

# Testimony on H.611



**The Office of the Health Care Advocate**

*Mike Fisher, Chief Health Care Advocate*

*Emma Zavez, Consumer Research & Health Policy Analyst*

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# HCA Recommendation



1. Delete reference to MAGI methodology from VPharm statute at 33 V.S.A. 2072(a)(3).

- **Why?**

- The purpose of the DVHA miscellaneous bills is to clean up Vermont statute.
- The MAGI methodology has never been utilized to calculate eligibility for VPharm.

# Background



- VPharm statutory language at [33 V.S.A. 2072\(a\)\(3\)](#) indicates VPharm eligibility can be calculated using modified adjusted gross income (MAGI) methodologies.
- VPharm has never been calculated using MAGI-based methodologies.
- Instead, eligibility is calculated using the [Vermont Health Access Plan \(VHAP\) rules](#), all of which have been repealed except for §5321 -5323.

# VPharm Statutory Language



## Title 33 : Human Services

### Chapter 019 : Medical Assistance

#### **Subchapter 008 : VERMONT PHARMACEUTICAL ASSISTANCE PROGRAMS**

**(Cite as: 33 V.S.A. § 2072)**

#### **§ 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 greater than 225 percent of the federal poverty level.

# Questions

