

VERMONT LEGAL AID, INC.

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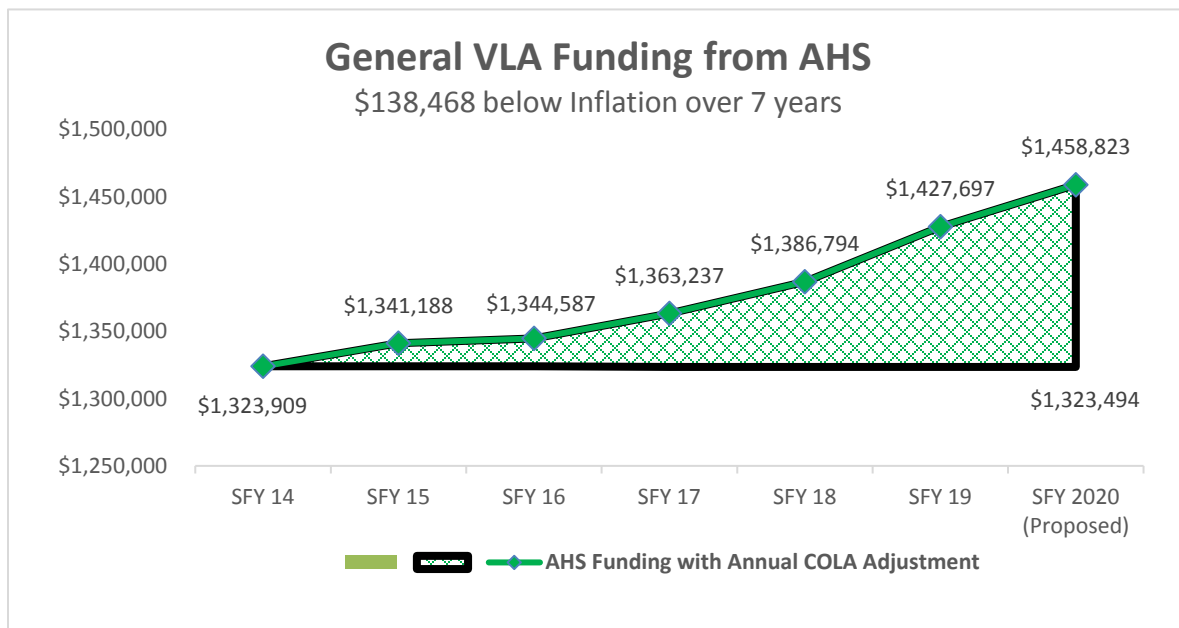
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Legal Aid Requests \$140,000 in additional AHS funding

Vermont Legal Aid's general AHS grant has been level-funded since SFY 2014, leaving it \$140,000 below the cost of inflation, and over \$200,000 below the cost of maintaining the staff funded by AHS in 2014. Since this AHS grant is matched by the federal government, with just \$70,000 in additional general funds, we can fill the gap left by years of level funding.



At the same time the state has been slowly starving VLA of funding, the number of Vermonters calling us for help has significantly increased. VLA and our partner, Legal Services Vermont, responded to more than 15,000 calls and requests for help on the web last year, an average of 75 calls per day. This represents an increase of more than **15%** over the number of requests in 2016. Each and every one of these callers had the opportunity to speak with an attorney or paralegal and describe their problem(s) and receive at least some assistance in that initial contact.

Legal Aid has received funding from the Secretary's Office of AHS for almost 50 years. This funding supports two major areas of legal services:

Right to Counsel cases in which the state is required, by statute, to provide lawyers in certain kinds of cases—primarily involuntary mental health commitment and medication cases, as well as certain state guardianship and other proceedings for clients with disabilities; and,

General Civil Legal Services cases where Legal Aid helps low-income clients solve critical civil legal problems.

Work on the first group of cases has remained at a relatively-high level since the abandonment of the State Hospital in Waterbury after Tropical Storm Irene. With patients now dispersed throughout the state, travel and the costs for medical records have more than doubled over the same time period that the state funding for these cases has remained flat.

In the vast majority of cases where VLA gets involved, our clients are in a better social and financial condition at the end of their cases than when they first sought help.

- ✓ Many of these clients, all of whom are receiving or are eligible for AHS services, will generally need fewer AHS services and less financial support than they would have if they had not received help from VLA.
- ✓ Legal Aid helps domestic violence victims protect themselves and their children, and maintain their housing.
- ✓ Legal Aid helps Vermonters with disabilities get federal disability benefits that will help ensure they will not need to rely on state benefit programs for years into the future.

We ask that the Senate consider making a modest investment of \$70,000 in general funds to restore state support of VLA to where it was in 2014, and help maintain critical services to low-income and disadvantaged Vermonters.

Eric Avildsen, Executive Director, 863-5620, eavildsen@vtlegalaid.org

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VERMONT OMBUDSMAN PROJECT

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Vermont Long-Term Care Ombudsman Project Seeks Cost of Living Increase of \$75,000

- **The Vermont Long-Term Care Ombudsman Project (VOP) has been level-funded over the past four years**

The VOP faces an unsustainable deficit which will force a reduction in staffing due to years of level funding. With just 5.6 ombudsmen, the VOP is responsible for ensuring that our services and supports are made available to all residents living in Vermont's 38 nursing homes, 119 residential care homes and 13 assisted living residences (as well as Choices for Care participants living in the community). The VOP is often the only place for the vulnerable Vermonters receiving long-term care in these settings to turn and the state cannot afford to force the VOP to reduce staffing.

- The VOP has averaged 539 complaint investigations and 379 cases, per year.
- In addition to complaint investigations and casework, the VOP offers consultations, assistance with advance directives, and non-complaint-related facility visits. In FY 2018 alone, the VOP initiated **2,207** of these non-case activities.
- The VOP is also a critical partner of the State, representing the interests of all long-term care residents when there are systemic issues identified either at specific facilities (such as those at the "Pillsbury properties" last year or at Brookside the previous year) or with the long-term care system itself.

- **The State Has Decreased the Proportion of VOP's Funding Through the Older Americans Act**

- Last year, DAIL saw an increase of \$170,001 in federal funding for services provided for through the Older Americans Act. Despite this increase, the VOP saw no increase in its funding. Had the State maintained the same proportionate allocation of these funds over the past two years, the VOP's funding would have been increased by at least \$50,000 and would have kept pace with inflation.
- Federal regulations contemplate that the state will pass through additional funding for services provided for through the Older Americans Act to help ensure it can support an effective ombudsman program.

In order to maintain its current staffing, and continue to provide critical services to Vermonters receiving long-term care, the VOP requests a cost of living increase of \$75,000 in funding for FY 2020.

Sean Londergan, State Long-Term Ombudsman, (802) 383-2227, slondergan@vtlegalaid.org

The Vermont Ombudsman Project advocates for residents of long-term care facilities, including nursing and residential care homes. The Vermont Ombudsman Project is a division of Vermont Legal Aid, Inc.

VERMONT LEGAL AID, INC.

OFFICE OF THE HEALTH CARE ADVOCATE

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Office of the Health Care Advocate

2020 funding increase request for cost of living and additional attorney position.

Total Increase Request: \$205,000

1. The HCA requests \$85,000 to return to SFY 2016 funding levels.

The Office of the Health Care Advocate (HCA) is a steady and strong voice for Vermonters' access to high quality and affordable health care. We provide critical help to individuals navigating the health care system and represent all Vermonters in health care policy and regulation.

This will be the fourth year of level funding for the HCA. During this period, the cost of living has risen by almost 5% and the cost of our health care benefits has increased by more than 25%.

2. The HCA requests \$120,000 to fund a new attorney position to respond to expanding responsibilities (ACO budget review, federal threats to health care, affordability).

The HCA policy team is a small dedicated group that stretches to fulfill its obligation to advocate for the public. We represent the interests of all Vermonters in health insurance rate review cases, hospital budget reviews, and accountable care organization (ACO) budget reviews (a new regulatory process and additional responsibility for the HCA). We also advocate on behalf of Vermonters at the legislature and respond to less predictable issues such as certificate of need (CON) applications, proposed state and federal rules, and systemic issues identified through our individual advocacy and community partners.

The federal administration's efforts to dismantle the Affordable Care Act have threatened Vermonters' access to care. This has placed a significant burden on Vermont consumers, policy makers, and the HCA. Ensuring that Vermont reacts quickly and effectively to federal changes is essential to maintaining Vermonters access to care. The HCA will continue to advocate for Vermonters as these threats continue into the future.

Finally, as the cost of health care continues to outpace Vermonters' wages, the HCA's work on behalf of families who cannot afford the care they need is increasingly important.

Michael Fisher, Chief Health Care Advocate

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