

# House Calendar

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Thursday, March 28, 2019

79th DAY OF THE BIENNIAL SESSION

House Convenes at 10:00 A.M.

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**ORDERS OF THE DAY**

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**ACTION CALENDAR**

**Action Postponed Until March 28, 2019**

**Favorable with Amendment**

**H. 524**

An act relating to health insurance and the individual mandate.

**(Rep. Houghton of Essex** will speak for the Committee on Health Care.)

**Rep. Till of Jericho**, for the Committee on Ways and Means, recommends the bill ought to pass when amended as follows:

First: By striking out Sec. 1, 32 V.S.A. chapter 244, in its entirety and inserting in lieu thereof the following Sec. 1. 32 V.S.A. chapter 244 is amended to read:

CHAPTER 244. REQUIREMENT TO MAINTAIN MINIMUM  
ESSENTIAL COVERAGE

§ 10451. DEFINITIONS

As used in this chapter:

(1) “Applicable individual” means, with respect to any month, an individual other than the following:

(A) ~~an individual with a religious conscience exemption who is:~~

(i) a member of a recognized religious sect or division thereof that is described in 26 U.S.C. § 1402(g)(1) and is an adherent of established tenets or teachings of that sect or division; or

(ii) a member of a religious sect or division thereof that is not described in 26 U.S.C. § 1402(g)(1), who relies solely on a religious method of healing, and for whom the acceptance of medical health services would be inconsistent with the individual’s religious beliefs;

(B) an individual not lawfully present in the United States; or

(C) an individual for any month if for the month the individual is incarcerated, other than incarceration pending the disposition of charges.

(2) ~~“Eligible employer-sponsored plan” shall have the same meaning as in 26 U.S.C. § 5000A, as amended, and as in effect on December 31, 2017, and any related regulations.~~

~~(3)~~ “Minimum essential coverage” ~~shall have~~ has the same meaning as in 26 U.S.C. § 5000A, ~~as amended,~~ and any related regulations and federal guidance, as in effect on December 31, 2017, ~~and any related regulations.~~ The term also includes any other coverage or health insurance product deemed by the Department of Financial Regulation to constitute minimum essential coverage based on the criteria established in federal law and guidance in effect on December 31, 2017.

#### § 10452. REQUIREMENT TO MAINTAIN MINIMUM ESSENTIAL COVERAGE

An applicable individual shall ensure that the individual and any dependent of the individual who is also an applicable individual is covered at all times under minimum essential coverage.

#### § 10453. REPORTING AND DOCUMENTATION OF COVERAGE

(a) Each applicable individual who files or is required to file an individual income tax return as a resident of Vermont, either separately or jointly with a spouse, shall indicate on the return, in a manner prescribed by the Commissioner of Taxes, whether the individual had minimum essential coverage in effect for each of the 12 months of the taxable year for which the return is filed as required by section 10452 of this chapter, whether covered as an individual or as a named beneficiary of a policy covering multiple individuals.

(b) An applicable individual who indicates on a Vermont income tax return that the individual had minimum essential coverage shall provide to the Department of Taxes, upon the Department’s request, a copy of the statement of coverage furnished to the individual pursuant to 26 U.S.C. § 6055 by the provider of the individual’s minimum essential coverage.

(c) In the event that the requirement for providers of minimum essential coverage to furnish a statement of coverage to individuals pursuant to 26 U.S.C. § 6055 is suspended or eliminated for any taxable year, the Department of Vermont Health Access and each employer, health insurance carrier, and other entity providing minimum essential coverage to residents of this State shall submit a return to the Department of Taxes including the same information as had been provided to the Internal Revenue Service pursuant to 26 U.S.C. § 6055 at such time and in such form as the Commissioner of Taxes shall require.

#### § 10454. OUTREACH TO UNINSURED VERMONTERS

The Department of Vermont Health Access, in consultation with the Office of the Health Care Advocate and other interested stakeholders, shall use

information obtained from the Department of Taxes regarding Vermont residents without minimum essential coverage to provide targeted outreach to assist those residents in identifying and enrolling in appropriate and affordable health insurance or other health coverage.

Second: By striking out Sec. 3, 32 V.S.A. § 3112, in its entirety and inserting in lieu thereof the following:

Sec. 3. [Deleted.]

Third: By striking out Sec. 11, premium assistance expansion; legislative intent, in its entirety and inserting in lieu thereof the following:

Sec. 11. [Deleted.]

Fourth: In Sec. 13, effective dates, by striking out subsection (b) in its entirety and inserting in lieu thereof a new subsection (b) to read as follows:

(b) Sec. 2 (32 V.S.A. § 3102(e)) shall take effect on January 1, 2020.

Fifth: In Sec. 13, effective dates, in subsection (e), by striking out “11 (premium assistance; intent),”

**(Committee Vote 11-0-0)**

**Rep. Lanpher of Vergennes,** for the Committee on Appropriations, recommends the bill ought to pass when amended as recommended by the Committee on Ways and Means and when further amended as follows:

In Sec. 9, health insurance affordability; report, as follows:

First: In subdivision (a)(1), by adding the word “and” following the semicolon at the end of subdivision (A), by striking out subdivision (B) in its entirety, and by redesignating subdivision (C) to be subdivision (B)

Second: In subsection (a), by adding the word “and” following the semicolon at the end of subdivision (2), by striking out subdivision (3) in its entirety, and by redesignating subdivision (4) to be subdivision (3)

**( Committee Vote: 7-4-0)**

**Amendment to be offered by Rep. Harrison of Chittenden to H. 524**

In Sec. 13, effective dates, by striking out subsection (d) in its entirety and inserting in lieu thereof a new subsection (d) to read as follows:

(d) Secs. 6 (33 V.S.A. § 1811(a)–(c)) and 7 (8 V.S.A. § 4079a) shall take effect on January 1, 2021 and shall apply to all health benefit plans issued, offered, or renewed for coverage on and after that date, beginning with plans for the 2021 plan year.

**Amendment to be offered by Rep. Harrison of Chittenden to H. 524**

In Sec. 13, effective dates, by striking out subsection (d) in its entirety and inserting in lieu thereof a new subsection (d) to read as follows:

(d) Secs. 6 (33 V.S.A. § 1811(a)–(c)) and 7 (8 V.S.A. § 4079a) shall take effect on passage and shall apply to all health benefit plans issued, offered, or renewed for coverage on and after that date, beginning with plans for the 2020 plan year; provided, however, that association health plans in effect for the 2019 plan year may be renewed for coverage of existing association members for the 2020 plan year.

**Favorable**

**S. 14**

An act relating to extending the moratorium on home health agency certificates of need

**Rep. Nicoll of Ludlow**, for the Committee on Human Services, recommends that the bill ought to pass in concurrence.

**(Committee Vote: 10-0-1)**

**(For text see Senate Journal January 31, 2019 )**

**NEW BUSINESS**

**Committee Bill for Second Reading**

**H. 541**

An act relating to changes that affect the revenue of the State.

**(Rep. Ancel of Calais** will speak for the Committee on Ways and Means.)

**H. 542**

An act relating to making appropriations for the support of government.

**(Rep. Toll of Danville** will speak for the Committee on Appropriations.)

**NOTICE CALENDAR**

**Favorable with Amendment**

**H. 543**

An act relating to capital construction and State bonding.

**(Rep. Emmons of Springfield** will speak for the Committee on Corrections and Institutions.)

**Rep. Fagan of Rutland City**, for the Committee on Appropriations, recommends the bill ought to pass when amended as follows:

In Sec. 28, replacement of Middlesex Secure Residential Recovery facility, in subsection (b), by striking out subdivisions (2) and (3) in their entirety and inserting in lieu thereof the following:

(2) Beginning on August 15, 2019, the Secretary of Human Services shall notify the chairs of the House Committees on Appropriations, on Corrections and Institutions, and on Health Care and the Senate Committees on Appropriations, on Health and Welfare, and on Institutions at least monthly of updates on the status of the RRMC and RMHS negotiations.

(3) On or before December 15, 2019, the Secretary shall submit a written report on the status of the RRMC and RMHS negotiations to the House Committees on Appropriations, on Corrections and Institutions, and on Health Care and the Senate Committees on Appropriations, on Health and Welfare, and on Institutions. The report shall include an analysis of the current costs to the state of operating secure residential beds as compared to the costs of operating these beds at RRMC and RMHS.

**(Committee Vote 10-0-1)**

### **Ordered to Lie**

#### **H. 97**

An act relating to fiscal year 2019 budget adjustments.

Pending Question: Shall the House concur in the Senate Proposal of Amendment to House Proposal of Amendment to Senate Proposal of Amendment?

### **Consent Calendar**

#### **Concurrent Resolutions**

The following concurrent resolutions have been introduced for approval by the Senate and House and will be adopted automatically unless a Senator or Representative requests floor consideration before the end of the session of the next legislative day. Requests for floor consideration in either chamber should be communicated to the Secretary's office and/or the House Clerk's office, respectively. For text of resolutions, see Addendum to House Calendar and Senate Calendar.

#### **H.C.R. 99**

House concurrent resolution recognizing March as Bleeding Disorders Awareness Month in Vermont



**H.C.R. 100**

House concurrent resolution recognizing May 19–25, 2019 as National Public Works Week in Vermont

**H.C.R. 101**

House concurrent resolution recognizing former Representative Ann Seibert of Norwich for her leadership in the enactment of anti-smoking legislation in Vermont

**H.C.R. 102**

House concurrent resolution congratulating Ted's Pizza Shop in Rutland on its 60th anniversary

**H.C.R. 103**

House concurrent resolution congratulating the American Legion on its centennial

**H.C.R. 104**

House concurrent resolution congratulating the 2019 Fair Haven Union High School Slaters Division II girls' basketball championship team

**H.C.R. 105**

House concurrent resolution congratulating Bellows Falls Union High School Head Field Hockey Coach Bethany Coursen on being named the MAX Field Hockey 2018 Vermont State Coach of the Year and the New England Region Coach of the Year

**H.C.R. 106**

House concurrent resolution honoring Robert S. Thorn Jr. for his innovative leadership as a mental health administrator, counselor, and educator

**H.C.R. 107**

House concurrent resolution congratulating the 2019 West Rutland High School Golden Horde Division IV girls' basketball championship team

**H.C.R. 108**

House concurrent resolution congratulating the 2019 Thetford Academy Panthers Division III girls' basketball championship team

**H.C.R. 109**

House concurrent resolution congratulating the Thetford Academy Panthers Division III boys' basketball championship team

**H.C.R. 110**

House concurrent resolution congratulating the 2018 Thetford Academy Panthers Division III boys' cross-country championship team

**H.C.R. 111**

House concurrent resolution designating April 2019 as Fair Housing Month in Vermont

**H.C.R. 112**

House concurrent resolution congratulating the Mt. St. Joseph Academy Mounties Division II boys' basketball championship team

**H.C.R. 113**

House concurrent resolution in memory of former Sergeant at Arms Teresa M. Randall

**H.C.R. 114**

House concurrent resolution congratulating the 2019 Danville School Indians Division IV boys' basketball championship team

**H.C.R. 115**

House concurrent resolution designating April 2019 as Veterans Suicide Awareness Month in Vermont

**H.C.R. 116**

House concurrent resolution recognizing April 2, 2019 as Equal Pay Day in Vermont

**H.C.R. 117**

House concurrent resolution celebrating the unique attributes of Green River Reservoir State Park

**H.C.R. 118**

House concurrent resolution congratulating the 2019 Boys & Girls Clubs of Vermont Youth of the Year Award honorees

**H.C.R. 119**

House concurrent resolution observing April 2, 2019 as National Service Recognition Day in Vermont

## **H.C.R. 120**

House concurrent resolution honoring U.S. Navy Chief Petty Officers' century and a quarter of outstanding service to our nation

### **Information Notice**

#### **House Appropriations Committee Members' amendments to Fiscal Year 2020 Proposed Omnibus Appropriations Bill (H.542)**

The House Committee on Appropriations requests all members of the House, who intend to introduce amendments to the proposed FY 2020 omnibus appropriations bill (H.542), to meet with the Committee **in room 42 at 8:30 a.m. on Thursday, March 28, before 2<sup>nd</sup> reading**, OR at **8:30 a.m. on Friday, March 29, before 3<sup>rd</sup> reading**. Schedule a time with Theresa Utton-Jerman at [tutton@leg.state.vt.us](mailto:tutton@leg.state.vt.us), 828-5767 or Room: 40 to meet with the Committee.

**In addition, please notify the Chair as soon as possible if you intend to offer an amendment.**