

Journal of the House

Friday, February 6, 2026

At nine o'clock and thirty minutes in the forenoon, the Speaker called the House to order.

Devotional Exercises

Devotional exercises were conducted by Pastor Kempton Randolph, New Journey Fellowship of Plainfield.

House Bills Introduced

House bills of the following titles were severally introduced, read the first time, and referred to committee as follows:

H. 889

By Rep. Nigro of Bennington,

House bill, entitled

An act relating to an exemption for disability-related income on candidate disclosure forms

To the Committee on Government Operations and Military Affairs.

H. 890

By Rep. Boutin of Barre City,

House bill, entitled

An act relating to reducing barriers to nonprofit religious organizations providing preventive health care services

To the Committee on Health Care.

Bill Referred to Committee on Appropriations

H. 548

House bill, entitled

An act relating to adding a mediator position to the office of the Vermont Labor Relations Board

Appearing on the Notice Calendar, and pursuant to House Rule 35(a), carrying an appropriation, was referred to the Committee on Appropriations.

Bills Referred to Committee on Ways and Means

House bills of the following titles, appearing on the Notice Calendar, affecting the revenue of the State, pursuant to House Rule 35(a), were referred to the Committee on Ways and Means:

H. 567

House bill, entitled

An act relating to unclaimed property, State retirement systems, and capital debt

H. 577

House bill, entitled

An act relating to establishing the Vermont Prescription Drug Discount Card Program

Second Reading; Bill Amended; Third Reading Ordered**H. 611**

Rep. Powers of Waterford, for the Committee on Health Care, to which had been referred House bill, entitled

An act relating to miscellaneous provisions affecting the Department of Vermont Health Access

Reported in favor of its passage when amended by striking out all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. 18 V.S.A. § 4635 is amended to read:

§ 4635. PRESCRIPTION DRUG COST TRANSPARENCY

(a) As used in this section:

(1) “Health insurer” means a health insurer, as defined in section 9402 of this title, with more than 5,000 covered lives in this State for major medical health insurance, as defined in 8 V.S.A. § 4011. The term does not include Vermont Medicaid.

(2) “Manufacturer” shall have has the same meaning as “pharmaceutical manufacturer” in section 4631a of this title.

(2)(3) “Prescription drug” means a drug as defined in 21 U.S.C. § 321.

(b)(1)(A) The Department of Vermont Health Access shall create annually a list of 10 prescription drugs on which the State spends significant health care dollars and for which the wholesale acquisition cost has increased by 50 percent or more over the past five years or by 15 percent or more during the

previous calendar year, creating a substantial public interest in understanding the development of the drugs' pricing. The list shall include at least one generic and one brand-name drug and shall indicate each of the drugs on the list that the Department considers to be specialty drugs. The Department shall include the percentage of the wholesale acquisition cost increase for each drug on the list; rank the drugs on the list from those with the largest increase in wholesale acquisition cost to those with the smallest increase; indicate whether each drug was included on the list based on its cost increase over the past five years or during the previous calendar year, or both; and provide the Department's total expenditure for each drug on the list during the most recent calendar year.

(B) The Department of Vermont Health Access shall create annually a list of 10 prescription drugs on which the State spends significant health care dollars and for which the cost to the Department of Vermont Health Access, net of rebates and other price concessions, has increased by 50 percent or more over the past five years or by 15 percent or more during the previous calendar year, creating a substantial public interest in understanding the development of the drugs' pricing. The list shall include at least one generic and one brand-name drug and shall indicate each of the drugs on the list that the Department considers to be specialty drugs. The Department shall rank the drugs on the list from those with the greatest increase in net cost to those with the smallest increase and indicate whether each drug was included on the list based on its cost increase over the past five years or during the previous calendar year, or both.

(C)(i) Each health insurer with more than 5,000 covered lives in this State for major medical health insurance shall create annually a list of 10 prescription drugs on which its health insurance plans spend significant amounts of their premium dollars and for which the cost to the plans, net of rebates and other price concessions, has increased by 50 percent or more over the past five years or by 15 percent or more during the previous calendar year, or both, creating a substantial public interest in understanding the development of the drugs' pricing. The list shall include at least one generic and one brand-name drug and shall indicate each of the drugs on the list that the health insurer considers to be specialty drugs. The health insurer shall rank the drugs on the list from those with the greatest increase in net cost to those with the smallest increase and indicate whether each drug was included on the list based on its cost increase over the past five years or during the previous calendar year, or both.

(ii)(B) Each health insurer creating a list pursuant to subdivision (i)(A) of this subdivision (b)(1)(C) shall provide to the Office of the Attorney General the percentage by which the net cost to its plans increased over the

applicable period or periods for each drug on the list, as well as the insurer's total expenditure, net of rebates and other price concessions, for each drug on the list during the most recent calendar year. Information provided to the Office of the Attorney General pursuant to this subdivision (b)(1)(C)(ii)(B) is exempt from public inspection and copying under the Public Records Act and shall not be released.

(2) The ~~Department of Vermont Health Access~~ and the health insurers shall provide to the Office of the Attorney General and the Green Mountain Care Board the lists of prescription drugs developed pursuant to ~~subdivisions (1)(A), (B), and (C)(i)~~ subdivision (1) of this subsection annually on or before June 1. The Office of the Attorney General and the Green Mountain Care Board shall make all of the information available to the public on their respective websites.

(c)(1)(A) Of the prescription drugs listed by the ~~Department of Vermont Health Access~~ and the health insurers pursuant to ~~subdivisions (b)(1)(B) and (C)~~ subdivision (b)(1) of this section, the Office of the Attorney General shall identify 15 drugs as follows:

(i) of the drugs appearing on more than one payer's list, the Office of the Attorney General shall identify the top 15 drugs on which the greatest amount of money was spent across all payers during the previous calendar year, to the extent information is available; and

(ii) if fewer than 15 drugs appear on more than one payer's list, the Office of the Attorney General shall rank the remaining drugs based on the amount of money spent by any one payer during the previous calendar year, in descending order, and select as many of the drugs at the top of the list as necessary to reach a total of 15 drugs.

(B) For the 15 drugs identified by the Office of the Attorney General pursuant to subdivision (A) of this subdivision (c)(1), the Office of the Attorney General shall require the manufacturer of each such drug to provide all of the following:

(i) Justification for the increase in the net cost of the drug to the ~~Department of Vermont Health Access~~, to one or more health insurers, or both, which shall be provided to the Office of the Attorney General in a format that the Office of the Attorney General determines to be understandable and appropriate and shall be provided in accordance with a timeline specified by the Office of the Attorney General. The manufacturer shall submit to the Office of the Attorney General all relevant information and supporting documentation necessary to justify the manufacturer's net cost increase to the

~~Department of Vermont Health Access, to one or more health insurers, or both during the identified period of time, including:~~

~~(I) each factor that specifically caused the net cost increase to the Department of Vermont Health Access, to one or more health insurers, or both during the specified period of time;~~

* * *

Sec. 2. 18 V.S.A. § 4682 is amended to read:

§ 4682. DISCRIMINATION AGAINST 340B ENTITIES PROHIBITED

* * *

~~(d) A manufacturer or its agent shall offer or otherwise make available 340B drug pricing to a 340B covered entity or 340B contract pharmacy in the form of a discount at the time of purchase and shall not offer or otherwise make available 340B drug pricing in the form of a rebate. [Repealed.]~~

Sec. 3. 33 V.S.A. § 402 is amended to read:

§ 402. MEDICAID AND EXCHANGE ADVISORY COMMITTEE

(a) ~~A~~ The Medicaid and Exchange Advisory Committee is created for the purpose of advising the Commissioner of Vermont Health Access with respect to policy development and program administration for the Vermont Health Benefit Exchange, Medicaid, and Medicaid-funded programs, consistent with the requirements of federal law.

(b)(1) The Commissioner of Vermont Health Access shall appoint members of the Advisory Committee established by this section, who shall serve staggered three-year terms. The total membership of the Advisory Committee shall be at least 22 members and shall include individuals who are also members of the Beneficiary Advisory Committee, as required by 42 C.F.R. § 431.12. The Commissioner may remove members of the Committee who fail to attend three consecutive meetings and may appoint replacements. The Commissioner may reappoint members to serve more than one term.

(2)(A) The Commissioner of Vermont Health Access shall appoint one representative of health insurers licensed to do business in Vermont to serve on the Advisory Committee. The Commissioner of Health shall also serve on the Advisory Committee.

(B) Of the remaining members of the Advisory Committee, one-quarter of the members shall be from each of the following constituencies:

(i) beneficiaries of Medicaid or Medicaid-funded programs;

- (ii) representatives of those eligible for or enrolled in qualified health plans, such as individuals, self-employed individuals, health insurance brokers and agents, and representatives of businesses eligible for or enrolled in the Vermont Health Benefit Exchange small business owners and employees;
- (iii) advocates for consumer organizations; and
- (iv) health care professionals and representatives from a broad range of health care professionals.

* * *

Sec. 4. 33 V.S.A. § 1813 is amended to read:

§ 1813. REFLECTIVE HEALTH BENEFIT PLANS

(a)(1) In the event that federal cost-sharing reduction payments to insurers are suspended or discontinued, registered carriers may offer to individuals ~~and employees of small employers~~ nonqualified reflective health benefit plans that do not include funding to offset the loss of the federal cost-sharing reduction payments. These plans shall be similar to, but contain at least one variation from, qualified health benefit plans offered through the Vermont Health Benefit Exchange that include funding to offset the loss of the federal cost-sharing reduction payments.

* * *

Sec. 5. 33 V.S.A. § 2031 is amended to read:

§ 2031. CREATION OF CLINICAL UTILIZATION REVIEW BOARD

(a) ~~No later than June 15, 2010, the~~ The Department of Vermont Health Access shall ~~create a~~ maintain the Clinical Utilization Review Board to examine existing medical services, emerging technologies, and relevant evidence-based clinical practice guidelines and make recommendations to the Department regarding coverage, unit limitations, place of service, and appropriate medical necessity of services in the State's Medicaid programs.

(b) The Board shall comprise a minimum of 10 members with diverse medical experience, to be appointed by the Governor upon recommendation of the Commissioner of Vermont Health Access. The Board shall solicit additional input as needed from individuals with expertise in areas of relevance to the Board's deliberations. The Chief Medical Director Officer of the Department of Vermont Health Access shall serve as the State's liaison to the Board. Board member terms shall may be staggered, but in no event longer than three years from the date of appointment. The ~~and the~~ Board shall meet at least quarterly, ~~provided that the Board shall meet no less frequently than once per month for the first six months following its formation.~~

* * *

Sec. 6. 33 V.S.A. § 2072 is amended to read:

§ 2072. GENERAL ELIGIBILITY

(a) An individual shall be eligible for assistance under this subchapter if the individual:

(1) is a resident of Vermont at the time of application for benefits;

(2) is at least 65 years of age or is an individual with disabilities as defined in subdivision 2071(1) of this title; and

(3) has a household income, when calculated using modified adjusted gross income as defined in 26 U.S.C. § 36B(d)(2)(B), no not greater than 225 percent of the federal poverty level.

* * *

Sec. 7. INCREASE TO PREPAID BURIAL ARRANGEMENTS FOR MEDICAID ELIGIBILITY PURPOSES; RULEMAKING

(a) Subject to approval from the Centers for Medicare and Medicaid Services, the Agency of Human Services shall amend its rules and procedures allowing Medicaid applicants and recipients to preserve monies for funeral and burial expenses to increase from \$10,000.00 to \$15,000.00 the limit on the amount that may be preserved through an irrevocable prepaid funeral arrangement, as described in 26 V.S.A. § 1271, provided that:

(1) the written contract for the arrangement, as described in 26 V.S.A. § 1273, includes a provision specifying that Vermont Medicaid shall receive all amounts remaining after payment of the deceased individual's expenses up to an amount equal to the total Medicaid amount paid on behalf of the deceased individual; and

(2) in the event that the person responsible for making the funeral arrangements for the deceased individual fails to have funeral services provided, after the retention of assets by the funeral director as set forth in 26 V.S.A. § 1274(c), Vermont Medicaid shall receive all amounts remaining up to an amount equal to the total Medicaid amount paid on behalf of the deceased individual.

(b) Subject to approval from the Centers for Medicare and Medicaid Services, the Agency's amended rules and procedures shall apply to prepaid funeral arrangements entered into on or after July 1, 2027.

Sec. 8. 2025 Acts and Resolves No. 50, Sec. 7 is amended to read:

Sec. 7. STATE PLAN AMENDMENT

Not later than July 1, ~~2026~~ 2027, the Department of Vermont Health Access shall seek a state plan amendment from the Centers for Medicare and Medicaid Services to allow Vermont's Medicaid program to provide coverage for doula services in accordance with 33 V.S.A. § 1901n, as added by this act.

Sec. 9. 2025 Acts and Resolves No. 50, Sec. 8 is amended to read:

Sec. 8. EFFECTIVE DATES

(a) Secs. 1–4 (establishing certification program for community-based perinatal doulas) shall take effect on July 1, 2026, provided that the Director of the Office of Professional Regulation shall commence the rulemaking process prior to that date in order to ensure that the rules will be in effect on July 1, 2026.

(b) Sec. 5 (33 V.S.A. § 1901n; Medicaid coverage for doula services) shall take effect on the later of July 1, ~~2026~~ 2027, or approval of the state plan amendment requested pursuant to Sec. 7 of this act.

(c) The remaining sections shall take effect on passage.

Sec. 10. EFFECTIVE DATE

This act shall take effect on July 1, 2026.

Rep. Yacovone of Morristown, for the Committee on Appropriations, recommended that the bill ought to pass when amended as recommended by the Committee on Health Care.

The bill, having appeared on the Notice Calendar, was taken up, read the second time, the report of the Committee on Health Care agreed to, and third reading ordered.

Third Reading; Bill Passed

H. 540

House bill, entitled

An act relating to the recommendations of the Post-Adjudication Reparative Program Working Group

Was taken up, read the third time, and passed.

**Senate Proposal of Amendment Concurred in with Further Proposal of
Amendment Thereto**

H. 50

The Senate proposed to the House to amend House bill, entitled

An act relating to identifying underutilized State buildings and land

The Senate proposed to the House to amend the bill by striking out all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. 29 V.S.A. § 165 is amended to read:

**§ 165. SPACE ALLOCATION, INVENTORY, AND USE; LEASING
PROPERTY; COMMISSIONER'S PREAPPROVAL REQUIRED**

* * *

(e) The Commissioner of Buildings and General Services shall maintain an inventory of all State-owned or State-leased buildings and land and shall biannually compile and update the information received under subsection (g) of this section, which shall be considered once available in making spacing allocations and designating uses under subsection (c) of this section.

* * *

(g) The head of each agency shall prepare and forward to the Commissioner of Buildings and General Services ~~when requested by the Commissioner~~ annually in a format prescribed by the Commissioner an inventory of: square footage available for use; square footage in actual use; square footage not in use; square footage used for storage; square footage that is unfinished; cost per square foot for rent; cost per square foot for operation and maintenance; and the source of funds for rent, operation, and maintenance, including the act and section numbers of a legislative directive if applicable. The head of each agency shall additionally indicate in its inventory in a format prescribed by the Commissioner whether any building is vacant and whether any land is unnecessary for the statutory purpose of the agency.

* * *

(j) On or before January 15 of each new legislative biennium, the Commissioner shall submit to the House Committee on Corrections and Institutions and the Senate Committee on Institutions the inventory maintained under subsection (e) of this section.

Sec. 2. EFFECTIVE DATE

This act shall take effect on passage.

Rep. Gregoire of Fairfield, for the Committee on Corrections and Institutions, recommended that the House concur in the Senate proposal of amendment with a further proposal of amendment thereto by striking out all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. 29 V.S.A. § 165 is amended to read:

§ 165. SPACE ALLOCATION, INVENTORY, AND USE; LEASING
PROPERTY; COMMISSIONER'S PREAPPROVAL REQUIRED

* * *

(e) The Commissioner of Buildings and General Services shall maintain an inventory of all State-owned buildings and land and shall biannually annually compile and update the information received under subsection (g) of this section, which shall be considered once available in making spacing allocations and designating uses under subsection (c) of this section.

* * *

(g) The head of each agency shall prepare and forward to the Commissioner of Buildings and General Services when requested by the Commissioner annually in a format prescribed by the Commissioner an inventory of: square footage available for use; square footage in actual use; square footage not in use; square footage used for storage; square footage that is unfinished; cost per square foot for rent; cost per square foot for operation and maintenance; and the source of funds for rent, operation, and maintenance, including the act and section numbers of a legislative directive if applicable. The head of each agency shall additionally indicate in its inventory in a format prescribed by the Commissioner whether any building is vacant and whether any land is unnecessary for State purposes.

* * *

(j) On or before January 15 of each new legislative biennium, the Commissioner shall submit to the House Committee on Corrections and Institutions and the Senate Committee on Institutions the inventory maintained under subsection (e) of this section.

Sec. 2. INVENTORY OF PARCELS FOR HOUSING DEVELOPMENT;

2026–2030; REPORT

(a) As part of the inventory that a head of an agency conducts pursuant to 29 V.S.A. § 165(g) through calendar year 2030, the head of the agency shall identify and report to the Department of Housing and Community Development each parcel under its ownership that meets all of the screening

criteria developed by the Department for Executive Order No. 06-25 (3 App. V.S.A. ch. 10, § 51).

(b) On or before January 15 of each legislative session through calendar year 2031, the Commissioner of Housing and Community Development shall provide to the House Committee on Corrections and Institutions and the Senate Committee on Institutions the inventory of properties identified pursuant to subsection (a) of this section, a list of those inventoried properties the Commissioner determines may be suitable for housing development, and an explanation of the Commissioner's determination.

Sec. 3. EFFECTIVE DATE

This act shall take effect on passage.

Which was agreed to.

Message from the Senate No. 13

A message was received from the Senate by Ms. Gradel, its Assistant Secretary, as follows:

Madam Speaker:

I am directed to inform the House that:

The Senate has on its part adopted concurrent resolutions originating in the House of the following titles:

H.C.R. 185. House concurrent resolution congratulating the 2025 Colchester Majors' Division I championship Little League Baseball team.

H.C.R. 186. House concurrent resolution congratulating the 2025 Colchester Little League Minors on winning the 8–10 age bracket State Little League Baseball championship.

H.C.R. 187. House concurrent resolution congratulating Village Garage Distillery of Bennington on winning a silver medal at the 2025 San Francisco World Spirits Competition for Bonfire, its debut spirit, a smoked maple bourbon.

H.C.R. 188. House concurrent resolution commemorating the 50th anniversary of the Bennington College Visual and Performing Arts Center.

H.C.R. 189. House concurrent resolution designating February 11, 2026, as Disability Advocacy Day at the State House.

H.C.R. 190. House concurrent resolution congratulating the Thetford Academy Panthers boys' indoor track and field team on winning a second consecutive Division II championship.

H.C.R. 191. House concurrent resolution congratulating Doris G. Dexter on her centennial birthday.

H.C.R. 192. House concurrent resolution recognizing February 11, 2026, as National 211 Day in Vermont and celebrating the outstanding community contributions of Vermont 211.

Adjournment

At ten o'clock in the forenoon, on motion of **Rep. McCoy of Poultney**, the House adjourned until Tuesday, February 10, 2026, at ten o'clock in the forenoon, pursuant to the provisions of J.R.S. 39.

Concurrent Resolutions Adopted

The following concurrent resolutions, having been placed on the Consent Calendar on the preceding legislative day, and no member having requested floor consideration as provided by Rule 16b of the Joint Rules of the Senate and House of Representatives, are hereby adopted on the part of the House:

H.C.R. 185

House concurrent resolution congratulating the 2025 Colchester Majors' Division I championship Little League Baseball team

H.C.R. 186

House concurrent resolution congratulating the 2025 Colchester Little League Minors on winning the 8–10 age bracket State Little League Baseball championship

H.C.R. 187

House concurrent resolution congratulating Village Garage Distillery of Bennington on winning a silver medal at the 2025 San Francisco World Spirits Competition for Bonfire, its debut spirit, a smoked maple bourbon

H.C.R. 188

House concurrent resolution commemorating the 50th anniversary of the Bennington College Visual and Performing Arts Center

H.C.R. 189

House concurrent resolution designating February 11, 2026, as Disability Advocacy Day at the State House

H.C.R. 190

House concurrent resolution congratulating the Thetford Academy Panthers boys' indoor track and field team on winning a second consecutive Division II championship

H.C.R. 191

House concurrent resolution congratulating Doris G. Dexter on her centennial birthday

H.C.R. 192

House concurrent resolution recognizing February 11, 2026, as National 211 Day in Vermont and celebrating the outstanding community contributions of Vermont 211

[The full text of the concurrent resolutions appeared in the House Calendar Addendum on the preceding legislative day and will appear in the Public Acts and Resolves of the 2026 Adjourned Session.]