

From: "James, Nissa" <Nissa.James@vermont.gov>

Date: June 18, 2020 at 9:27:20 PM EDT

Subject: DVHA Response: Amended H.960 Language to Reflect Recent Developments (VPharm Impact)

Dear Chair Lyons,

First and foremost, thank you for accommodating Nancy Hogue (VPharm) & Alicia Cooper's (PA Waiver for ACO) existing schedules and allowing them to provide testimony tomorrow. I cannot convey how much we appreciate this effort on our behalf. Per the communication yesterday from Sarah Clark regarding CMS' confirmation that AHS may seek a 2-year, no-change extension to the Section 1115 Demonstration Waiver, the Agency requests an amendment to the VPharm coverage language as passed by the House that would help to distinguish the no-change extension from when the State next seeks changes to the 1115 Waiver (and would then request approval for the VPharm expansion). The Commissioner of DVHA was able to reach Mike Fisher today by telephone to discuss the implications of the no-change extension. Thus, please allow me to provide amended language for your consideration:

SUPPLEMENTAL VPHARM COVERAGE; GLOBAL COMMITMENT WAIVER RENEWAL; RULEMAKING

(a) The Agency of Human Services shall request approval from the Centers for Medicare and Medicaid Services to include in Vermont's Global Commitment to Health Section 1115 Medicaid demonstration renewal an expansion of the VPharm coverage for Vermont Medicare beneficiaries when Vermont next seeks changes to its Section 1115 Demonstration Waiver. This expansion of VPharm coverage for Vermont Medicare beneficiaries with income between 150 and 225 percent of the federal poverty guidelines (FPG) will be the same as the pharmaceutical coverage under the Medicaid program. (b) Within 30 days following approval of the VPharm coverage expansion by the Centers for Medicare and Medicaid Services, the Agency of Human Services shall commence the rulemaking process in accordance with 3 V.S.A. chapter 25 to amend its rules accordingly.

I have not shared the language above with the Office of the Health Care Advocate but would be most open to doing so when/if appropriate. Please let me know if I may be of further assistance. All my best,

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Nissa L. (Walke) James, Ph.D. | DVHA

Health Care Director

Department of Vermont Health Access

Email: nissa.james@vermont.gov