



State of Vermont
Office of the Secretary of State

Office of Professional Regulation
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James C. Condos, Secretary of State
Christopher D. Winters, Deputy Secretary
S. Lauren Hibbert, Director

To: Representative Lori Houghton
From: S. Lauren Hibbert, Director, Office of Professional Regulation

Re: General Fund Allocation related to Telehealth

Dear Rep. Houghton,

We are asking for 1,000,000 dollars to set up the telehealth system and address OPR's COVID-related budget deficit anticipated in FY2022. This money could be appropriated as follows:

- 1)FY22 Budget Adjustment FY22 - a \$1M one-time General Fund transfer. These funds would need to be eligible for carry-over to allow for finalization of the work needed;
OR
- 2)FY22 Budget Adjustment a \$500K one-time General Fund transfer AND an additional \$500k General Fund dollars through the regular annual budget process for FY23;
OR
- 3)FY23 –a \$1 M one-time General Fund transfer.

This is the first time in OPR's history that the agency has requested funds from the General Fund. This is an unprecedented time in this aspect as well. OPR is a siloed special fund, meaning licensee fees fully support operations. COVID-response efforts have placed a strain on OPR's staff, IT infrastructure, and ultimately the budget which is in turn passed on to licensees through their initial licensing and renewal fees.

Act 91, Act 140 and Act 6, particularly the related profession-specific outreach and the COVID licensure bills, have been critical in supporting the state's health care workforce. OPR's role in this effort has been substantial, including:

- Creation of emergency licenses for people who could not take their exams. This was approximately 125 new applications OPR needed to develop quickly so people could start working.
- Creation of new temporary licenses in 63 healthcare profession types for the retired professionals who were asked to step back into the profession during the pandemic.

- Create dozens of profession-specific guidance on closing and subsequent reopening. OPR also adopted two emergency rules, one related to administrative hearings and one related to notaries.
- We have received 5 complaints related to professionals deemed to be licensed here, all five were investigated, and we have taken two public actions.
- Staff time, particularly at the beginning of the pandemic, was elevated. Given our budget model of funding through license fees, OPR is considered a “lean and mean machine” with little to no redundancy in staffing. These COVID-response efforts taxed our staff and budget.

OPR implemented Act 6 work without financial support from the General Fund. We, like the rest of the world, did not anticipate the work, did not budget for the work, and for the first time in recent history have a budget deficit. And, given OPR’s budget model we are faced with a budget deficit with limited offsetting options. OPR does not want to raise fees for Vermont professionals, particularly those who live and work here.

As the state is moving toward a permanent telehealth solution, the Act 21 Working Group recommends setting up three telehealth pathways: 1) short-term registration; 2) long-term registration; 3) telehealth license. OPR anticipates this will affect 63 profession license types and require development of 189 new applications. These licenses must be built in our licensing platform so the public can find a professional, employers can verify that someone is appropriately registered or licensed, and so that we can appropriately monitor, investigate, and prosecute misconduct.

If the extension of Act 6 includes short-term registration without a fee, OPR will again absorb the cost of these initiatives without receiving offsetting revenue for the programming and operational work required. OPR supports the state’s efforts to increase access to health care services in Vermont and we are excited about this work.

Please consider our request for a General Fund allocation. I am happy to answer any questions you may have,



Lauren