

1 Sec. E.132 33 V.S.A. § 8003 is amended to read:

2 § 8003. PROGRAM LIMITATIONS

3 (a) Cash contributions. The Treasurer or designee shall not accept a
4 contribution:

5 (1) unless it is in cash; or

6 (2) except in the case of a contribution under 26 U.S.C. § 529A(c)(1)(C)
7 (relating to a change in a designated beneficiary or program), if such
8 contribution to an ABLE account would result in aggregate contributions from
9 all contributors to the ABLE account for the taxable year exceeding the
10 amount in effect under 26 U.S.C. § 2503(b) for the calendar year in which the
11 taxable year begins.

12 (b) Separate accounting. The Treasurer or designee shall provide separate
13 accounting for each designated beneficiary.

14 (c) Limited investment direction. A designated beneficiary may, directly or
15 indirectly, direct the investment of any contributions to the Vermont ABLE
16 Savings Program, or any earnings thereon, ~~no~~ not more than two times in any
17 calendar year.

18 (d) No pledging of interest as security. A person shall not use an interest in
19 the Vermont ABLE Savings Program, or any portion thereof, as security for a
20 loan.

21 (e) Prohibition on excess contributions. The Treasurer or designee shall
22 adopt adequate safeguards under the Vermont ABLE Savings Program to

1 prevent aggregate contributions on behalf of a designated beneficiary in excess
2 of the limit established by the State pursuant to 26 U.S.C. § 529(b)(6).

3 (f) Neither the State nor any agency or instrumentality of the State shall
4 seek adjustment or recovery against an ABLE account for the costs of benefits
5 provided to a designated beneficiary.

6 (g) Abandoned accounts. Any abandoned ABLE accounts shall be subject
7 to the unclaimed property provisions in 27 V.S.A. chapter 18.

1 Sec. E.306.1 HEALTH INSURANCE MARKETS; TECHNICAL ANALYSIS

2 (a) The Agency of Human Services and the Department of Vermont Health
3 Access shall conduct a technical analysis relating to Vermont's health
4 insurance markets which shall include:

5 (1) determining the potential advantages and disadvantages to
6 individuals, small businesses, and large businesses of modifying Vermont's
7 current health insurance market structure, including the impacts on health
8 insurance premiums and on Vermonters' access to health care services;

9 (2) exploring other affordability mechanisms to address the calendar
10 year 2026 expiration of federal enhanced premium tax credits for plans issued
11 through the Vermont Health Benefit Exchange; and

12 (3) examining the feasibility of creating a public option or other
13 mechanism through which otherwise ineligible individuals or employees of
14 small businesses, or both, could buy into Vermont Medicaid coverage.

15 (b) On or before January 15, 2025, the Agency of Human Services and the
16 Department of Vermont Health Access shall share the results of the analysis
17 with the House Committees on Health Care and on Human Services and the
18 Senate Committee on Health and Welfare.

1 Sec. E.306.2 DVHA; RATE ANALYSES REQUEST

2 (a) To the extent that resources allow, the Department of Vermont Health
3 Access is requested to provide the following analyses to the General Assembly
4 on or before January 15, 2025:

5 (1) Methodologies for comparing Medicaid rates for home health
6 agency services and Medicaid pediatric palliative care or Medicare hospice
7 rates or both to rates under the Medicare home health prospective payment
8 system model or to Medicare hospice rates or both.

9 (2) Methodologies for the Medicaid Resource-Based Relative Value
10 Scale professional fee schedule that:

11 (A) maintain alignment with relative value units used by Medicare
12 but include a minimum conversion factors;

13 (B) benchmark one or more conversion factors in Vermont Medicaid
14 to the Medicare conversion factor from a specific year; and

15 (C) determine whether Vermont Medicaid should continue to use two
16 separate conversion factors, or transition to a single conversion factor in
17 combination with other methods of providing enhanced support for primary
18 care services.

1 Sec. E.3XX MEDICARE SAVINGS PROGRAMS; INCOME ELIGIBILITY

2 (a) The Agency of Human Services shall make the following changes to the

3 Medicare Savings Programs:

4 (1) increase the Qualified Medicare Beneficiary Program income threshold to

5 150 percent of the federal poverty level;

6 (2) eliminate the Specified Low-Income Medicare Beneficiary Program; and

7 (3) increase the Qualifying Individual Program income threshold to 200

8 percent of the federal poverty level.

1 Sec. E.3XX VPHARM TRANSITION REPORT

2 (a) On or before January 15, 2025, the Agency of Human Resources and the
3 Department of Vermont Health Access shall provide a report to the House Committee
4 on Human Services, Senate Committee on Health and Welfare, and the House and
5 Senate Committees on Appropriations that makes recommendations regarding the
6 VPHARM Program to ensure alignment with the Medicare Savings Programs changes
7 authorized in Sec. E.3XX of this act. Recommendations in the report shall include:

8 (1) Whether the VPHARM Program should be repealed or modified as a result
9 of the changes authorized in Sec. E.3XX of this act;

10 (2) Whether VPHARM Program benefits should be delivered through an
11 alternative program design;

12 (3) The enactment date for any recommendations; and

13 (4) A fiscal estimate for any recommendations.

14 (b) The Agency of Human Resources and the Department of Vermont Health
15 Access shall seek input from the Vermont Office of the Health Care Advocate and
16 other interested parties in developing the recommendations required by this section.

17

1 Sec. E.3XX NURSING HOMES; REGULATION OF CONTRACT

2 STAFFING; AGENCY OF HUMAN SERVICES; REPORT

3 (a) On or before January 15, 2025, the Secretary of Human Services, in
4 consultation with the Attorney General and the Office of Professional
5 Regulation, shall report to the Senate Committees on Appropriations and on
6 Health and Welfare and the House Committees on Appropriations, on Health
7 Care, and on Human Services regarding the current State and federal
8 regulation of contracts between nursing homes and nurse staffing agencies,
9 potential amendments to State law to improve the regulation of contracts
10 between nursing homes and nurse staffing agencies, and the potential for
11 establishing a State-level dispute resolution process for minor disputes between
12 nursing homes and nurse staffing agencies. The report shall:

13 (1) summarize current State laws and rules that apply to contracts
14 between nursing homes and nurse staffing agencies;

15 (2) summarize current federal laws and regulations that apply to
16 contracts between nursing homes and nurse staffing agencies;

17 (3) identify ways in which the State can improve regulation of contracts
18 between nursing homes and nurse staffing agencies to protect the rights of
19 nursing homes and nurses, including examples of other states that have
20 adopted such regulatory approaches to address issues such as:

21 (A) misrepresentation by a nurse staffing agency of a material
22 contractual term, including staff qualification or fee and cost structure;

1 (B) failure by a nurse staffing agency to give sufficient notice of
2 changes to pricing structures; and

3 (C) tardiness, absence, or unavailability of contract staff;

4 (4) identify ways in which the State can reduce the cost associated with
5 buying out the contract of a temporary nurse provided by a nurse staffing
6 agency who wishes to take a permanent position with a nursing home,
7 including examples of other states that have engaged in similar efforts; and

8 (5) evaluate the potential for establishing a dispute resolution
9 mechanism for resolving minor disputes between nursing homes and nurse
10 staffing agencies, including the State agency or department to house such a
11 dispute resolution mechanism, the anticipated cost and staff needed to operate
12 the proposed dispute resolution mechanism, and any legislative action required
13 to establish and operate such a dispute resolution mechanism.

14 (b) The report may include recommendations for legislative action.

15 (c) As used in this section:

16 (1) “Nurse staffing agency” means a person that is in the business of
17 providing individuals to perform temporary nursing services to a nursing
18 home.

19 (2) “Nursing home” has the same meaning as in 33 V.S.A. § 7102(7).
20

1 Sec. E.3XX 10 V.S.A. § 699 is amended to read:

2 § 699. VERMONT RENTAL HOUSING IMPROVEMENT PROGRAM

3 * * *

4 (e) Program requirements applicable to grants. For a grant awarded
5 through the Program, the following requirements apply for a minimum period
6 of five years:

7 (1) A landlord shall coordinate with nonprofit housing partners and local
8 coordinated entry organizations to identify potential tenants.

9 (2)(A) Except as provided in subdivision (2)(B) of this subsection (e), a
10 landlord shall lease the unit to a household that is:

11 (i) exiting homelessness, including any individual under 25 years
12 of age who secures housing through a master lease held by a youth service
13 provider on behalf of individuals under 25 years of age; ~~or~~

14 (ii) actively working with an immigrant or refugee resettlement
15 program; or

16 (iii) composed of at least one individual with a disability who is
17 eligible to receive Medicaid-funded home and community based services.

18 (B) If, upon petition of the landlord, the Department or the housing
19 organization that issued the grant determines that a household ~~exiting~~
20 ~~homelessness~~ under subdivision (2)(A) of this subsection (e) is not available to
21 lease the unit, then the landlord shall lease the unit:

22 * * *

1 Sec. E.106 CORONAVIRUS STATE FISCAL RECOVERY FUND

2 APPROPRIATIONS; REVERSION AND REALLOCATION

3 (a) The Agency of Administration shall structure any existing Coronavirus
4 State Fiscal Recovery (SFR) program in accordance with the requirements of
5 31 C.F.R. Part 35 and in a manner designed to achieve the intent of the General
6 Assembly and may reallocate unspent funds across governmental units in an
7 overall net-neutral manner.

8 (b) The Commissioner of Finance and Management is authorized to revert
9 all unobligated SFR monies prior to December 31, 2024. The total amount of
10 SFR monies reverted in accordance with this subsection shall be allocated
11 pursuant to 32 V.S.A. § 511 to the following purposes in the following order:

12 (1) \$36,000,000 to the Department of Public Safety Division of
13 Emergency Management for FEMA match or municipal support for hazard
14 mitigation.

15 (2) \$4,000,000 to the Agency of Administration for Administration
16 costs, including for anticipated audit response per 2021 Acts and Resolves No.
17 74, Sec. G.801(a) and 2022 Acts and Resolves No. 185, Sec. G.801(A).

18 (3) \$20,000,000 to the Vermont Housing and Conservation Board
19 (VHCB) to provide support and enhance capacity for the production and
20 preservation of affordable mixed-income rental housing and homeownership
21 units, including improvements to manufactured homes and communities,
22 permanent homes for those experiencing homelessness, recovery residences,
23 and housing available to farm workers and refugees.

1 (4) \$10,000,000 to the Vermont Housing and Conservation Board
2 (VHCB) to provide support and enhance capacity for the production and
3 preservation of affordable housing and homeownership units for individuals
4 who are eligible to receive Medicaid-funded home and community based
5 services.

6 (4) \$25,000,000 to the Department of Housing and Community
7 Development for a grant to the Vermont Housing Finance Agency for the
8 Middle-Income Homeownership Development Program and the Vermont
9 Rental Revolving Loan Fund.

10 (5) Any remaining funds shall be reallocated, with the express
11 authorization of the Joint Fiscal Committee, to existing SFR programs
12 established by the General Assembly.

13 (c) If previously obligated SFR monies become unobligated after
14 December 31, 2024, the Commissioner of Finance and Management may, with
15 the approval of the Joint Fiscal Committee, revert the unobligated SFR monies
16 and allocate the monies for expenditure pursuant to 32 V.S.A. § 511 to any
17 existing SFR programs in accordance with the requirements of 31 C.F.R. Part
18 35.

1 Sec. C.109 2023 Acts and Resolves No. 78, Sec B.1102 is amended to read:

2 Sec. B.1102 AFFORDABLE HOUSING DEVELOPMENT – FISCAL
3 YEAR 2024 ONE-TIME APPROPRIATIONS

4 (a) In fiscal year 2024, the amount of \$10,000,000 General Fund is
5 appropriated to the Department of Housing and Community Development for
6 the Vermont Rental Housing Improvement Program established in 10 V.S.A.
7 § 699. The Department may use up to five percent for administrative costs to
8 allow for the support of the grant program and technical assistance.

9 * * *

10 (c) In fiscal year 2024, the amount of \$50,000,000 General Fund is
11 appropriated to the Vermont Housing and Conservation Board (VHCB):

12 * * *

13 (2) \$40,000,000 to provide support and enhance capacity for the
14 production and preservation of affordable mixed-income rental housing and
15 homeownership units, including improvements to manufactured homes and
16 communities, permanent homes for those experiencing homelessness, recovery
17 residences, support for individuals who are eligible to receive Medicaid-funded
18 home and community based services, and housing available to farm workers
19 and refugees. The Board is authorized to utilize up to 10 percent of these
20 resources for innovative approaches to helping communities meet their housing
21 needs.