

**Governor's Proposed Budget, Section E.306
Ways and Means, February 18, 2022**

Sec. E.306 VERMONT HEALTH BENEFIT EXCHANGE RULES

(a) The Agency of Human Services may adopt rules pursuant to 3 V.S.A. chapter 25 to conform Vermont's rules regarding health care eligibility and enrollment and the operation of the Vermont Health Benefit Exchange to state and federal law and guidance. The Agency may use the emergency rules process pursuant to 3 V.S.A. § 844 prior to June 30, 2023, but only in the event that new state or federal law or guidance require Vermont to amend or adopt its rules in a time frame that cannot be accomplished under the traditional rulemaking process. An emergency rule adopted under these exigent circumstances shall be deemed to meet the standard for the adoption of emergency rules required pursuant to 3 V.S.A. § 844(a).

EXPLANATION: Annual language requirement to appropriately position DVHA to adapt its rules relative to changes in federal and/or state laws governing the Vermont Health Benefits Exchange.

Sec. E.306 HEALTH IT-FUND REVENUE SUNSET

2013 Acts and Resolves No. 73, Sec. 60(10), as amended by 2017 Acts and Resolves No. 73, Sec. 14, 2018 Acts and Resolves No. 187, Sec. 5, 2019 Acts and Resolves No. 71, Sec. 21, and as amended by 2021 Acts and Resolves No. 73, Sec. 14, is further amended to read:

(10) Secs. 48–51 (health claims tax) shall take effect on July 1, 2013 and Sec. 52 (Health IT-Fund; sunset) shall take effect on July 1 ~~2023~~, 2024.

EXPLANATION: Language is required to extend the sunset of the Health IT fund and is customarily extended by one year as compared to current law until a policy change is initiated. This item could be carried in the miscellaneous tax bill.

Sec. E.306.1 HEALTH CARE CLAIMS TAX

2019 Acts and Resolves No. 6, Sec. 105 as amended by 2019 Acts and Resolves No. 71, Sec. 19, is further amended to read:

(b) Sec. 73 (further amending 32 V.S.A. Sec. 10402) shall take effect on July 1, ~~2021~~, 2024.

EXPLANATION: This language is required to extend the .199% Health Care Claims tax to fund the HIT Fund through 2024 to align with Sec. E.306 above.

Sec. 306.2 HOME HEALTH AGENCY ASSESSMENT; REPEAL

2017 Acts and Resolves No. 73, Sec. 18d, as amended by 2019 Acts and Resolves No. 71, Sec. 22, and as amended by 2021 Acts and Resolves No. 73, Sec. 13, is further amended to read:

Sec. 18d. REPEAL

33. V.S.A. § 1955a (home health agency assessment) is repealed on July 1, ~~2023~~ 2024.

EXPLANATION: Language is required to extend the repeal of the home health agency assessment and is customarily extended by one year as compared to current law until a policy change is initiated. This item could be carried in the miscellaneous tax bill.