

1 TO THE HONORABLE SENATE:

2 The Committee on Appropriations to which was referred House Bill No.
3 965 entitled “An act relating to health care- and human services-related
4 appropriations from the Coronavirus Relief Fund” respectfully reports that it
5 has considered the same and recommends that the Senate propose to the House
6 that the bill be amended by striking out all after the enacting clause and
7 inserting in lieu thereof the following:

8 * * * Purpose * * *

9 Sec. 1. PURPOSE

10 (a) The purpose of this act is to appropriate \$334,350,000.00 from the
11 Coronavirus Relief Fund to cover necessary health care- and human services-
12 related expenses incurred due to, or as a result of, the COVID-19 pandemic.

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

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

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

2 Sec. 2. CONSISTENCY WITH CARES ACT AND GUIDANCE

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

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

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

10 (3) were, or will be, incurred during the period beginning on March 1,
11 2020 and ending on December 30, 2020.

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

15 Sec. 3. GRANT RECIPIENT REQUIREMENTS; REVERSION AND

16 REALLOCATION SCHEDULE

17 All appropriations made from the State’s Coronavirus Relief Fund (CRF)
18 in this and other bills passed after March 1, 2020 as part of the 2020
19 legislative session are made with the knowledge that the statutory and
20 regulatory context is constantly changing. Additional federal legislation may

1 further change the potential for and appropriateness of CRF usage. As a
2 result:

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

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

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

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

14 Sec. 4. CORONAVIRUS RELIEF FUND GRANTS; CONDITIONS

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

19 (b) Any person who expends monies from the Coronavirus Relief Fund for
20 purposes not eligible under Sec. 5001 of the CARES Act, Pub. L. No. 116-136
21 and related guidance shall be liable for repayment of the funds to the State of

1 Vermont; provided, however, that a person shall not be liable for such
2 repayment if the person expended the monies in good faith reliance on
3 authorization of the proposed expenditure by or specific guidance from the
4 agency or department administering the grant program.

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

9 Sec. 5. CORONAVIRUS RELIEF FUND; RECORD KEEPING;

10 COMPLIANCE; REPORTS

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

14 (1) any agency or department, and any subrecipient of a grant, that is
15 authorized to disburse grant funds appropriated by this act shall include
16 standard audit provisions, as required by Agency of Administration Bulletins
17 3.5 and 5, in all contracts, loans, and grant agreements; and

18 (2) each grant recipient shall report on its use of the monies received
19 pursuant to this act to the agency or department administering the grant as
20 required by that agency or department and shall maintain records of its

1 expenditures of the monies for three years, or for a longer period if so required
2 by State or federal law, to enable verification as needed.

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

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

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

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

17 (2) The sum of \$31,000,000.00 is appropriated from the Coronavirus
18 Relief Fund to the Agency of Human Services in fiscal year 2021 for the
19 administration and payment of grants pursuant to the Front-Line Employees
20 Hazard Pay Grant Program established in subdivision (1) of this subsection.

21 (b) As used in this section:

1 (1) “Agency” means the Agency of Human Services.

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

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

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

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

11 (iv) a therapeutic community residence as defined in 33 V.S.A.
12 § 7102;

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

15 (vi) a dentist’s office or a dental facility;

16 (vii) a homeless shelter;

17 (viii) a home health agency as defined in 33 V.S.A. § 6302 and
18 any employer that a home health agency has contracted with to provide
19 physical, speech, respiratory, or occupational therapy on its behalf, provided
20 that such an employer shall only be permitted to receive a grant to provide

1 hazard pay to its employees for therapy services provided on behalf of the
2 home health agency;

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

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

7 (xi) an ambulance service or first responder service as defined in
8 24 V.S.A. § 2651;

9 (xii) a morgue; or

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

12 (B) “Covered employer” does not include:

13 (i) the State;

14 (ii) a political subdivision of the State;

15 (iii) the United States;

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

18 or

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

16 (C) “Eligible employee” does not include:

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

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

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

1 (6) “Independent direct support provider” has the same meaning as in
2 21 V.S.A. § 1631.

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

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

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

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

12 (B) \$1,200.00 for an eligible employee who worked at least 68 hours
13 and less than 216 hours in a job with an elevated risk of exposure to COVID-
14 19 during the eligible period.

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

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

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

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

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

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

1 pay periods used by ARIS Solutions that are closest to the dates set forth in
2 subdivision (b)(5) of this section.

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

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

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

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

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

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

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

19 (3) it has established a process to permit eligible employees to elect not
20 to receive hazard pay funded by a grant provided pursuant to the Program and

1 record keeping procedures to track which employees have elected not to
2 receive a grant; and

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

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

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

16 (g)(1) The Secretary shall:

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

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

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

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

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

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

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

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

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

20 (i)(1) The definition of “covered employer” set forth in subdivision (b)(2)
21 of this act shall be deemed to include to the types of employers listed in

1 subdivision (2) of this subsection to the extent permitted by federal law and
2 any applicable guidance if either of the following occurs:

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

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

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

14 (A) a grocery store;

15 (B) a pharmacy;

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

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

1 (E) a trash collection or waste management service;

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

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

7 (H) a vocational rehabilitation service provider; or

8 (I) a funeral establishment or crematory establishment as defined in
9 26 V.S.A. § 1211.

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

11 Sec. 7. AGENCY OF HUMAN SERVICES; HEALTH CARE PROVIDER
12 STABILIZATION GRANT PROGRAM

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

19 (b) Eligible providers. Providers of health care services in the following
20 categories shall be eligible to apply for grant funds pursuant to this section if

1 the provider is located in Vermont and delivers health care services in this

2 State:

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

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

8 (3) dental services;

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

15 (5) home health and hospice agencies;

16 (6) pharmacy services;

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

20 (8) organizations recognized by the Agency of Human Services through
21 their status as provider grant recipients providing health support services,

1 including the area agencies on aging and organizations providing peer support
2 services, organizations providing peer outreach services to individuals with
3 intellectual disabilities, and organizations providing children’s integrated
4 services.

5 (c) Prioritization; grant amounts and terms. The Agency shall consider
6 each application received and shall develop a prioritization methodology to
7 determine grant award amounts. If deemed appropriate by the Secretary of
8 Human Services, the Agency may set application deadlines and may establish
9 more than one round of funding for the Grant Program.

10 (1) The prioritization methodology shall consider:

11 (A) the impact of the grant amount on the applicant’s sustainability;

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

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

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

1 (E) any financial assistance an applicant has received from other
2 sources.

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

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

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

11 (d) Reports.

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

20 (2) On or before January 15, 2021, the Agency of Human Services shall
21 report to the House Committees on Appropriations, on Health Care, and on

1 Human Services and the Senate Committees on Appropriations and on Health
2 and Welfare the specific grant amount or amounts awarded to each recipient of
3 funds under the Health Care Provider Stabilization Program.

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

5 Sec. 8. ADDRESSING COVID-19 RELATED HEALTH DISPARITIES

6 (a)(1) The Department of Health shall utilize its Epidemiology and
7 Laboratory Capacity (ELC) Enhanced Detection Grant to the greatest extent
8 allowable to provide subgrants to community organizations to engage with
9 specific populations most likely to experience adverse outcomes from COVID-
10 19 based on factors such as race or ethnicity, immigrant status, sexual
11 orientation, gender identity, disability, age, and geographic location.
12 Subgrantees shall work directly with affected populations and conduct
13 outreach to isolated individuals at high risk of adverse outcomes from COVID-
14 19 to assess and identify their needs during the COVID-19 public health
15 emergency in order to help them protect themselves and others from the
16 disease, such as by providing education and resources regarding prevention of
17 COVID-19 in languages and formats appropriate to the population, assisting
18 with access to COVID-19 testing and treatment, and identifying and addressing
19 difficulties in safely meeting essential needs, including food, shelter, health
20 care, and emotional support, during the public health emergency.

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

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

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

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

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

1 prevention initiatives focused on individuals at heightened risk of death by
2 suicide due to economic stress, social isolation, or other impacts of the
3 COVID-19 pandemic. If the Department does not receive the SAMHSA grant,
4 the Department shall notify the General Assembly promptly and shall inform
5 the General Assembly of any resources that can be made available for suicide
6 prevention initiatives through the Coronavirus Relief Fund allocation plan
7 approved by the Joint Fiscal Committee on May 11, 2020 or of any
8 recommendations to use additional monies from the Coronavirus Relief Fund
9 through legislative appropriation or additional Joint Fiscal Committee
10 allocation for these purposes, or both.

11 Sec. 10. PATHWAYS VERMONT; PEER WARM LINE

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

18 * * * Addressing Food Insecurity * * *

19 Sec. 11. VERMONT FOODBANK; FOOD INSECURITY

20 The sum of \$4,700,000.00 is appropriated from the Coronavirus Relief
21 Fund to the Department for Children and Families in fiscal year 2021 for

1 distribution to the Vermont Foodbank for purpose of addressing food
2 insecurity throughout the State, including purchasing more food and
3 necessities, such as diapers, toilet paper, and cleaning supplies; providing
4 subgrants to partner food shelves and meal sites; and for additional personnel,
5 supplies, materials, warehouse space, delivery services, and equipment to meet
6 the increased need of Vermonters for access to food as a result of the COVID-
7 19 public health emergency.

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

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

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

20 (2) On or before August 18, 2020, the Agency shall report to the
21 General Assembly regarding the status, cost, and funding sources available for

1 summer meal delivery and shall make any recommendation for additional
2 Coronavirus Relief Fund monies for this purpose from a subsequent Joint
3 Fiscal Committee allocation or legislation.

4 Sec. 13. MEALS TO OLDER VERMONTERS AND OTHER
5 VULNERABLE POPULATIONS

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

8 (1) the adequacy of Title III funding for older Vermonters and other
9 vulnerable populations, including:

10 (A) specific federal COVID-19 funding provided to date for the
11 provision of meals to the elderly and vulnerable populations; and

12 (B) funds distributed to the Area Agencies on Aging for the purpose
13 of providing nutrition services to older Vermonters and other vulnerable
14 populations;

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

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

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

2 Sec. 14. CHILD CARE PROVIDERS, SUMMER CAMPS,
3 AFTERSCHOOL PROGRAMS; PARENT CHILD CENTERS;
4 CHILDREN’S INTEGRATED SERVICES

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

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

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

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

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

18 (b) Once the Department has determined how the appropriation set forth in
19 this section shall be distributed, but not later than August 18, 2020, it shall
20 report to the House Committees on Appropriations and on Human Services and

1 to the Senate Committees on Appropriations and on Health and Welfare
2 regarding how the funds are to be distributed across programs.

3 Sec. 15. GRANTS TO VULNERABLE POPULATIONS

4 The sum of \$2,000,000.00 is appropriated from the Coronavirus Relief
5 Fund to the Agency of Human Services in fiscal year 2021 for the purposes of
6 distributing the monies among populations made vulnerable by the COVID-19
7 public health emergency as determined by a needs-based assessment. The
8 populations served by this section shall include older Vermonters; individuals
9 with a disability, including advocacy organizations such as the Green
10 Mountain Self-Advocates; and households living below 300 percent of the
11 Federal Poverty Level. Monies distributed pursuant to this section shall assist
12 the designated populations in addressing permissible household needs under
13 Sec. 5001 of the CARES Act, Pub. L. No. 116-136 and related guidance, such
14 as:

15 (1) cleaning supplies and personal protective equipment to prevent
16 infection by transmission of COVID-19;

17 (2) cash assistance to families with children under six years of age;

18 (3) expenses related to remote learning or employment, including access
19 to the Internet; and

20 (4) transportation-related expenses to offset limited public transportation
21 options during the COVID-19 public health emergency.

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

2 Sec. 16. SUPPORTS FOR NEW AMERICANS, REFUGEES, AND
3 IMMIGRANTS

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

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

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

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

1 (4) hiring outreach staff to collaborate with the Department for Children
2 and Families' Child Development Division to assist New Americans interested
3 in becoming registered family child care providers, including gaining a better
4 understanding of the challenges facing New Americans in accessing child care
5 as a result of the COVID-19 public health emergency and providing a career
6 path for New Americans who have lost employment as a result of COVID-19.

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

8 Sec. 17. AGENCY OF NATURAL RESOURCES; COVID-19 PUBLIC
9 HEALTH EXPENSES ON STATE LANDS

10 (a) In addition to any other funds appropriated to the Agency of Natural
11 Resources in fiscal year 2021, the amount of \$2,500,000.00 is appropriated
12 from the Coronavirus Relief Fund in fiscal year 2021 for necessary
13 expenditures incurred by the Agency for the purpose of implementing COVID-
14 19 public health precautions on lands owned or controlled by the Agency of
15 Natural Resources. Eligible projects to implement COVID-19 public health
16 precautions include:

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

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

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

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

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

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

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

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

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

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

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

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

10 (b) Authorization. On or before July 10, 2020, the Sergeant at Arms, in
11 consultation with the Department of Buildings and General Services, shall
12 contract with an independent third party for a short-term and long-term space
13 and health and safety needs assessment for the Legislative Branch for COVID-
14 19 mitigation. The assessment shall include:

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

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

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

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

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

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

17 Sec. 19. DEPARTMENT OF HEALTH; INDEPENDENT COLLEGES;

18 COVID-19 TESTING

19 (a) The Department of Health shall provide technical and planning
20 assistance to Vermont’s independent colleges regarding the reopening of their
21 campuses and the return of students for the fall 2020 semester in a manner that

1 is consistent with public health by making preparations for COVID-19
2 screening and testing for students, faculty, and staff.

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

12 * * * Effective Date * * *

13 Sec. 20. EFFECTIVE DATE

14 This act shall take effect on passage.

15
16
17
18 (Committee vote: _____)

19 _____

20 Senator _____

21 FOR THE COMMITTEE