORD KEEPING; COMPLIANCE; REPORTS

(a) In order to ensure compliance with the requirements of Sec. 5001 of the CARES Act, Pub. L. No. 116-136, and related guidance, and to assist the State in demonstrating such compliance:

(1) any agency or department, and any subrecipient of a grant, that is authorized to disburse grant funds appropriated by this act shall include standard audit provisions, as required by Agency of Administration Bulletins 3.5 and 5, in all contracts, loans, and grant agreements; and

(2) each grant recipient shall report on its use of the monies received pursuant to this act to the agency or department administering the grant as required by that agency or department and shall maintain records of its expenditures of the monies for three years, or for a longer period if so required by State or federal law, to enable verification as needed.

(b) On or before August 15, 2020 and October 1, 2020, each agency or department administering a grant program pursuant to this act shall provide information to the legislative committees of jurisdiction, including the House and Senate Committees on Appropriations, regarding its distribution of grant funds to date, the amount of grant funds that remains available for distribution, and its plans for awarding the available funds by December 20, 2020.

** * * Hazard Pay for Front-Line Employees * * **

Sec. 6. FRONT-LINE EMPLOYEES HAZARD PAY GRANT PROGRAM

(a)(1) There is established in the Agency of Human Services the Front-Line Employees Hazard Pay Grant Program to administer and award grants to certain public safety, public health, health care, and human services employers whose employees were engaged in activities substantially dedicated to mitigating or responding to the COVID-19 public health emergency during the eligible period.

(2) The sum of \$28,000,000.00 is appropriated from the Coronavirus Relief Fund to the Agency of Human Services in fiscal year 2021 for the administration and payment of grants pursuant to the Front-Line Employees Hazard Pay Grant Program established in subdivision (1) of this subsection.

(b) As used in this section:

(1) "Agency" means the Agency of Human Services.

(2)(A) "Covered employer" means an entity that employs one or more individuals in Vermont in relation to its operation of one of the following:

(i) an assisted living residence as defined in 33 V.S.A. § 7102;

(ii) a nursing home as defined in 33 V.S.A. § 7102 and any employer that a nursing home has contracted with for the provision of physical, speech, respiratory, or occupational therapy, provided that such an employer shall only be permitted to receive a grant to provide hazard pay to its employees for therapy services provided in the nursing home;

(iii) a residential care home as defined in 33 V.S.A. § 7102;

(iv) a therapeutic community residence as defined in 33 V.S.A. § 7102;

(v) a health care facility as defined in 18 V.S.A. § 9432 or a physician's office;

(vi) a dentist's office or a dental facility;

(vii) a homeless shelter;

(viii) a home health agency as defined in 33 V.S.A. § 6302 and any employer that a home health agency has contracted with to provide physical, speech, respiratory, or occupational therapy on its behalf, provided that such an employer shall only be permitted to receive a grant to provide hazard pay to its employees for therapy services provided on behalf of the home health agency;

(ix) a federally qualified health center, rural health clinic, or clinic for the uninsured;

(x) a program licensed by the Department for Children and Families as a residential treatment program;

(xi) an ambulance service or first responder service as defined in 24 V.S.A. § 2651;

(xii) a morgue; or

(xiii) a provider of necessities and services to vulnerable or disadvantaged populations.

(B) "Covered employer" does not include:

(i) the State;

(ii) a political subdivision of the State;

(iii) the United States;

(iv) an agency designated to provide mental health or developmental disability services, or both, pursuant to 18 V.S.A. chapter 207; or

(v) an agency with which the Commissioner of Mental Health or of Disabilities, Aging, and Independent Living, or both, has contracted to provide specialized services pursuant to 18 V.S.A. § 8912.

(3)(A) “Elevated risk of exposure to COVID-19” means the performance of a job that:

(i) has high potential for exposure to known or suspected sources of COVID-19, including through;

(I) providing in-person services or care to members of the public or clients; or

(II) cleaning or sanitizing the premises of a covered employer in a location that is used by members of the public or individuals who are known or suspected to have COVID-19;

(ii) requires frequent physical contact or close contact, or both, with people who may be infected with SARS-CoV-2, but who are not known or suspected COVID-19 patients; or

(iii) is located in an area with ongoing community transmission of SARS-CoV-2 and requires regular, close contact with members of the public.

(B) As used in this subdivision (b)(3), “close contact” means interactions with another individual that require the employee to be within six feet of that individual.

(4)(A) “Eligible employee” means an individual who:

(i) is employed by a covered employer that has applied for a grant through the Program;

(ii) performs a job that had an elevated risk of exposure to COVID-19 during the eligible period;

(iii) was unable to perform his or her job remotely or to telework, including by providing health care or other services by telephone, videoconference, or telehealth;

(iv) except in the case of employees of home health agencies and nursing homes, earns an hourly base wage of \$25.00 or less;

(v) worked at least 68 hours for a covered employer during the eligible period; and

(vi) is not eligible to receive monetary benefits for the performance of his or her job under any program authorized or implemented by the federal government.

(B) Notwithstanding subdivision (A)(i) of this subdivision (4), “eligible employee” includes an independent direct support provider who satisfies the requirements of subdivisions (A)(ii)–(vi) of this subdivision (4).

(C) “Eligible employee” does not include:

(i) an independent contractor or self-employed individual; or

(ii) an individual who has received unemployment insurance benefits for any week during the eligible period.

(5) “Eligible period” means the period from March 13, 2020 through May 15, 2020, inclusive.

(6) “Independent direct support provider” has the same meaning as in 21 V.S.A. § 1631.

(7) “Program” means the Front-Line Employees Hazard Pay Grant Program.

(8) “Secretary” means the Secretary of Human Services.

(c)(1) A covered employer may apply to the Secretary for a lump sum grant to provide hazard pay to eligible employees in the following amounts for the eligible period:

(A) \$2,000.00 for an eligible employee who worked at least 216 hours in a job with an elevated risk of exposure to COVID-19 during the eligible period; and

(B) \$1,200.00 for an eligible employee who worked at least 68 hours and less than 216 hours in a job with an elevated risk of exposure to COVID-19 during the eligible period.

(2)(A) The number of hours worked by an eligible employee during the eligible period shall include any hours of employer-provided accrued paid leave or leave provided pursuant to the Emergency Family and Medical Leave Expansion Act or the Emergency Paid Sick Leave Act that were used by the eligible employee because he or she contracted COVID-19 or was quarantined because of exposure to COVID-19.

(B) The number of hours worked by an eligible employee during the eligible period shall not include:

(i) any hours of employer-provided accrued paid leave or leave provided pursuant to the Emergency Family and Medical Leave Expansion Act or the Emergency Paid Sick Leave Act that were used by the eligible employee to care for another individual; and

(ii) any hours of remote or telework performed by the eligible employee, including the provision of healthcare or other services by telephone, videoconference, or telehealth.

(3) An eligible employee may elect not to receive hazard pay funded by a grant provided pursuant to the Program by providing notice to his or her employer pursuant to procedures adopted by the employer.

(4) For the sole purpose of the administration of the Program and the provision of hazard pay to independent direct support providers, ARIS Solutions, as the fiscal agent for the employers of the independent direct support providers, shall have the authority to apply for a grant in the same manner as a covered employer and to disburse hazard pay funded by that grant to eligible independent direct support providers. Notwithstanding subdivision (b)(5) of this section, the Secretary may establish a different eligibility period for independent direct support providers based on the start and end dates of the pay periods used by ARIS Solutions that are closest to the dates set forth in subdivision (b)(5) of this section.

(5) To the extent permitted under federal law, hazard pay provided to an eligible employee through a grant provided pursuant to the Program shall not:

(A) be considered as earned income, unearned income, or a resource for the purpose of any public benefit program; or

(B) make the hazard pay recipient ineligible for any public benefit programs, including Vermont Medicaid.

(6) A covered employer may deduct any applicable payroll taxes related to the payment to an eligible employee of hazard pay funded by the Program from the amount set forth in subdivision (1) of this subsection.

(d) In order to qualify for a grant under the Program, the Secretary shall require a covered employer to certify that:

(1) the grant funds shall only be used to provide hazard pay to eligible employees;

(2) eligible employees receiving hazard pay funded by the grant shall not be required to pay an administrative fee or other charge in relation to the employer requesting a grant to provide the employee with hazard pay;

(3) it has established a process to permit eligible employees to elect not to receive hazard pay funded by a grant provided pursuant to the Program and record keeping procedures to track which employees have elected not to receive a grant; and

(4) the covered employer shall not reduce or otherwise recoup any compensation paid to or owed to an eligible employee for work performed during the eligible period as a result of the eligible employee receiving hazard pay funded by a grant obtained through the Program.

(e) The amount of the grant provided to a covered employer shall equal the total amount of hazard pay that its eligible employees qualify for pursuant to subsection (c) of this section.

(f) Each covered employer that receives a grant shall, not later than 90 days after receiving the grant and in no event later than December 15, 2020, report to the Agency on a standard form provided by the Secretary the amount of grant funds used to provide hazard pay to eligible employees and the amount of any remaining grant funds that were not spent. All unspent grant funds shall be returned to the Agency pursuant to a procedure adopted by the Secretary.

(g)(1) The Secretary shall:

(A) adopt procedures for implementing the Program, which shall include a simple grant application process and a process to allow employers to report on their use of the grant funds awarded pursuant to this section;

(B) promote awareness of the Program to eligible employers;

(C) award grants to covered employers on a first-come, first-served basis, subject to available funding; and

(D) adopt measurable goals, performance measures, and an audit strategy to assess the utilization and performance of the Program.

(2) The Secretary may enter into agreements, memoranda of understanding, or contracts with private entities as necessary to implement or administer the Program and, notwithstanding any provision of law to the contrary, shall not be required to competitively bid any contracts entered into pursuant to this subdivision. For the purposes of the Program, the public health risk posed by COVID-19 shall be deemed to be an emergency situation that justifies the execution of sole source contracts pursuant to Bulletin 3.5, the State's Procurement and Contracting Procedures.

(h) In addition to any other reports required pursuant to this act, on or before January 15, 2021, the Secretary shall submit a report to the General Assembly concerning the implementation of this section, including:

(1) a description of the policies and procedures adopted to implement the Program;

(2) the promotion and marketing of the Program; and

(3) an analysis of the utilization and performance of the Program.

(i)(1) The definition of “covered employer” set forth in subdivision (b)(2) of this section shall be deemed to include to the types of employers listed in subdivision (b)(2) of this subsection to the extent permitted by federal law and any applicable guidance if either of the following occurs:

(A) the permissible uses of monies in the Coronavirus Relief Fund pursuant to Sec. 5001 of the CARES Act, Pub. L. No. 116-136, as amended, and any related guidance are expanded to permit the payment of hazard pay to employees of some or all of the types of employers listed in subdivision (2) of this subsection (i); or

(B) a federal program that grants money directly to the State, which may be used to provide hazard pay to employees of some or all of the types of employers listed in subdivision (2) of this subsection (i), is enacted.

(2) The following types of employers may be deemed to be included within the definition of “covered employer” set forth in subdivision (b)(2) of this section if the requirements of subdivision (1) of this subsection are met:

(A) a grocery store;

(B) a pharmacy;

(C) a retailer identified as essential in Sec. 6, paragraphs f and h of addendum 6 to Executive Order 01-20, provided that, during the eligible period, the majority of the retail establishment was open to the general public for in-person sales rather than curbside pickup or delivery;

(D) a wholesale distributor making deliveries to a retailer described in subdivisions (A)–(C) of this subdivision (i)(2);

(E) a trash collection or waste management service;

(F) a janitorial service that provides cleaning or janitorial services to another covered employer;

(G) a child care facility as defined in 33 V.S.A. § 3511 that is providing child care services to essential service providers pursuant to Directive 2 of Executive Order 01-20;

(H) a vocational rehabilitation service provider; or

(I) a funeral establishment or crematory establishment as defined in 26 V.S.A. § 1211.

**** Health Care Provider Stabilization Grant Program ****

Sec. 7. AGENCY OF HUMAN SERVICES; HEALTH CARE PROVIDER

STABILIZATION GRANT PROGRAM

(a) Appropriation. The sum of \$275,000,000.00 is appropriated from the Coronavirus Relief Fund to the Agency of Human Services in fiscal year 2021 for purposes of establishing the Health Care Provider Stabilization Grant Program as set forth in this section. The Agency shall disburse these funds to eligible health care provider applicants as expeditiously as possible using a needs-based application process.

(b) Eligible providers. Providers of health care services in the following categories shall be eligible to apply for grant funds pursuant to this section if the provider is located in Vermont and delivers health care services in this State:

(1) hospitals, including community hospitals and psychiatric hospitals;

(2) health care professional services, including independent medical practices, hospital-owned medical practices, designated and specialized services agencies, federally qualified health centers, rural health clinics, ambulatory surgical centers, and laboratory and imaging centers;

(3) dental services;

(4) other professional services, including mental health providers, residential and nonresidential substance use disorder treatment providers, emergency medical service and ambulance service providers, advanced practice registered nurses, physical therapists, podiatrists, optometrists, chiropractors, naturopathic physicians, and other health care providers licensed by the Board of Medical Practice or the Office of Professional Regulation;

(5) home health and hospice agencies;

(6) pharmacy services;

(7) facility- and community-based long-term care services, including skilled nursing facilities, nursing homes, residential care homes, assisted living facilities, and adult day service providers; and

(8) organizations recognized by the Agency of Human Services through their status as provider grant recipients providing health support services, including the area agencies on aging and organizations providing peer support services, organizations providing peer outreach services to individuals with intellectual disabilities, and organizations providing children's integrated services.

(c) Prioritization; grant amounts and terms. The Agency shall consider each application received and shall develop a prioritization methodology to

determine grant award amounts. If deemed appropriate by the Secretary of Human Services, the Agency may set application deadlines and may establish more than one round of funding for the Grant Program.

(1) The prioritization methodology shall consider:

(A) the impact of the grant amount on the applicant's sustainability, not the applicant's size or its proportion of health care spending in this State;

(B) the degree to which the grant will provide or support services that would otherwise likely become limited or unavailable as a result of business disruptions caused by the COVID-19 public health emergency, including to sustain existing population health management programs, or the grant funds would enable the applicant to withstand and recover from business disruptions caused by the COVID-19 public health emergency, or both;

(C) the degree to which the applicant would use the grant funds to support existing patient financial assistance programs or to enable the applicant to continue providing services to Medicaid beneficiaries, or both;

(D) the degree to which the applicant maintains participation in value-based payment arrangements, if applicable;

(E) the degree to which the applicant appears capable of making appropriate and efficient use of the grant funds; and

(F) any financial assistance an applicant has received from other sources.

(2) To the greatest extent possible, the Agency shall seek to balance grant awards across provider types and across geographic regions of the State.

(3) The Agency shall provide notice and outreach regarding the availability of the grants and grant applications to health care providers and provider organizations in a timely manner.

(4) The Agency shall require applicants to provide only the information necessary for the Agency to determine their financial need and consistency with the elements of the prioritization methodology.

(d) Reports.

(1) On or before August 15, 2020 and October 1, 2020, the Agency of Human Services shall provide information to the House Committees on Appropriations, on Health Care, and on Human Services and the Senate Committees on Appropriations and on Health and Welfare regarding its distribution of Health Care Provider Stabilization Program grant funds to date, including the types of providers awarded funds, the aggregate amounts

awarded by provider type, and the aggregate amounts awarded by geographic region of the State.

(2) On or before January 15, 2021, the Agency of Human Services shall report to the House Committees on Appropriations, on Health Care, and on Human Services and the Senate Committees on Appropriations and on Health and Welfare the specific grant amount or amounts awarded to each recipient of funds under the Health Care Provider Stabilization Program.

** * * COVID-19-Related Health Disparities * * **

Sec. 8. ADDRESSING COVID-19 RELATED HEALTH DISPARITIES

(a)(1) The Department of Health shall utilize its Epidemiology and Laboratory Capacity (ELC) Enhanced Detection Grant to the greatest extent allowable to provide subgrants to community organizations to engage with specific populations most likely to experience adverse outcomes from COVID-19 based on factors such as race or ethnicity, immigrant status, sexual orientation, gender identity, disability, age, and geographic location. Subgrantees shall work directly with affected populations and conduct outreach to isolated individuals at high risk of adverse outcomes from COVID-19 to assess and identify their needs during the COVID-19 public health emergency in order to help them protect themselves and others from the disease, such as by providing education and resources regarding prevention of COVID-19 in languages and formats appropriate to the population, assisting with access to COVID-19 testing and treatment, and identifying and addressing difficulties in safely meeting essential needs, including food, shelter, health care, and emotional support, during the public health emergency.

(2) The sum of \$500,000.00 is appropriated from the Coronavirus Relief Fund to the Department of Health in fiscal year 2021 to provide monies to the community organizations awarded subgrants in accordance with subdivision (1) of this subsection to assist them in meeting essential needs for food, shelter, health care, and emotional support identified pursuant to subdivision (1) of this subsection that are not eligible expenses under the ELC grant.

(3) To the extent feasible, the Department shall select community organizations for subgrants based on prior demonstrated work with the affected population, membership as part of the affected population, and ability to rapidly implement programming in response to the COVID-19 public health emergency.

(b) On or before August 18, 2020, the Department shall report to the House Committees on Appropriations, on Health Care, and on Human Services and the Senate Committees on Appropriations and on Health and Welfare regarding:

(1) the community subgrants awarded through the ELC grant in accordance with subsection (a) of this section;

(2) any additional resources made available for the purposes set forth in subsection (a) of this section through the Coronavirus Relief Fund allocation plan approved by the Joint Fiscal Committee on May 11, 2020; and

(3) any recommendations for using additional monies from the Coronavirus Relief Fund for the purposes set forth in subsection (a) of this section through legislative appropriation or additional Joint Fiscal Committee allocation.

(c) The Department shall seek insights and recommendations from the community organizations awarded grants pursuant to this section to inform the Department's future efforts to address health disparities in Vermont. The Department shall incorporate these insights and recommendations along with the recommendations from the Governor's Racial Equity Task Force expected on or before August 15, 2020 to enhance and expand upon the Department's previous work in addressing health disparities in Vermont and shall consider ways to continue involving members of the affected populations in the Department's health equity planning processes and action plans going forward.

** * * Mental Health Services * * **

Sec. 9. DEPARTMENT OF MENTAL HEALTH; SUICIDE PREVENTION

(a) At the time of enactment of this act, the Department of Mental Health has an application pending for a grant from the federal Substance Abuse and Mental Health Services Administration (SAMHSA) for suicide prevention activities necessitated by the COVID-19 public health emergency. If the Department's SAMHSA grant application is successful, the Department shall utilize the funds awarded to the greatest extent possible to implement suicide prevention initiatives focused on individuals at heightened risk of death by suicide due to economic stress, social isolation, or other impacts of the COVID-19 pandemic. If the Department does not receive the SAMHSA grant, the Department shall notify the General Assembly promptly and shall inform the General Assembly of any resources that can be made available for suicide prevention initiatives through the Coronavirus Relief Fund allocation plan approved by the Joint Fiscal Committee on May 11, 2020 or of any recommendations to use additional monies from the Coronavirus Relief Fund through legislative appropriation or additional Joint Fiscal Committee allocation for these purposes, or both.

Sec. 10. PATHWAYS VERMONT; PEER WARM LINE

The sum of \$200,000.00 is appropriated from the Coronavirus Relief Fund to the Department of Mental Health in fiscal year 2021 for purposes of a grant to Pathways Vermont to operate its peer warm line 24 hours per day, seven days per week until December 30, 2020 and to conduct outreach to health care providers and others across Vermont to make them aware of the warm line and encourage them to use it.

** * * Addressing Food Insecurity * * **

Sec. 11. VERMONT FOODBANK; FOOD INSECURITY

The sum of \$4,700,000.00 is appropriated from the Coronavirus Relief Fund to the Department for Children and Families in fiscal year 2021 for distribution to the Vermont Foodbank for the purpose of addressing food insecurity throughout the State, including purchasing more food and necessities, such as diapers, toilet paper, and cleaning supplies; providing subgrants to partner food shelves and meal sites; and for additional personnel, supplies, materials, warehouse space, delivery services, and equipment to meet the increased need of Vermonters for access to food as a result of the COVID-19 public health emergency.

Sec. 12. AGENCY OF EDUCATION; SUMMER MEALS FOR CHILDREN

Up to \$12,000,000.00 of monies previously appropriated in fiscal year 2020 to the Agency of Education from the Coronavirus Relief Fund for the purpose of reimbursing COVID-19 costs incurred by school districts may be distributed to Summer Meal Sponsors for the purposes of continuing meal delivery services to children during the months of June, July, and August. Funds used for the provision of summer meals shall not be subtracted from a district's first and second fiscal year 2021 education fund payments.

(1) The Agency shall continue to seek waivers from the U.S. Department of Agriculture for the Summer Food Service Program to enable the State to draw down federal funds for the delivery of meals in accordance with this section.

(2) On or before August 18, 2020, the Agency shall report to the General Assembly regarding the status, cost, and funding sources available for summer meal delivery and shall make any recommendation for additional Coronavirus Relief Fund monies for this purpose from a subsequent Joint Fiscal Committee allocation or legislation.

Sec. 13. MEALS TO OLDER VERMONTERS AND OTHER

VULNERABLE POPULATIONS

On or before August 18, 2020, the Department for Disabilities, Aging, and Independent Living shall report to the Joint Fiscal Committee on:

(1) the adequacy of funding for the provision of nutrition services to older Vermonters and other vulnerable populations served by the Department, including:

(A) specific federal COVID-19 funding provided to date for the provision of nutrition services to the elderly and vulnerable populations served by the Department; and

(B) Older Americans Act funds distributed to the Area Agencies on Aging for the purpose of providing nutrition services to older Vermonters;

(2) any funds made available for nutrition services for older Vermonters and other vulnerable populations from the Coronavirus Relief Fund pursuant to the Joint Fiscal Committee's May 11, 2020 approved plan; and

(3) any recommendation for additional Coronavirus Relief Fund monies for nutrition services for older Vermonters and other vulnerable populations from a subsequent Joint Fiscal Committee allocation or legislation.

* * * Child Care, Family Supports, and Vulnerable Populations * * *

Sec. 14. CHILD CARE PROVIDERS, SUMMER CAMPS,

AFTERSCHOOL PROGRAMS; PARENT CHILD CENTERS;

CHILDREN'S INTEGRATED SERVICES

(a)(1) The sum of \$12,000,000.00 is appropriated from the Coronavirus Relief Fund to the Department for Children and Families in fiscal year 2021 for the purposes of providing:

(A) additional restart grants to summer camps, afterschool programs, and child care providers;

(B) the cost incurred by Parent Child Centers in responding to the COVID-19 public health emergency, including the increased demand for services by impacted families; and

(C) funds to address the immediate needs related to providing Children's Integrated Services, including information technology training and the provision of equipment necessary for telehealth services.

(2) The Department shall determine the allocation of funding for this subsection and develop an application process to distribute funds to providers.

(b) Once the Department has determined how the appropriation set forth in this section shall be distributed, but not later than August 18, 2020, it shall report to the House Committees on Appropriations and on Human Services and to the Senate Committees on Appropriations and on Health and Welfare regarding how the funds are to be distributed across programs.

Sec. 15. GRANTS TO VULNERABLE POPULATIONS

The sum of \$2,000,000.00 is appropriated from the Coronavirus Relief Fund to the Agency of Human Services in fiscal year 2021 for the purposes of distributing the monies among populations made vulnerable by the COVID-19 public health emergency as determined by a needs-based assessment. The populations served by this section shall be households living below 300 percent of the Federal Poverty Level, including families receiving Reach Up, older Vermonters, and individuals with a disability. Monies distributed pursuant to this section shall assist the designated populations in addressing permissible household needs under Sec. 5001 of the CARES Act, Pub. L. No. 116–136 and related guidance.

** * * Supports for New Americans, Refugees, and Immigrants * * **

*Sec. 16. SUPPORTS FOR NEW AMERICANS, REFUGEES, AND
IMMIGRANTS*

The sum of \$700,000.00 is appropriated from the Coronavirus Relief Fund to the Agency of Human Services in fiscal year 2021 for distribution in equal amounts to the Association of Africans Living in Vermont and the U.S. Committee for Refugees and Immigrants' Vermont Refugee Resettlement Program for various purposes related to COVID-19, including:

(1) hiring outreach staff to communicate health and hygiene information related to COVID-19 in many languages, including the symptoms of COVID-19, how to access health care, and the importance of social distancing;

(2) preparing and delivering care packages of food, clothing, and cleaning and hygiene products to persons experiencing economic hardship as a result of high unemployment rates, business closure, or significant business interruption during the COVID-19 pandemic;

(3) providing navigation of case management services to clients in need of unemployment insurance, Reach Up, the Supplemental Nutrition Assistance Program, and other benefits as a result of high unemployment rates, business closure, or significant business interruption during the COVID-19 pandemic; and

(4) hiring outreach staff to collaborate with the Department for Children and Families' Child Development Division to assist New Americans interested in becoming registered family child care providers, including gaining a better understanding of the challenges facing New Americans in accessing child care as a result of the COVID-19 public health emergency and

providing a career path for New Americans who have lost employment as a result of COVID-19.

** * * COVID-19 Public Health Precautions on State Lands * * **

Sec. 17. AGENCY OF NATURAL RESOURCES; COVID-19 PUBLIC

HEALTH EXPENSES ON STATE LANDS

(a) In addition to any other funds appropriated to the Agency of Natural Resources in fiscal year 2021, the amount of \$3,000,000.00 is appropriated from the Coronavirus Relief Fund in fiscal year 2021 for necessary expenditures incurred by the Agency for the purpose of implementing COVID-19 public health precautions on lands owned or controlled by the Agency of Natural Resources. Eligible projects to implement COVID-19 public health precautions include:

(1) updating of signage or information provided at entry to or access to trails, access areas, forests, parks, or other areas where information regarding COVID-19 public health precautions would be available to the users;

(2) temporary campsites or structures to allow for proper social distancing of users and staff;

(3) the cost or expense of services or equipment required to clean or sanitize public spaces; and

(4) expanding, improving, or adding public access to State lands and public waters to allow greater social distancing among users, including purchasing, building, repairing, or expanding parking areas, boat ramps, restrooms, trail heads, visitor centers, and other amenities.

(b) Of the funds appropriated in subsection (a) of this section, \$120,000.00 shall be allocated to the Vermont Youth Conservation Corps to provide youth with employment opportunities by working on the eligible projects undertaken pursuant to this section.

** * * Legislative Branch; Health and Safety * * **

Sec. 18. LEGISLATIVE BRANCH; HEALTH AND SAFETY; COVID-19

MITIGATION

(a) The sum of \$750,000.00 is appropriated from the Coronavirus Relief Fund to the Legislature for use by the Legislature, Sergeant at Arms, and the Office of Legislative Information Technology in fiscal year 2021 for the following purposes:

(1) contracting with an independent third party for an assessment of the space and health and safety needs of the Legislative Branch for COVID-19 mitigation and meeting social distancing requirements;

(2) COVID-mitigation equipment or upgrades to the State House, including personal protective equipment (PPE) and other health and safety equipment or infrastructure;

(3) to purchase any equipment or implement upgrades or space transfers recommended in the assessment described in subdivision (1) of this subsection; and

(4) to purchase legislative information technology equipment, including any networking set-up required for the State House or new legislative space, camera and video set-up, and purchasing hardware, such as laptops and tablets.

(b) Authorization. On or before July 10, 2020, the Sergeant at Arms, in consultation with the Department of Buildings and General Services, shall contract with an independent third party for a short-term and long-term space and health and safety needs assessment for the Legislative Branch for COVID-19 mitigation. The assessment shall include:

(1) recommendations for health and safety infrastructure measures needed to protect staff, legislators, and the public; mitigate COVID-19; and meet social distancing requirements in the State House and any other Legislative Branch space;

(2) short and long-term options for use of space or development of additional space in the Capitol Complex for legislators, committee meetings, and legislative staff offices, including 133 State Street; and

(3) short and long-term options for use of space for legislators, committee meetings, and legislative staff offices statewide.

(c) Report. On or before August 19, 2020, the Sergeant at Arms shall submit the assessment described in subsection (b) of this section to the House Committee on Corrections and Institutions and the Senate Committee on Institutions. The assessment shall include cost estimates for the recommendations and options described in subdivisions (b)(1)–(3) of this section.

(d) Contracting procedures. Notwithstanding any provision of law to the contrary, the Sergeant at Arms may enter into a contract with an independent third party for the assessment described in this section without the need to competitively bid such contracts. For the purposes of the assessment, the public health risk posed by COVID-19 shall be deemed to be an emergency

situation that justifies the execution of sole source contracts pursuant to Bulletin 3.5, the State's Procurement and Contracting Procedures.

** * * Public Health; Independent Colleges * * **

Sec. 19. DEPARTMENT OF HEALTH; INDEPENDENT COLLEGES;

COVID-19 TESTING

(a) The Department of Health shall provide technical and planning assistance to Vermont's independent colleges regarding the reopening of their campuses and the return of students for the fall 2020 semester in a manner that is consistent with public health by making preparations for COVID-19 screening and testing for students, faculty, and staff.

(b) The Department shall collaborate with Vermont's independent colleges to determine the expenditures to conduct the COVID-19 screening and testing and to identify available sources to cover these costs, such as health insurance coverage and federal funds, including those allocated to the Governor's Emergency Education Relief Fund. If available funds are not sufficient to cover the colleges' COVID-19 screening and tests, the Department shall submit a request to the Joint Fiscal Committee for allocation of monies from the Coronavirus Relief Fund to the colleges for the costs not covered by other sources.

** * * Effective Date * * **

Sec. 20. EFFECTIVE DATE

This act shall take effect on passage.