

Testimony on S.9
House Committee on Government Operations
Julie Tessler, Executive Director
Vermont Care Partners: VT Council
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Vermont Care Partners is an association of 16 non-profit designated and specialized service agencies who offer services and supports to Vermonters affected by developmental disabilities, mental health conditions and substance use disorders. We serve over 30,000 Vermonters of all ages every year in their homes, schools, communities, and places of employment. Our services address the social contributors of health to advance the State's aims of improving overall health, controlling the cost of health care, and promoting access to quality care. We receive funding from multiple departments within the Agency of Human Services and are essentially a publicly funded service network.

Like other health care providers, we oppose S.9 which gives authority of the State Auditor to examine the books and records of any contractor providing services to the State. We believe that giving the State Auditor the ability to directly audit state contractors represents an unnecessary overreach.

What problem is this bill trying to solve?

Given the level of oversight of designated and specialized service agencies, as with other health providers, we don't see the value added. Currently, all members of Vermont Care Partners are audited by independent auditors and those audits are reviewed by our citizen boards and submitted to state government. Additionally, our agencies report 240 different measures, and have ongoing onsite quality reviews and designation reviews by the Department of Mental Health and the Department of Disabilities, Aging, and Independent Living. The Agency provider agreements have a significant list of federal and state compliance requirements, as well.

It is our understanding that the State Auditor's role is to audit the operations of state government. In the past, the State Auditor audited the Department of Mental Health and the Department of Disabilities, Aging and Independent Living relative to their oversight of designated and specialized service agencies. That audit led to a tightening up of financial oversight. As far as I know, at no point in that audit process did the State Auditor express any concerns about lack of access to our agency records.

VCP is a statewide network of community-based agencies providing mental health, substance use, and intellectual and developmental disability services and supports.
www.vermontcarepartners.org

Another concern is that the client-specific information held by designated and specialized agencies, as well as other health providers, is highly confidential. Federal laws restricting the sharing of this information include HIPPA (health), FERPA (school) and 42.CFR Part 2 (substance use). It is important to limit access to this information given that data breaches can occur. We appreciate that the bill does not make public sensitive data, but that the list of information that must be available to the State Auditor is quite expansive and could add a burden to our 5,000 staff who already list documentation as the second most common reason for leaving their jobs.

In summary, Vermont Care Partners does not believe this bill will improve accountability, we already have a high level of transparency and accountability to state government. Instead, we perceive unintended consequences of greater bureaucratic burden when our focus should be on maximizing our very limited public resources toward direct services and supports to Vermonters experiencing mental health conditions, developmental disabilities and substance use challenges.