

1 TO THE HONORABLE SENATE:

2 The Committee on Health and Welfare to which was referred Senate Bill
3 No. 189 entitled “An act relating to an approval process for reducing or
4 eliminating hospital services” respectfully reports that it has considered the
5 same and recommends that the bill be amended by striking out all after the
6 enacting clause and inserting in lieu thereof the following:

7 Sec. 1. 18 V.S.A. § 9405d is added to read:

8 § 9405d. HOSPITAL SERVICE REDUCTIONS; APPROVAL NOTICE

9 REQUIRED

10 (a) A hospital shall not reduce or eliminate any service without approval
11 from the Secretary of Human Services as set forth in this section.

12 (b) A hospital that proposes to reduce or eliminate a any service shall:

13 (1) Provide a notice of intent to the Agency of Human Services, the
14 Green Mountain Care Board, the Office of the Health Care Advocate, and the
15 members of the General Assembly who represent the hospital service area not
16 less than 60 days prior to the proposed reduction or elimination. The notice
17 shall explain the rationale for the proposed reduction or elimination and
18 describe how it is consistent with the Statewide Health Care Delivery Strategic
19 Plan, once established, and the hospital’s most recent community health needs
20 assessment conducted pursuant to section 9405a of this title and 26 U.S.C.
21 § 501(r)(3).

1 (2) Post the notice of intent on the hospital's website beginning on or
2 before the day on which the notice is provided pursuant to subdivision (1) of
3 this subsection.

4 (3) Publish the notice in a newspaper of general circulation in the
5 hospital service area within 10 days after notice is provided pursuant to
6 subdivision (1) of this subsection.

7 (4) Conduct a public engagement process, including holding one or
8 more public hearings in the county in which the hospital is located and
9 soliciting and responding to public comments, regarding the proposed service
10 reduction or elimination. The public engagement process may begin prior to
11 providing the notice required by subdivision (1) of this subsection and shall
12 continue for not less than 30 days following the notice. The hospital shall
13 provide a summary of the community's response to the proposal, including the
14 public comments received, to the Agency of Human Services ~~weekly during~~
15 **following the conclusion of** the public engagement process.

16 (e)(1) The Agency of Human Services shall review the proposed service
17 reduction or elimination for consistency with the Statewide Health Care
18 Delivery Strategic Plan, once established, and the community health needs
19 assessment, and shall consider the community's response and the impact of the
20 proposal on access to necessary care and services in the hospital service area.

7 (d)(b) If the Agency approves a service reduction or elimination pursuant
8 to this section, the Agency a hospital elects to proceed with reducing or
9 eliminating a service after completing the process set forth in subsection
10 (a) of this section, the hospital shall notify the Green Mountain Care Board
11 within five business days following the hospital's decision to reduce or
12 eliminate the service to enable the Board to review the impact on the
13 hospital's budget pursuant to subdivision 9456(e)(2) of this title.

14 Sec. 2. 18 V.S.A. § 9456 is amended to read:

15 § 9456. BUDGET REVIEW

16 * * *

17 (e)(1) The Board, in consultation with the Vermont Program for Quality in
18 Health Care, shall utilize mechanisms to measure hospital costs, quality, and
19 access and alignment with the Statewide Health Care Delivery Strategic Plan,
20 once established.

18 (D) A service that has been identified for reduction or elimination in
19 connection with the transformation efforts undertaken by the Board and the
20 Agency of Human Services pursuant to 2022 Acts and Resolves No. 167 does
21 not need to comply with subdivisions (A) (C) of this subdivision (e)(2).

1 Upon receipt of notification by the Agency of Human Services that it
2 approved a hospital's reduction or elimination of services pursuant to from a
3 hospital pursuant to subsection 9405d(b) of this title that the hospital
4 intends to reduce or eliminate a service following its completion of the
5 process set forth in subsection 9405d(a) of this title, the Board shall review
6 the impact of the reduction or elimination on the hospital's approved budget.
7 The Board may adjust the hospital's budget as necessary to reflect the
8 elimination or reduction, which may include directing that any savings related
9 to the reduction or elimination are returned to payers and Vermonters to
10 address affordability concerns or are reinvested in primary care, prevention,
11 and other community-based services.

17 Sec. 3. EFFECTIVE DATE

18 This act shall take effect on passage.

19 and that after passage the title of the bill be amended to read: "An act relating
20 to establishing a process for reducing or eliminating hospital services"

1 (Committee vote: _____)

2 _____

3 Senator _____

4 FOR THE COMMITTEE