

## Senate proposal of amendment

### H. 965

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

The Senate proposes to the House to amend the bill by striking out all after the enacting clause and inserting in lieu thereof the following:

\* \* \* 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 act shall be deemed to include to the types of employers listed in subdivision (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 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 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 (a) 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 (a)(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.