



# VERMONT LEGISLATIVE Joint Fiscal Office

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## Fiscal Note

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### **S.63 – An act relating to modifying the regulatory duties of the Green Mountain Care Board**

**As Recommended by the House Committee on Health Care <sup>1,i</sup>**

#### **Bill Summary**

The bill proposes to modify many of the Green Mountain Care Board's (GMCB's) duties and responsibilities. It would also augment GMCB's billback formula (under which expenses are allocated amongst the entities it regulates) and establish fees for accountable care organization (ACO) certification and budget review.

The bill as recommended by the House Committee on Health Care made no changes that would have fiscal impacts that differ from the bill as passed by the Senate.

#### **Background and Details**

The following sections have a fiscal impact.

##### **Section 3 – GMCB Billback Formula**

Section 3 would modify GMCB's billback formula, which is the formula that allocates many GMCB expenses between the State and entities regulated by the GMCB. This would be budget neutral and shouldn't markedly impact the amount of money the GMCB collects through billback. In fiscal year 2023, \$233,192 was collected through billback from OneCare Vermont – an ACO that will cease operations at the end of calendar year 2025.

Billback Allocations	Current	Proposed
State	40.0%	40.0%
Hospitals	28.8%	36.0%
Nonprofit hospital and medical services corps., health insurance cos, and HMOs	23.2%	24.0%
ACOs	8.0%	0.0%
	100.0%	100.0%

<sup>1</sup> The Joint Fiscal Office (JFO) is a nonpartisan legislative office dedicated to producing unbiased fiscal analysis – this fiscal note is meant to provide information for legislative consideration, not to provide policy recommendations.

## Section 5 – ACO Fees

Section 5 establishes fees to be collected from an ACO by GMCB for its regulatory activities.

- \$10,000 for initial certification;
- \$2,000 annually following initial certification to main certification; and
- \$125,000 for each review of the ACO's budget.

Currently there are three Medicare-only ACO's operating in Vermont. These are ACOs that participate only in a Medicare program and have Vermont providers in their network. In addition, there is another Medicare-only ACO that would like to operate in Vermont in 2026. As such, it is anticipated that the GMCB would collect \$40,000 in fees from ACOs in fiscal year 2026 and approximately \$8,000 in subsequent years. GMCB does not anticipate any ACOs requiring a budget review in fiscal year 2026 (which has a proposed fee of \$125,000 in this section of the bill).

## Other

The bill modifies and eliminates some of the duties and responsibilities of GMCB. These adjustments are intended to realign the workload of GMCB, relieving tasks – such as reviewing and approving the budget of Vermont Information Technology Leaders (VITL), reviewing and approving the statewide Health Information Technology plan, and conducting Medicaid advisory rate cases – to better position GMCB to focus on other, more immediate tasks that align with the State's vision for health care reform.

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<sup>i</sup> The full fiscal note history is available on the fiscal tab of the bill page on the General Assembly website and can be pulled up through a bill number search on the JFO page.