

1 H.789

2 Introduced by Committee on Appropriations

3 Date:

4 Subject: Omnibus appropriation act

5 Statement of purpose: This bill proposes to make appropriations in support of  
6 government for the fiscal year beginning July 1, 2010.

7 An act making appropriations for the support of government

8 It is hereby enacted by the General Assembly of the State of Vermont:

9 Sec. A.100 SHORT TITLE

10 (a) This bill may be referred to as the BIG BILL - Fiscal Year 2011  
11 Appropriations Act.

12 Sec. A.101 PURPOSE

13 (a) The purpose of this act is to provide appropriations for the operations of  
14 state government during fiscal year 2011. It is the express intent of the  
15 legislature that activities of the various agencies, departments, divisions,  
16 boards, and commissions be limited to those which can be supported by funds  
17 appropriated in this act or other acts passed prior to June 30, 2010. Agency  
18 and department heads are directed to implement staffing and service levels at  
19 the beginning of fiscal year 2011 so as to meet this condition unless otherwise  
20 directed by specific language in this act or other acts of the general assembly.

1 Sec. A.102 APPROPRIATIONS

2 (a) It is the intent of the general assembly that this act serve as the primary  
3 source and reference for appropriations for fiscal year 2011.

4 (b) The sums herein stated are appropriated for the purposes specified in  
5 the following sections of this act. When no time is expressly stated during  
6 which any of the appropriations are to continue, the appropriations are  
7 single-year appropriations, and only for the purpose indicated, and shall be  
8 paid from funds shown as the source of funds. If, in this act, there is an error  
9 in either addition or subtraction, the totals shall be adjusted accordingly.  
10 Apparent errors in referring to section numbers of statutory titles within this  
11 act may be disregarded by the commissioner of finance and management.

12 (c) Unless codified or otherwise specified, all narrative portions of this act  
13 apply only to the fiscal year ending June 30, 2011.

14 Sec. A.103 DEFINITIONS

15 (a) For the purposes of this act:

16 (1) "Encumbrances" means a portion of an appropriation reserved for  
17 the subsequent payment of existing purchase orders or contracts. The  
18 commissioner of finance and management shall make final decisions on the  
19 appropriateness of encumbrances.

20 (2) "Grants" means subsidies, aid, or payments to local governments, to  
21 community and quasi-public agencies for providing local services, and to

1 persons who are not wards of the state for services or supplies, and means cash  
2 or other direct assistance, including pension contributions.

3 (3) “Operating expenses” means property management, repair and  
4 maintenance, rental expenses, insurance, postage, travel, energy and utilities,  
5 office and other supplies, equipment including motor vehicles, highway  
6 materials, and construction, expenditures for the purchase of land, and  
7 construction of new buildings and permanent improvements; and similar items.

8 (4) “Personal services” means wages and salaries, fringe benefits, per  
9 diems, and contracted third party services; and similar items.

10 Sec. A.104 RELATIONSHIP TO EXISTING LAWS

11 (a) Except as specifically provided, this act shall not be construed in any  
12 way to negate or impair the full force and effect of existing laws.

13 Sec. A.105 OFFSETTING APPROPRIATIONS

14 (a) In the absence of specific provisions to the contrary in this act, when  
15 total appropriations are offset by estimated receipts, the state appropriations  
16 shall control, notwithstanding receipts being greater or less than anticipated.

17 Sec. A.106 FEDERAL FUNDS

18 (a) In fiscal year 2011, the governor, with the approval of the legislature, or  
19 the joint fiscal committee if the legislature is not in session, may accept federal  
20 funds available to the state of Vermont, including block grants in lieu of or in  
21 addition to funds herein designated as federal. The governor, with the

1 approval of the legislature or the joint fiscal committee if the legislature is not  
2 in session, may allocate all or any portion of such federal funds for any  
3 purpose consistent with the purposes for which the basic appropriations in this  
4 act have been made.

5 (b) If, during fiscal year 2011, federal funds available to the state of  
6 Vermont and designated as federal in this and other acts of the 2010 session of  
7 the Vermont general assembly are converted into block grants or are abolished  
8 under their current title in federal law and reestablished under a new title in  
9 federal law, the governor may continue to accept such federal funds for any  
10 purpose consistent with the purposes for which the federal funds were  
11 appropriated. The governor may spend such funds for such purposes for no  
12 more than 45 days prior to legislative or joint fiscal committee approval.  
13 Notice shall be given to the joint fiscal committee without delay if the  
14 governor intends to use the authority granted by this section, and the joint  
15 fiscal committee shall meet in an expedited manner to review the governor's  
16 request for approval.

17 Sec. A.107 DEPARTMENTAL RECEIPTS

18 (a) All receipts shall be credited to the general fund except as otherwise  
19 provided and except the following receipts, for which this subsection shall  
20 constitute authority to credit to special funds:

21 Connecticut river flood control

1           Public service department - sale of power

2           Tax department - unorganized towns and gores

3           (b) Notwithstanding any other provision of law, departmental indirect cost  
4           recoveries (32 V.S.A. § 6) receipts are authorized, subject to the approval of  
5           the secretary of administration, to be retained by the department. All  
6           recoveries not so authorized shall be credited to the general fund or, for agency  
7           of transportation recoveries, the transportation fund.

8           Sec. A.108 NEW POSITIONS

9           (a) Notwithstanding any other provision of law, the total number of  
10           authorized state positions, both classified and exempt, excluding temporary  
11           positions as defined in 3 V.S.A. § 311(11), shall not be increased during fiscal  
12           year 2011 except for new positions authorized by the 2010 session. Limited  
13           service positions approved pursuant to 32 V.S.A. § 5 shall not be subject to  
14           this restriction.

15           Sec. A.109 LEGEND

16           (a) The bill is organized by functions of government. The sections between  
17           B.100 and B.9999 contain appropriation of funds. The sections between E.100  
18           and E.9999 contain language that relates to specific appropriations and/or  
19           government functions. The function areas by section numbers are as follows:

20           B.100–B.199 and E.100–E.199           General Government

21           B.200–B.299 and E.200–E.299           Protection to Persons and Property

1	<u>B.300–B.399 and E.300–E.399</u>	<u>Human Services</u>
2	<u>B.400–B.499 and E.400–E.499</u>	<u>Labor</u>
3	<u>B.500–B.599 and E.500–E.599</u>	<u>General Education</u>
4	<u>B.600–B.699 and E.600–E.699</u>	<u>Higher Education</u>
5	<u>B.700–B.799 and E.700–E.799</u>	<u>Natural Resources</u>
6	<u>B.800–B.899 and E.800–E.899</u>	<u>Commerce and Community</u>
7		<u>Development</u>
8	<u>B.900–B.999 and E.900–E.999</u>	<u>Transportation</u>
9	<u>B.1000–B.1099 and E.1000–E.1099</u>	<u>Debt Service</u>
10	<u>B.1100–B.1199 and E.1100–E.1199</u>	<u>One-time and other appropriation</u>
11		<u>actions</u>
12	Sec. B.100 Secretary of administration - secretary's office	
13	Personal services	779,981
14	Operating expenses	<u>73,832</u>
15	Total	853,813
16	Source of funds	
17	General fund	658,760
18	Global Commitment fund	<u>195,053</u>
19	Total	853,813

1       Sec. B.101 Information and innovation - communications and information  
2       technology

3	Personal services	6,842,098
4	Operating expenses	2,505,878
5	Grants	<u>700,000</u>
6	Total	10,047,976

7       Source of funds

8	General fund	20,911
9	Internal service funds	<u>10,027,065</u>
10	Total	10,047,976

11       Sec. B.102 Finance and management - budget and management

12	Personal services	880,871
13	Operating expenses	<u>234,515</u>
14	Total	1,115,386

15       Source of funds

16	General fund	882,783
17	Interdepartmental transfers	<u>232,603</u>
18	Total	1,115,386

1	Sec. B.103 Finance and management - financial operations	
2	Personal services	2,474,557
3	Operating expenses	<u>552,210</u>
4	Total	3,026,767
5	Source of funds	
6	Internal service funds	<u>3,026,767</u>
7	Total	3,026,767
8	Sec. B.104 Human resources - operations	
9	Personal services	2,543,406
10	Operating expenses	<u>414,786</u>
11	Total	2,958,192
12	Source of funds	
13	General fund	1,689,278
14	Special funds	280,835
15	Interdepartmental transfers	<u>988,079</u>
16	Total	2,958,192
17	Sec. B.105 Human resources - employee benefits & wellness	
18	Personal services	1,152,032



1	Operating expenses	<u>647,868</u>
2	Total	1,799,900
3	Source of funds	
4	Internal service funds	1,760,047
5	Interdepartmental transfers	<u>39,853</u>
6	Total	1,799,900
7	Sec. B.106 Libraries	
8	Personal services	1,857,236
9	Operating expenses	1,804,985
10	Grants	<u>62,500</u>
11	Total	3,724,721
12	Source of funds	
13	General fund	2,534,917
14	Special funds	132,656
15	Federal funds	955,372
16	Interdepartmental transfers	<u>101,776</u>
17	Total	3,724,721

1	Sec. B.107 Tax - administration/collection	
2	Personal services	12,536,124
3	Operating expenses	<u>3,138,092</u>
4	Total	15,674,216
5	Source of funds	
6	Tobacco fund	58,000
7	General fund	14,379,315
8	Special funds	1,039,901
9	Interdepartmental transfers	<u>197,000</u>
10	Total	15,674,216
11	Sec. B.108 Buildings and general services - administration	
12	Personal services	1,487,119
13	Operating expenses	<u>153,311</u>
14	Total	1,640,430
15	Source of funds	
16	Interdepartmental transfers	<u>1,640,430</u>
17	Total	1,640,430

1       Sec. B.109 Buildings and general services - engineering

2                   Personal services                               2,124,181

3                   Operating expenses                               341,604

4                   Total   2,465,785

5                   Source of funds

6                   Interdepartmental transfers                       2,465,785

7                   Total   2,465,785

8       Sec. B.110 Buildings and general services - information centers

9                   Personal services                               3,060,509

10                  Operating expenses                               1,324,371

11                  Grants   45,000

12                  Total   4,429,880

13                  Source of funds

14                  General fund                                   4,379,880

15                  Special funds                                   50,000

16                  Total   4,429,880

17       Sec. B.111 Buildings and general services - purchasing

18                  Personal services                               642,843

1	Operating expenses	<u>149,518</u>
2	Total	792,361
3	Source of funds	
4	General fund	<u>792,361</u>
5	Total	792,361
6	Sec. B.112 Buildings and general services - postal services	
7	Personal services	636,412
8	Operating expenses	<u>148,967</u>
9	Total	785,379
10	Source of funds	
11	General fund	35,716
12	Internal service funds	<u>749,663</u>
13	Total	785,379
14	Sec. B.113 Buildings and general services - copy center	
15	Personal services	715,491
16	Operating expenses	<u>122,107</u>
17	Total	837,598

1	Source of funds	
2	Internal service funds	<u>837,598</u>
3	Total	837,598
4	Sec. B.114 Buildings and general services - fleet management services	
5	Personal services	473,550
6	Operating expenses	<u>119,974</u>
7	Total	593,524
8	Source of funds	
9	Internal service funds	<u>593,524</u>
10	Total	593,524
11	Sec. B.115 Buildings and general services - federal surplus property	
12	Personal services	91,690
13	Operating expenses	<u>44,687</u>
14	Total	136,377
15	Source of funds	
16	Enterprise funds	<u>136,377</u>
17	Total	136,377

1	Sec. B.116 Buildings and general services - state surplus property	
2	Personal services	66,974
3	Operating expenses	<u>99,806</u>
4	Total	166,780
5	Source of funds	
6	Internal service funds	<u>166,780</u>
7	Total	166,780
8	Sec. B.117 Buildings and general services - property management	
9	Personal services	1,120,071
10	Operating expenses	<u>1,457,881</u>
11	Total	2,577,952
12	Source of funds	
13	Internal service funds	<u>2,577,952</u>
14	Total	2,577,952
15	Sec. B.118 Buildings and general services - workers' compensation insurance	
16	Personal services	1,295,161
17	Operating expenses	<u>271,331</u>
18	Total	1,566,492

1	Source of funds	
2	Internal service funds	<u>1,566,492</u>
3	Total	1,566,492
4	Sec. B.119 Buildings and general services - general liability insurance	
5	Personal services	304,042
6	Operating expenses	<u>76,203</u>
7	Total	380,245
8	Source of funds	
9	Internal service funds	<u>380,245</u>
10	Total	380,245
11	Sec. B.120 Buildings and general services - all other insurance	
12	Personal services	39,531
13	Operating expenses	<u>30,469</u>
14	Total	70,000
15	Source of funds	
16	Internal service funds	<u>70,000</u>
17	Total	70,000

1	Sec. B.121 Buildings and general services - fee for space	
2	Personal services	13,357,546
3	Operating expenses	<u>13,886,975</u>
4	Total	27,244,521
5	Source of funds	
6	Internal service funds	<u>27,244,521</u>
7	Total	27,244,521
8	Sec. B.122 Geographic information system	
9	Grants	<u>408,700</u>
10	Total	408,700
11	Source of funds	
12	Special funds	<u>408,700</u>
13	Total	408,700
14	Sec. B.123 Executive office - governor's office	
15	Personal services	1,169,079
16	Operating expenses	<u>391,275</u>
17	Total	1,560,354



1	Source of funds	
2	General fund	1,366,854
3	Interdepartmental transfers	<u>193,500</u>
4	Total	1,560,354
5	Sec. B.124 Legislative council	
6	Personal services	2,090,029
7	Operating expenses	<u>192,964</u>
8	Total	2,282,993
9	Source of funds	
10	General fund	<u>2,282,993</u>
11	Total	2,282,993
12	Sec. B.125 Legislature	
13	Personal services	3,758,257
14	Operating expenses	<u>3,329,011</u>
15	Total	7,087,268
16	Source of funds	
17	General fund	<u>7,087,268</u>
18	Total	7,087,268

1	Sec. B.126	Legislative information technology	
2		Personal services	376,107
3		Operating expenses	<u>504,480</u>
4		Total	880,587
5		Source of funds	
6		General fund	<u>880,587</u>
7		Total	880,587
8	Sec. B.127	Joint fiscal committee	
9		Personal services	1,241,765
10		Operating expenses	<u>113,201</u>
11		Total	1,354,966
12		Source of funds	
13		General fund	<u>1,354,966</u>
14		Total	1,354,966
15	Sec. B.128	Sergeant at arms	
16		Personal services	477,005
17		Operating expenses	<u>82,428</u>
18		Total	559,433

1	Source of funds	
2	General fund	<u>559,433</u>
3	Total	559,433
4	Sec. B.129 Lieutenant governor	
5	Personal services	150,836
6	Operating expenses	<u>16,376</u>
7	Total	167,212
8	Source of funds	
9	General fund	<u>167,212</u>
10	Total	167,212
11	Sec. B.130 Auditor of accounts	
12	Personal services	2,900,631
13	Operating expenses	<u>139,445</u>
14	Total	3,040,076
15	Source of funds	
16	General fund	399,951
17	Special funds	53,099
18	Internal service funds	<u>2,587,026</u>

1	Total	3,040,076
2	Sec. B.131 State treasurer	
3	Personal services	2,522,619
4	Operating expenses	331,089
5	Grants	<u>16,484</u>
6	Total	2,870,192
7	Source of funds	
8	General fund	1,130,500
9	Special funds	1,636,099
10	Interdepartmental transfers	<u>103,593</u>
11	Total	2,870,192
12	Sec. B.132 State treasurer - unclaimed property	
13	Personal services	670,521
14	Operating expenses	<u>243,474</u>
15	Total	913,995
16	Source of funds	
17	Private purpose trust funds	<u>913,995</u>
18	Total	913,995

1	Sec. B.133 Vermont state retirement system	
2	Personal services	6,370,747
3	Operating expenses	<u>27,934,748</u>
4	Total	34,305,495
5	Source of funds	
6	Pension trust funds	<u>34,305,495</u>
7	Total	34,305,495
8	Sec. B.134 Municipal employees' retirement system	
9	Personal services	2,002,388
10	Operating expenses	<u>451,355</u>
11	Total	2,453,743
12	Source of funds	
13	Pension trust funds	<u>2,453,743</u>
14	Total	2,453,743
15	Sec. B.135 State labor relations board	
16	Personal services	161,823
17	Operating expenses	<u>38,452</u>
18	Total	200,275

1	Source of funds	
2	General fund	194,699
3	Special funds	2,788
4	Interdepartmental transfers	<u>2,788</u>
5	Total	200,275
6	Sec. B.136 VOSHA review board	
7	Personal services	42,635
8	Operating expenses	<u>10,531</u>
9	Total	53,166
10	Source of funds	
11	General fund	26,583
12	Interdepartmental transfers	<u>26,583</u>
13	Total	53,166
14	Sec. B.137 Homeowner rebate	
15	Grants	<u>17,200,000</u>
16	Total	17,200,000
17	Source of funds	
18	General fund	<u>17,200,000</u>

1	Total	17,200,000
2	Sec. B.138 Renter rebate	
3	Grants	<u>8,300,000</u>
4	Total	8,300,000
5	Source of funds	
6	General fund	2,500,000
7	Education fund	<u>5,800,000</u>
8	Total	8,300,000
9	Sec. B.139 Tax department - reappraisal and listing payments	
10	Grants	<u>3,243,196</u>
11	Total	3,243,196
12	Source of funds	
13	Education fund	<u>3,243,196</u>
14	Total	3,243,196
	<i>Sec. B.140 Municipal current use</i>	
	<i>Grants</i>	<u><i>11,700,000</i></u>
	<i>Total</i>	<i>11,700,000</i>
	<i>Source of funds</i>	
	<i>General fund</i>	<u><i>11,700,000</i></u>
	<i>Total</i>	<i>11,700,000</i>

1	<del>Sec. B.140 Municipal current use</del>	
2	<del>    Grants</del>	<del><u>11,400,000</u></del>
3	<del>    Total</del>	<del>11,400,000</del>
4	<del>    Source of funds</del>	
5	<del>        General fund</del>	<del><u>11,400,000</u></del>
6	<del>        Total</del>	<del>11,400,000</del>
7	Sec. B.141 Lottery commission	
8	Personal services	1,658,986
9	Operating expenses	<u>1,096,215</u>
10	Total	2,755,201
11	Source of funds	
12	Enterprise funds	<u>2,755,201</u>
13	Total	2,755,201
14	Sec. B.142 Payments in lieu of taxes	
15	Grants	<u>5,650,000</u>
16	Total	5,650,000
17	Source of funds	
18	Special funds	<u>5,650,000</u>



1	Total	5,650,000
2	Sec. B.143 Payments in lieu of taxes - Montpelier	
3	Grants	<u>184,000</u>
4	Total	184,000
5	Source of funds	
6	Special funds	<u>184,000</u>
7	Total	184,000
8	Sec. B.144 Payments in lieu of taxes - correctional facilities	
9	Grants	<u>40,000</u>
10	Total	40,000
11	Source of funds	
12	Special funds	<u>40,000</u>
13	Total	40,000
14	Sec. B.145 Total general government	189,799,147
15	Source of funds	
16	General fund	71,942,967
17	Education fund	9,043,196
18	Special funds	9,478,078

1	Tobacco fund	58,000
2	Global Commitment fund	195,053
3	Federal funds	955,372
4	Enterprise funds	2,891,578
5	Internal service funds	51,587,680
6	Pension trust funds	36,759,238
7	Private purpose trust funds	913,995
8	Interdepartmental transfers	<u>5,991,990</u>
9	Total	189,799,147
10	Sec. B.200 Attorney general	
11	Personal services	6,942,359
12	Operating expenses	<u>1,095,205</u>
13	Total	8,037,564
14	Source of funds	
15	Tobacco fund	625,000
16	General fund	3,785,911
17	Special funds	990,000
18	Federal funds	707,526

1	Interdepartmental transfers	<u>1,929,127</u>
2	Total	8,037,564
3	Sec. B.201 Vermont court diversion	
4	Grants	<u>1,724,773</u>
5	Total	1,724,773
6	Source of funds	
7	General fund	1,204,776
8	Special funds	<u>519,997</u>
9	Total	1,724,773
10	Sec. B.202 Defender general - public defense	
11	Personal services	7,631,450
12	Operating expenses	<u>890,945</u>
13	Total	8,522,395
14	Source of funds	
15	General fund	8,009,107
16	Special funds	<u>513,288</u>
17	Total	8,522,395
18	Sec. B.203 Defender general - assigned counsel	

1	Personal services	3,414,589
2	Operating expenses	<u>41,909</u>
3	Total	3,456,498
4	Source of funds	
5	General fund	3,331,234
6	Special funds	<u>125,264</u>
7	Total	3,456,498
8	Sec. B.204 Judiciary	
9	Personal services	27,254,775
10	Operating expenses	10,118,692
11	Grants	<u>70,000</u>
12	Total	37,443,467
13	Source of funds	
14	Tobacco fund	39,871
15	General fund	30,784,588
16	Special funds	3,105,455
17	Federal funds	1,435,418
18	Interdepartmental transfers	<u>2,078,135</u>

1	Total	37,443,467
2	Sec. B.205 State's attorneys	
3	Personal services	9,398,345
4	Operating expenses	<u>1,137,233</u>
5	Total	10,535,578
6	Source of funds	
7	General fund	8,329,655
8	Special funds	32,775
9	Federal funds	31,000
10	Interdepartmental transfers	<u>2,142,148</u>
11	Total	10,535,578
12	Sec. B.206 Special investigative unit	
13	Grants	<u>1,060,950</u>
14	Total	1,060,950
15	Source of funds	
16	General fund	<u>1,060,950</u>
17	Total	1,060,950
18	Sec. B.207 Sheriffs	

1	Personal services	3,261,904
2	Operating expenses	<u>283,826</u>
3	Total	3,545,730
4	Source of funds	
5	General fund	<u>3,545,730</u>
6	Total	3,545,730
7	Sec. B.208 Public safety - administration	
8	Personal services	1,619,185
9	Operating expenses	<u>197,234</u>
10	Total	1,816,419
11	Source of funds	
12	General fund	1,776,694
13	Federal funds	<u>39,725</u>
14	Total	1,816,419
15	Sec. B.209 Public safety - state police	
16	Personal services	45,090,220
17	Operating expenses	8,211,814
18	Grants	<u>854,866</u>

1	Total	54,156,900
2	Source of funds	
3	ARRA funds	969,703
4	General fund	19,301,332
5	Transportation fund	27,635,057
6	Special funds	2,116,262
7	Federal funds	2,826,886
8	Interdepartmental transfers	<u>1,307,660</u>
9	Total	54,156,900
10	Sec. B.210 Public safety - criminal justice services	
11	Personal services	6,625,882
12	Operating expenses	3,291,327
13	Grants	<u>5,977,000</u>
14	Total	15,894,209
15	Source of funds	
16	ARRA funds	640,956
17	General fund	5,546,732
18	Special funds	1,972,320

1	Federal funds	7,645,784
2	Interdepartmental transfers	<u>88,417</u>
3	Total	15,894,209
4	Sec. B.211 Public safety - emergency management	
5	Personal services	2,716,202
6	Operating expenses	879,113
7	Grants	<u>1,602,000</u>
8	Total	5,197,315
9	Source of funds	
10	General fund	63,969
11	Special funds	224,014
12	Federal funds	4,889,332
13	Interdepartmental transfers	<u>20,000</u>
14	Total	5,197,315
15	Sec. B.212 Public safety - fire safety	
16	Personal services	4,953,243
17	Operating expenses	1,281,790
18	Grants	<u>55,000</u>



1	Total	6,290,033
2	Source of funds	
3	General fund	714,083
4	Special funds	5,275,683
5	Federal funds	255,267
6	Interdepartmental transfers	<u>45,000</u>
7	Total	6,290,033
8	Sec. B.213 Public safety - homeland security	
9	Personal services	9,213,757
10	Operating expenses	718,374
11	Grants	<u>2,380,000</u>
12	Total	12,312,131
13	Source of funds	
14	ARRA funds	295,267
15	General fund	430,545
16	Federal funds	<u>11,586,319</u>
17	Total	12,312,131
18	Sec. B.214 Radiological emergency response plan	

1	Personal services	657,163
2	Operating expenses	215,438
3	Grants	<u>876,975</u>
4	Total	1,749,576
5	Source of funds	
6	Special funds	<u>1,749,576</u>
7	Total	1,749,576
8	Sec. B.215 Military - administration	
9	Personal services	548,148
10	Operating expenses	198,427
11	Grants	<u>100,000</u>
12	Total	846,575
13	Source of funds	
14	General fund	<u>846,575</u>
15	Total	846,575
16	Sec. B.216 Military - air service contract	
17	Personal services	4,618,657
18	Operating expenses	<u>1,214,629</u>

1	Total	5,833,286
2	Source of funds	
3	General fund	468,392
4	Federal funds	<u>5,364,894</u>
5	Total	5,833,286
6	Sec. B.217 Military - army service contract	
7	Personal services	3,729,599
8	Operating expenses	<u>9,185,720</u>
9	Total	12,915,319
10	Source of funds	
11	General fund	112,380
12	Federal funds	<u>12,802,939</u>
13	Total	12,915,319
14	Sec. B.218 Military - building maintenance	
15	Personal services	983,598
16	Operating expenses	<u>386,580</u>
17	Total	1,370,178
18	Source of funds	

1	General fund	<u>1,370,178</u>
2	Total	1,370,178
3	Sec. B.219 Military - veterans' affairs	
4	Personal services	467,788
5	Operating expenses	132,754
6	Grants	<u>163,815</u>
7	Total	764,357
8	Source of funds	
9	General fund	605,099
10	Special funds	83,529
11	Federal funds	<u>75,729</u>
12	Total	764,357
13	Sec. B.220 Center for crime victims services	
14	Personal services	1,314,211
15	Operating expenses	302,306
16	Grants	<u>9,569,587</u>
17	Total	11,186,104
18	Source of funds	

1	ARRA funds	571,809
2	General fund	1,118,448
3	Special funds	5,485,448
4	Federal funds	<u>4,010,399</u>
5	Total	11,186,104
6	Sec. B.221 Criminal justice training council	
7	Personal services	1,222,580
8	Operating expenses	<u>1,265,675</u>
9	Total	2,488,255
10	Source of funds	
11	General fund	1,592,462
12	Special funds	531,285
13	Interdepartmental transfers	<u>364,508</u>
14	Total	2,488,255
15	Sec. B.222 Agriculture, food and markets - administration	
16	Personal services	764,915
17	Operating expenses	323,363
18	Grants	<u>538,351</u>

1	Total	1,626,629
2	Source of funds	
3	General fund	1,097,260
4	Special funds	377,465
5	Federal funds	109,904
6	Interdepartmental transfers	<u>42,000</u>
7	Total	1,626,629
8	Sec. B.223 Agriculture, food and markets - food safety and consumer	
9	protection	
10	Personal services	2,717,103
11	Operating expenses	635,855
12	Grants	<u>2,400,000</u>
13	Total	5,752,958
14	Source of funds	
15	General fund	2,147,861
16	Special funds	3,095,426
17	Federal funds	502,671
18	Interdepartmental transfers	<u>7,000</u>

1	Total	5,752,958
2	Sec. B.224 Agriculture, food and markets - agricultural development	
3	Personal services	1,062,108
4	Operating expenses	398,437
5	Grants	<u>1,718,200</u>
6	Total	3,178,745
7	Source of funds	
8	General fund	319,093
9	Special funds	1,536,567
10	Federal funds	1,023,085
11	Interdepartmental transfers	<u>300,000</u>
12	Total	3,178,745
13	Sec. B.225 Agriculture, food and markets - laboratories, agricultural resource	
14	management and environmental stewardship	
15	Personal services	2,877,085
16	Operating expenses	857,259
17	Grants	<u>805,952</u>
18	Total	4,540,296

1	Source of funds	
2	General fund	1,689,182
3	Special funds	2,148,284
4	Federal funds	518,072
5	Interdepartmental transfers	<u>184,758</u>
6	Total	4,540,296
7	Sec. B.226 Banking, insurance, securities, and health care administration -	
8	administration	
9	Personal services	2,094,388
10	Operating expenses	<u>110,601</u>
11	Total	2,204,989
12	Source of funds	
13	Special funds	<u>2,204,989</u>
14	Total	2,204,989
15	Sec. B.227 Banking, insurance, securities, and health care administration -	
16	banking	
17	Personal services	1,338,504
18	Operating expenses	<u>243,041</u>



1	Total	1,581,545
2	Source of funds	
3	Special funds	<u>1,581,545</u>
4	Total	1,581,545
5	Sec. B.228 Banking, insurance, securities, and health care administration -	
6	insurance	
7	Personal services	2,768,091
8	Operating expenses	<u>433,803</u>
9	Total	3,201,894
10	Source of funds	
11	Special funds	<u>3,201,894</u>
12	Total	3,201,894
13	Sec. B.229 Banking, insurance, securities, and health care administration -	
14	captive	
15	Personal services	3,237,368
16	Operating expenses	<u>439,405</u>
17	Total	3,676,773

1	Source of funds	
2	Special funds	<u>3,676,773</u>
3	Total	3,676,773
4	Sec. B.230 Banking, insurance, securities, and health care administration -	
5	securities	
6	Personal services	447,065
7	Operating expenses	<u>140,714</u>
8	Total	587,779
9	Source of funds	
10	Special funds	<u>587,779</u>
11	Total	587,779
12	Sec. B.231 Banking, insurance, securities, and health care administration -	
13	health care administration	
14	Personal services	4,421,102
15	Operating expenses	<u>320,805</u>
16	Total	4,741,907
17	Source of funds	
18	Special funds	2,843,083

1	Global Commitment fund	<u>1,898,824</u>
2	Total	4,741,907
3	Sec. B.232 Secretary of state	
4	Personal services	5,639,766
5	Operating expenses	2,010,915
6	Grants	<u>1,000,000</u>
7	Total	8,650,681
8	Source of funds	
9	General fund	1,741,157
10	Special funds	4,834,524
11	Federal funds	2,000,000
12	Interdepartmental transfers	<u>75,000</u>
13	Total	8,650,681
14	Sec. B.233 Public service - regulation and energy	
15	Personal services	7,227,506
16	Operating expenses	703,315
17	Grants	<u>21,203,466</u>
18	Total	29,134,287

1	Source of funds	
2	ARRA funds	15,796,250
3	Special funds	12,180,237
4	Federal funds	<u>1,157,800</u>
5	Total	29,134,287
6	Sec. B.234 Public service board	
7	Personal services	2,716,697
8	Operating expenses	<u>364,000</u>
9	Total	3,080,697
10	Source of funds	
11	ARRA funds	265,834
12	Special funds	<u>2,814,863</u>
13	Total	3,080,697
14	Sec. B.235 Enhanced 9-1-1 board	
15	Personal services	2,441,508
16	Operating expenses	1,252,574
17	Grants	<u>911,721</u>
18	Total	4,605,803

1	Source of funds	
2	Special funds	<u>4,605,803</u>
3	Total	4,605,803
4	Sec. B.236 Human rights commission	
5	Personal services	402,730
6	Operating expenses	<u>86,264</u>
7	Total	488,994
8	Source of funds	
9	General fund	318,255
10	Federal funds	<u>170,739</u>
11	Total	488,994
12	Sec. B.237 Liquor control - administration	
13	Personal services	1,442,422
14	Operating expenses	<u>625,578</u>
15	Total	2,068,000
16	Source of funds	
17	Tobacco fund	6,661
18	Enterprise funds	1,811,339

1	Interdepartmental transfers	<u>250,000</u>
2	Total	2,068,000
3	Sec. B.238 Liquor control - enforcement and licensing	
4	Personal services	1,930,027
5	Operating expenses	<u>377,524</u>
6	Total	2,307,551
7	Source of funds	
8	Tobacco fund	289,645
9	Enterprise funds	<u>2,017,906</u>
10	Total	2,307,551
11	Sec. B.239 Liquor control - warehousing and distribution	
12	Personal services	813,769
13	Operating expenses	<u>329,615</u>
14	Total	1,143,384
15	Source of funds	
16	Enterprise funds	<u>1,143,384</u>
17	Total	1,143,384

1	Sec. B.240 Total protection to persons and property	
2		289,720,524
3	Source of funds	
4	General fund	101,311,648
5	Transportation fund	27,635,057
6	Special funds	68,414,128
7	Tobacco fund	961,177
8	Global Commitment fund	1,898,824
9	Federal funds	57,153,489
10	ARRA funds	18,539,819
11	Enterprise funds	4,972,629
12	Interdepartmental transfers	<u>8,833,753</u>
13	Total	289,720,524
14	Sec. B.300 Human services - agency of human services - secretary's office	
15	Personal services	8,997,483
16	Operating expenses	2,427,168
17	Grants	<u>5,095,241</u>
18	Total	16,519,892

1	Source of funds	
2	Tobacco fund	423,330
3	General fund	4,811,040
4	Special funds	7,517
5	Global Commitment fund	415,000
6	Federal funds	7,444,102
7	Interdepartmental transfers	<u>3,418,903</u>
8	Total	16,519,892
9	Sec. B.301 Secretary's office - global commitment	
10	Grants	<u>1,061,503,886</u>
11	Total	1,061,503,886
12	Source of funds	
13	ARRA funds	112,509,031
14	Tobacco fund	35,848,873
15	General fund	66,073,985
16	Special funds	13,153,402
17	State health care resources fund	175,501,013
18	Catamount fund	17,567,537



1	Federal funds	640,492,378
2	Interdepartmental transfers	<u>357,667</u>
3	Total	1,061,503,886
4	Sec. B.302 Rate setting	
5	Personal services	858,339
6	Operating expenses	<u>70,029</u>
7	Total	928,368
8	Source of funds	
9	Global Commitment fund	<u>928,368</u>
10	Total	928,368
11	Sec. B.303 Developmental disabilities council	
12	Personal services	269,694
13	Operating expenses	51,991
14	Grants	<u>220,000</u>
15	Total	541,685
16	Source of funds	
17	Federal funds	<u>541,685</u>
18	Total	541,685

1	Sec. B.304 Human services board	
2	Personal services	282,894
3	Operating expenses	<u>67,804</u>
4	Total	350,698
5	Source of funds	
6	General fund	49,713
7	Federal funds	150,493
8	Interdepartmental transfers	<u>150,492</u>
9	Total	350,698
10	Sec. B.305 AHS - administrative fund	
11	Personal services	250,000
12	Operating expenses	<u>4,750,000</u>
13	Total	5,000,000
14	Source of funds	
15	Interdepartmental transfers	<u>5,000,000</u>
16	Total	5,000,000
17	Sec. B.306 Office of Vermont health access - administration	
18	Personal services	43,797,367

1	Operating expenses	2,272,618
2	Grants	<u>3,973,674</u>
3	Total	50,043,659
4	Source of funds	
5	General fund	1,549,943
6	Special funds	3,016,174
7	Global Commitment fund	32,594,084
8	Federal funds	<u>12,883,458</u>
9	Total	50,043,659
10	Sec. B.307 Office of Vermont health access - Medicaid program - global	
11	commitment	
12	Grants	<u>613,272,839</u>
13	Total	613,272,839
14	Source of funds	
15	Global Commitment fund	<u>613,272,839</u>
16	Total	613,272,839



1	<del>General fund</del>	<del>17,614,747</del>
2	<del>Global Commitment fund</del>	<del><u>1,709,509</u></del>
3	<del>Total</del>	<del>22,724,256</del>
4	Sec. B.310 Office of Vermont health access - Medicaid non-waiver matched	
5	Grants	<u>48,157,828</u>
6	Total	48,157,828
7	Source of funds	
8	General fund	17,268,868
9	Federal funds	<u>30,888,960</u>
10	Total	48,157,828
11	Sec. B.311 Health - administration and support	
12	Personal services	5,741,814
13	Operating expenses	2,182,153
14	Grants	<u>2,612,000</u>
15	Total	10,535,967
16	Source of funds	
17	General fund	1,070,058
18	Special funds	232,148

1	Global Commitment fund	3,400,011
2	Federal funds	<u>5,833,750</u>
3	Total	10,535,967
4	Sec. B.312 Health - public health	
5	Personal services	32,322,118
6	Operating expenses	7,193,132
7	Grants	<u>33,216,819</u>
8	Total	72,732,069
9	Source of funds	
10	Tobacco fund	1,166,803
11	General fund	7,737,787
12	Special funds	4,783,956
13	Global Commitment fund	23,276,494
14	Catamount fund	4,357,032
15	Federal funds	30,795,573
16	Permanent trust funds	10,000
17	Interdepartmental transfers	<u>604,424</u>
18	Total	72,732,069

1	Sec. B.313 Health - alcohol and drug abuse programs	
2	Personal services	2,931,722
3	Operating expenses	709,845
4	Grants	<u>27,897,483</u>
5	Total	31,539,050
6	Source of funds	
7	Tobacco fund	2,382,834
8	General fund	2,929,387
9	Special funds	232,084
10	Global Commitment fund	17,503,430
11	Federal funds	8,341,315
12	Interdepartmental transfers	<u>150,000</u>
13	Total	31,539,050
14	Sec. B.314 Mental health - mental health	
15	Personal services	5,363,774
16	Operating expenses	904,685
17	Grants	<u>128,312,179</u>
18	Total	134,580,638

1	Source of funds	
2	General fund	792,412
3	Special funds	6,836
4	Global Commitment fund	127,939,561
5	Federal funds	5,821,829
6	Interdepartmental transfers	<u>20,000</u>
7	Total	134,580,638
8	Sec. B.315 Mental health - Vermont state hospital	
9	Personal services	20,934,634
10	Operating expenses	2,234,840
11	Grants	<u>82,335</u>
12	Total	23,251,809
13	Source of funds	
14	General fund	11,087,045
15	Special funds	1,650,000
16	Global Commitment fund	10,001,200
17	Federal funds	213,564
18	Interdepartmental transfers	<u>300,000</u>



1	Total	23,251,809
2	Sec. B.316 Department for children and families - administration and support	
3	services	
4	Personal services	37,767,592
5	Operating expenses	7,451,074
6	Grants	<u>842,829</u>
7	Total	46,061,495
8	Source of funds	
9	General fund	15,044,158
10	Global Commitment fund	17,233,385
11	Federal funds	<u>13,783,952</u>
12	Total	46,061,495
13	Sec. B.317 Department for children and families - family services	
14	Personal services	22,899,710
15	Operating expenses	3,344,491
16	Grants	<u>62,982,675</u>
17	Total	89,226,876
18	Source of funds	

1	ARRA funds	705,724
2	Tobacco fund	275,000
3	General fund	21,080,381
4	Special funds	1,691,637
5	Global Commitment fund	37,870,954
6	Federal funds	27,503,180
7	Interdepartmental transfers	<u>100,000</u>
8	Total	89,226,876
9	Sec. B.318 Department for children and families - child development	
10	Personal services	3,265,859
11	Operating expenses	498,925
12	Grants	<u>56,136,434</u>
13	Total	59,901,218
14	Source of funds	
15	ARRA funds	2,282,687
16	General fund	23,198,997
17	Special funds	1,820,000
18	Global Commitment fund	5,448,940

1	Federal funds	27,011,087
2	Interdepartmental transfers	<u>139,507</u>
3	Total	59,901,218
4	Sec. B.319 Department for children and families - office of child support	
5	Personal services	9,071,791
6	Operating expenses	<u>4,122,248</u>
7	Total	13,194,039
8	Source of funds	
9	ARRA funds	431,230
10	General fund	2,690,672
11	Special funds	455,718
12	Federal funds	9,228,819
13	Interdepartmental transfers	<u>387,600</u>
14	Total	13,194,039
15	Sec. B.320 Department for children and families - aid to aged, blind and	
16	disabled	
17	Personal services	1,801,009
18	Grants	<u>10,738,080</u>

1	Total	12,539,089
2	Source of funds	
3	General fund	8,789,089
4	Global Commitment fund	<u>3,750,000</u>
5	Total	12,539,089
6	Sec. B.321 Department for children and families - general assistance	
7	Grants	<u>5,850,928</u>
8	Total	5,850,928
9	Source of funds	
10	ARRA funds	1,699,412
11	General fund	2,700,196
12	Global Commitment fund	340,000
13	Federal funds	<u>1,111,320</u>
14	Total	5,850,928
15	Sec. B.322 Department for children and families - food stamp cash out	
16	Grants	<u>22,610,178</u>
17	Total	22,610,178
18	Source of funds	

1	ARRA funds	575,000
2	Federal funds	<u>22,035,178</u>
3	Total	22,610,178
4	Sec. B.323 Department for children and families - reach up	
5	Grants	<u>49,229,159</u>
6	Total	49,229,159
7	Source of funds	
8	ARRA funds	1,127,346
9	General fund	19,927,750
10	Special funds	19,916,856
11	Global Commitment fund	374,400
12	Federal funds	<u>7,882,807</u>
13	Total	49,229,159
14	Sec. B.324 Department for children and families - home heating fuel	
15	assistance/LIHEAP	
16	Personal services	20,000
17	Operating expenses	90,000
18	Grants	<u>11,502,664</u>

1	Total	11,612,664
2	Source of funds	
3	Federal funds	<u>11,612,664</u>
4	Total	11,612,664

*Sec. B.325 Department for children and families - office of economic opportunity*

<i>Personal services</i>	<i>266,289</i>
<i>Operating expenses</i>	<i>78,339</i>
<i>Grants</i>	<i><u>4,747,762</u></i>
<i>Total</i>	<i>5,092,390</i>
<i>Source of funds</i>	
<i>General fund</i>	<i>1,241,285</i>
<i>Special funds</i>	<i>57,990</i>
<i>Federal funds</i>	<i><u>3,793,115</u></i>
<i>Total</i>	<i>5,092,390</i>

5	<del>Sec. B.325 Department for children and families - office of economic</del>	
6	<del>opportunity</del>	
7	<del>Personal services</del>	<del>266,289</del>
8	<del>Operating expenses</del>	<del>78,339</del>
9	<del>Grants</del>	<del><u>4,699,762</u></del>
10	<del>Total</del>	<del>5,044,390</del>
11	<del>Source of funds</del>	
12	<del>General fund</del>	<del>1,193,285</del>

1	Special funds	57,990
2	Federal funds	<u>3,793,115</u>
3	Total	5,044,390

*Sec. B.326 Department for children and families - OEO - weatherization assistance*

<i>Personal services</i>	<i>183,254</i>
<i>Operating expenses</i>	<i>130,762</i>
<i>Grants</i>	<i><u>14,959,936</u></i>
<i>Total</i>	<i>15,273,952</i>
<i>Source of funds</i>	
<i>ARRA funds</i>	<i>8,421,288</i>
<i>Special funds</i>	<i>4,602,998</i>
<i>Federal funds</i>	<i><u>2,249,666</u></i>
<i>Total</i>	<i>15,273,952</i>

4 ~~Sec. B.326 Department for children and families - OEO - weatherization~~  
5 ~~assistance~~

6	Personal services	183,254
7	Operating expenses	130,762
8	Grants	<u>15,057,936</u>
9	Total	15,371,952
10	Source of funds	
11	ARRA funds	8,421,288
12	General fund	48,000

1	Special funds	4,602,998
2	Federal funds	<u>2,299,666</u>
3	Total	<u>15,371,952</u>

4 Sec. B.327 Department for children and families - Woodside rehabilitation  
5 center

6	Personal services	3,453,113
7	Operating expenses	<u>578,399</u>
8	Total	4,031,512

9 Source of funds

10	General fund	3,976,620
11	Interdepartmental transfers	<u>54,892</u>
12	Total	4,031,512

13 Sec. B.328 Department for children and families - disability determination  
14 services

15	Personal services	4,353,948
16	Operating expenses	<u>1,133,361</u>
17	Total	5,487,309

18 Source of funds



1	Global Commitment fund	246,517
2	Federal funds	<u>5,240,792</u>
3	Total	5,487,309
4	Sec. B.329 Disabilities, aging and independent living - administration and	
5	support	
6	Personal services	24,109,012
7	Operating expenses	<u>3,661,592</u>
8	Total	27,770,604
9	Source of funds	
10	General fund	7,131,010
11	Special funds	889,246
12	Global Commitment fund	6,014,470
13	Federal funds	11,246,096
14	Interdepartmental transfers	<u>2,489,782</u>
15	Total	27,770,604
16	Sec. B.330 Disabilities, aging and independent living - advocacy and	
17	independent living grants	
18	Grants	<u>22,223,316</u>

1	Total	22,223,316
2	Source of funds	
3	ARRA funds	404,000
4	General fund	9,897,737
5	Global Commitment fund	3,638,762
6	Federal funds	7,645,317
7	Interdepartmental transfers	<u>637,500</u>
8	Total	22,223,316
9	Sec. B.331 Disabilities, aging and independent living - blind and visually	
10	impaired	
11	Grants	<u>1,481,457</u>
12	Total	1,481,457
13	Source of funds	
14	General fund	364,064
15	Special funds	223,450
16	Global Commitment fund	245,000
17	Federal funds	<u>648,943</u>
18	Total	1,481,457

1       Sec. B.332 Disabilities, aging and independent living - vocational  
2       rehabilitation

3                   Grants                                   7,302,971

4                   Total   7,302,971

5                   Source of funds

6                   ARRA funds                                   1,334,000

7                   General fund                               1,535,695

8                   Global Commitment fund                 7,500

9                   Federal funds                             4,132,389

10                  Interdepartmental transfers             293,387

11                  Total   7,302,971

12       Sec. B.333 Disabilities, aging and independent living - developmental services

13                  Grants                                   149,922,473

14                  Total                                   149,922,473

15                  Source of funds

16                  General fund                             155,125

17                  Special funds                            15,463

18                  Global Commitment fund               149,392,028

1	Federal funds	<u>359,857</u>
2	Total	149,922,473
3	Sec. B.334 Disabilities, aging and independent living -TBI home and	
4	community based waiver	
5	Grants	<u>4,044,899</u>
6	Total	4,044,899
7	Source of funds	
8	Global Commitment fund	<u>4,044,899</u>
9	Total	4,044,899
10	Sec. B.335 Corrections - administration	
11	Personal services	1,984,192
12	Operating expenses	<u>215,304</u>
13	Total	2,199,496
14	Source of funds	
15	General fund	<u>2,199,496</u>
16	Total	2,199,496
17	Sec. B.336 Corrections - parole board	
18	Personal services	328,861

1	Operating expenses	<u>60,198</u>
2	Total	389,059
3	Source of funds	
4	General fund	<u>389,059</u>
5	Total	389,059
6	Sec. B.337 Corrections - correctional education	
7	Personal services	4,419,709
8	Operating expenses	<u>306,274</u>
9	Total	4,725,983
10	Source of funds	
11	General fund	368,863
12	Special funds	696,991
13	Interdepartmental transfers	<u>3,660,129</u>
14	Total	4,725,983
15	Sec. B.338 Corrections - correctional services	
16	Personal services	80,054,352
17	Operating expenses	33,761,401
18	Grants	<u>3,722,953</u>

1	Total	117,538,706
2	Source of funds	
3	Tobacco fund	87,500
4	General fund	113,305,822
5	Special funds	483,963
6	Global Commitment fund	3,094,144
7	Federal funds	170,962
8	Interdepartmental transfers	<u>396,315</u>
9	Total	117,538,706
10	Sec. B.339 Correctional services - out of state beds	
11	Personal services	<u>17,008,240</u>
12	Total	17,008,240
13	Source of funds	
14	General fund	<u>17,008,240</u>
15	Total	17,008,240
16	Sec. B.340 Corrections - correctional facilities - recreation	
17	Personal services	475,506
18	Operating expenses	<u>342,362</u>

1	Total	817,868
2	Source of funds	
3	General fund	125,000
4	Special funds	<u>692,868</u>
5	Total	817,868
6	Sec. B.341 Corrections - Vermont offender work program	
7	Personal services	986,255
8	Operating expenses	<u>554,103</u>
9	Total	1,540,358
10	Source of funds	
11	Internal service funds	<u>1,540,358</u>
12	Total	1,540,358
13	Sec. B.342 Vermont veterans' home - care and support services	
14	Personal services	15,385,424
15	Operating expenses	<u>3,673,019</u>
16	Total	19,058,443
17	Source of funds	
18	Special funds	11,615,802

1	Global Commitment fund	1,410,956
2	Federal funds	<u>6,031,685</u>
3	Total	19,058,443
4	Sec. B.343 Commission on women	
5	Personal services	235,132
6	Operating expenses	<u>66,690</u>
7	Total	301,822
8	Source of funds	
9	General fund	296,822
10	Special funds	<u>5,000</u>
11	Total	301,822
12	Sec. B.344 Retired senior volunteer program	
13	Grants	<u>131,096</u>
14	Total	131,096
15	Source of funds	
16	General fund	<u>131,096</u>
17	Total	131,096
18	Sec. B.345 Total human services	3,020,266,923



1	Source of funds	
2	General fund	447,414,572
3	Special funds	66,250,099
4	Tobacco fund	40,184,340
5	Global Commitment fund	1,064,152,451
6	State health care resources fund	175,501,013
7	Catamount fund	21,924,569
8	Federal funds	1,029,601,305
9	ARRA funds	155,527,618
10	Permanent trust funds	10,000
11	Internal service funds	1,540,358
12	Interdepartmental transfers	<u>18,160,598</u>
13	Total	3,020,266,923
14	Sec. B.400 Labor - administration	
15	Personal services	2,746,693
16	Operating expenses	577,547
17	Grants	<u>30,000</u>
18	Total	3,354,240

1	Source of funds	
2	ARRA funds	348,824
3	General fund	272,756
4	Special funds	459,031
5	Catamount fund	76,844
6	Federal funds	2,001,785
7	Interdepartmental transfers	<u>195,000</u>
8	Total	3,354,240
9	Sec. B.401 Labor - programs	
10	Personal services	23,010,309
11	Operating expenses	5,488,024
12	Grants	<u>3,719,147</u>
13	Total	32,217,480
14	Source of funds	
15	ARRA funds	4,222,948
16	General fund	2,288,674
17	Special funds	2,912,759
18	Catamount fund	317,228

1	Federal funds	21,170,870
2	Interdepartmental transfers	<u>1,305,001</u>
3	Total	32,217,480
4	Sec. B.402 Total labor	35,571,720
5	Source of funds	
6	General fund	2,561,430
7	Special funds	3,371,790
8	Catamount fund	394,072
9	Federal funds	23,172,655
10	ARRA funds	4,571,772
11	Interdepartmental transfers	<u>1,500,001</u>
12	Total	35,571,720
13	Sec. B.500 Education - finance and administration	
14	Personal services	5,666,454
15	Operating expenses	1,715,341
16	Grants	<u>11,384,730</u>
17	Total	18,766,525
18	Source of funds	

1	General fund	3,103,135
2	Education fund	427,526
3	Special funds	12,395,755
4	Global Commitment fund	823,092
5	Federal funds	2,012,287
6	Interdepartmental transfers	<u>4,730</u>
7	Total	18,766,525
8	Sec. B.501 Education - education services	
9	Personal services	12,293,389
10	Operating expenses	1,598,645
11	Grants	<u>166,683,243</u>
12	Total	180,575,277
13	Source of funds	
14	ARRA funds	46,719,169
15	General fund	4,805,426
16	Education fund	1,131,751
17	Special funds	2,061,526
18	Federal funds	125,832,574

1	Interdepartmental transfers	<u>24,831</u>
2	Total	180,575,277

*Sec. B.502 Education - special education: formula grants*

*Grants* 142,687,975

*Total* 142,687,975

*Source of funds*

*Education fund* 142,457,975

*Global Commitment fund* 230,000

*Total* 142,687,975

~~3 Sec. B.502 Education - special education: formula grants~~

~~4 Grants 138,830,000~~

~~5 Total 138,830,000~~

~~6 Source of funds~~

~~7 Education fund 138,600,000~~

~~8 Global Commitment fund 230,000~~

~~9 Total 138,830,000~~

10 Sec. B.503 Education - state-placed students

11 Grants 16,400,000

12 Total 16,400,000

13 Source of funds

14 Education fund 16,400,000

1	Total	16,400,000
2	Sec. B.504 Education - adult education and literacy	
3	Grants	<u>6,463,656</u>
4	Total	6,463,656
5	Source of funds	
6	General fund	787,995
7	Education fund	4,800,000
8	Federal funds	<u>875,661</u>
9	Total	6,463,656

*Sec. B.505 Education - adjusted education payment*

*Grants* 1,136,275,036  
*Total* 1,136,275,036

*Source of funds*

*ARRA interdepartmental transfer* 38,575,036  
*Education fund* 1,097,700,000  
*Total* 1,136,275,036

10	<del>Sec. B.505 Education - adjusted education payment</del>	
11	<del>Grants</del>	<del><u>1,127,275,036</u></del>
12	<del>Total</del>	<del>1,127,275,036</del>
13	<del>Source of funds</del>	
14	<del>ARRA interdepartmental transfer</del>	<del>38,575,036</del>

1	Education fund	<u>1,088,700,000</u>
2	Total	1,127,275,036

3 Sec. B.506 Education - transportation

4	Grants	<u>15,782,031</u>
5	Total	15,782,031

6 Source of funds

7	Education fund	<u>15,782,031</u>
8	Total	15,782,031

9 Sec. B.507 Education - small school grants

10	Grants	<u>7,000,000</u>
11	Total	7,000,000

12 Source of funds

13	Education fund	<u>7,000,000</u>
14	Total	7,000,000

15 Sec. B.508 Education - capital debt service aid

16	Grants	<u>180,000</u>
17	Total	180,000

18 Source of funds

1	Education fund	<u>180,000</u>
2	Total	180,000
3	Sec. B.509 Education - tobacco litigation	
4	Personal services	129,931
5	Operating expenses	46,222
6	Grants	<u>812,764</u>
7	Total	988,917
8	Source of funds	
9	Tobacco fund	<u>988,917</u>
10	Total	988,917
11	Sec. B.510 Education - essential early education grant	
12	Grants	<u>5,679,216</u>
13	Total	5,679,216
14	Source of funds	
15	Education fund	<u>5,679,216</u>
16	Total	5,679,216
17	Sec. B.511 Education - technical education	
18	Grants	<u>12,784,382</u>



1	Total	12,784,382
2	Source of funds	
3	Education fund	<u>12,784,382</u>
4	Total	12,784,382
5	Sec. B.512 Education - Act 117 cost containment	
6	Personal services	1,059,820
7	Operating expenses	131,887
8	Grants	<u>91,000</u>
9	Total	1,282,707
10	Source of funds	
11	Special funds	<u>1,282,707</u>
12	Total	1,282,707
13	Sec. B.513 Appropriation and transfer to education fund	
14	Grants	<u>240,803,945</u>
15	Total	240,803,945
16	Source of funds	
17	General fund	<u>240,803,945</u>
18	Total	240,803,945

1	Sec. B.514 State teachers' retirement system	
2	Personal services	7,269,278
3	Operating expenses	20,964,109
4	Grants	<u>46,913,381</u>
5	Total	75,146,768
6	Source of funds	
7	General fund	46,913,381
8	Pension trust funds	<u>28,233,387</u>
9	Total	75,146,768
10	Sec. B.515 Total general education	1,847,958,460
11	Source of funds	
12	General fund	296,413,882
13	Education fund	1,291,484,906
14	Special funds	15,739,988
15	Tobacco fund	988,917
16	Global Commitment fund	1,053,092
17	Federal funds	128,720,522
18	ARRA funds	46,719,169

1	Pension trust funds	28,233,387
2	Interdepartmental transfers	29,561
3	ARRA interdepartmental transfer	<u>38,575,036</u>
4	Total	1,847,958,460
5	Sec. B.600 University of Vermont	
6	Grants	<u>40,746,633</u>
7	Total	40,746,633
8	Source of funds	
9	General fund	36,740,477
10	Global Commitment fund	<u>4,006,156</u>
11	Total	40,746,633
12	Sec. B.601 Vermont Public Television	
13	Grants	<u>547,683</u>
14	Total	547,683
15	Source of funds	
16	General fund	<u>547,683</u>
17	Total	547,683

1	Sec. B.602 Vermont state colleges	
2	Grants	<u>23,107,247</u>
3	Total	23,107,247
4	Source of funds	
5	General fund	<u>23,107,247</u>
6	Total	23,107,247
7	Sec. B.603 Vermont state colleges - allied health	
8	Grants	<u>1,116,503</u>
9	Total	1,116,503
10	Source of funds	
11	General fund	711,096
12	Global Commitment fund	<u>405,407</u>
13	Total	1,116,503
14	Sec. B.604 Vermont interactive television	
15	Grants	<u>785,679</u>
16	Total	785,679
17	Source of funds	
18	General fund	<u>785,679</u>

1	Total	785,679
2	Sec. B.605 Vermont student assistance corporation	
3	Grants	<u>18,363,607</u>
4	Total	18,363,607
5	Source of funds	
6	General fund	<u>18,363,607</u>
7	Total	18,363,607
8	Sec. B.606 New England higher education compact	
9	Grants	<u>84,000</u>
10	Total	84,000
11	Source of funds	
12	General fund	<u>84,000</u>
13	Total	84,000
14	Sec. B.607 University of Vermont - Morgan Horse Farm	
15	Grants	<u>1</u>
16	Total	1
17	Source of funds	
18	General fund	<u>1</u>

1	Total	1
2	Sec. B.608 Total higher education	84,751,353
3	Source of funds	
4	General fund	80,339,790
5	Global Commitment fund	<u>4,411,563</u>
6	Total	84,751,353
7	Sec. B.700 Natural resources - agency of natural resources - administration	
8	Personal services	3,496,740
9	Operating expenses	1,107,048
10	Grants	<u>70,510</u>
11	Total	4,674,298
12	Source of funds	
13	General fund	4,269,265
14	Special funds	17,797
15	Federal funds	174,332
16	Interdepartmental transfers	<u>212,904</u>
17	Total	4,674,298

1	Sec. B.701 Natural resources - state land local property tax assessment	
2	Operating expenses	<u>2,128,733</u>
3	Total	2,128,733
4	Source of funds	
5	General fund	1,707,233
6	Interdepartmental transfers	<u>421,500</u>
7	Total	2,128,733
8	Sec. B.702 Fish and wildlife - support and field services	
9	Personal services	12,803,506
10	Operating expenses	4,897,176
11	Grants	<u>904,333</u>
12	Total	18,605,015
13	Source of funds	
14	General fund	1,157,253
15	Fish and wildlife fund	17,113,525
16	Interdepartmental transfers	<u>334,237</u>
17	Total	18,605,015

1	Sec. B.703 Forests, parks and recreation - administration	
2	Personal services	918,024
3	Operating expenses	621,179
4	Grants	<u>1,815,491</u>
5	Total	3,354,694
6	Source of funds	
7	ARRA funds	50,000
8	General fund	1,033,816
9	Special funds	1,307,878
10	Federal funds	<u>963,000</u>
11	Total	3,354,694
12	Sec. B.704 Forests, parks and recreation - forestry	
13	Personal services	4,511,199
14	Operating expenses	531,567
15	Grants	<u>501,000</u>
16	Total	5,543,766
17	Source of funds	
18	ARRA funds	252,750



1	General fund	3,221,738
2	Special funds	679,372
3	Federal funds	1,259,906
4	Interdepartmental transfers	<u>130,000</u>
5	Total	5,543,766
6	Sec. B.705 Forests, parks and recreation - state parks	
7	Personal services	5,503,357
8	Operating expenses	<u>1,984,815</u>
9	Total	7,488,172
10	Source of funds	
11	ARRA funds	70,000
12	General fund	532,197
13	Special funds	6,751,451
14	Interdepartmental transfers	<u>134,524</u>
15	Total	7,488,172
16	Sec. B.706 Forests, parks and recreation - lands administration	
17	Personal services	450,413
18	Operating expenses	<u>1,209,166</u>

1	Total	1,659,579
2	Source of funds	
3	General fund	385,374
4	Special funds	179,205
5	Federal funds	1,050,000
6	Interdepartmental transfers	<u>45,000</u>
7	Total	1,659,579
8	Sec. B.707 Forests, parks and recreation - youth conservation corps	
9	Grants	<u>670,541</u>
10	Total	670,541
11	Source of funds	
12	General fund	42,320
13	Special funds	284,221
14	Federal funds	94,000
15	Interdepartmental transfers	<u>250,000</u>
16	Total	670,541
17	Sec. B.708 Forests, parks and recreation - forest highway maintenance	
18	Personal services	20,000

1	Operating expenses	<u>134,925</u>
2	Total	154,925
3	Source of funds	
4	General fund	<u>154,925</u>
5	Total	154,925
6	Sec. B.709 Environmental conservation - management and support services	
7	Personal services	3,745,984
8	Operating expenses	1,119,601
9	Grants	<u>100,000</u>
10	Total	4,965,585
11	Source of funds	
12	General fund	691,248
13	Special funds	2,366,427
14	Federal funds	1,397,800
15	Interdepartmental transfers	<u>510,110</u>
16	Total	4,965,585
17	Sec. B.710 Environmental conservation - air and waste management	
18	Personal services	7,715,537

1	Operating expenses	6,426,547
2	Grants	<u>1,756,800</u>
3	Total	15,898,884
4	Source of funds	
5	ARRA funds	540,966
6	General fund	560,448
7	Special funds	10,909,314
8	Federal funds	3,583,156
9	Interdepartmental transfers	<u>305,000</u>
10	Total	15,898,884
11	Sec. B.711 Environmental conservation - office of water programs	
12	Personal services	13,400,525
13	Operating expenses	1,967,669
14	Grants	<u>2,246,681</u>
15	Total	17,614,875
16	Source of funds	
17	ARRA funds	553,471
18	General fund	5,708,472

1	Special funds	4,705,975
2	Federal funds	6,136,957
3	Interdepartmental transfers	<u>510,000</u>
4	Total	17,614,875

5 Sec. B.712 Environmental conservation - tax-loss Connecticut river flood  
6 control

7	Operating expenses	<u>34,700</u>
8	Total	34,700

9	Source of funds	
10	General fund	3,470
11	Special funds	<u>31,230</u>
12	Total	34,700

13 Sec. B.713 Natural resources board

14	Personal services	2,375,663
15	Operating expenses	<u>356,939</u>
16	Total	2,732,602

17	Source of funds	
18	General fund	766,716

1	Special funds	<u>1,965,886</u>
2	Total	2,732,602
3	Sec. B.714 Total natural resources	85,526,369
4	Source of funds	
5	General fund	20,234,475
6	Fish and wildlife fund	17,113,525
7	Special funds	29,198,756
8	Federal funds	14,659,151
9	ARRA funds	1,467,187
10	Interdepartmental transfers	<u>2,853,275</u>
11	Total	85,526,369
12	Sec. B.800 Commerce and community development - agency of commerce	
13	and community development - administration	
14	Personal services	1,925,799
15	Operating expenses	1,078,886
16	Grants	<u>1,486,390</u>
17	Total	4,491,075

1	Source of funds	
2	ARRA funds	350,000
3	General fund	2,726,075
4	Federal funds	800,000
5	Interdepartmental transfers	<u>615,000</u>
6	Total	4,491,075
7	Sec. B.801 Economic, housing and community development	
8	Personal services	4,364,330
9	Operating expenses	1,360,756
10	Grants	<u>18,162,346</u>
11	Total	23,887,432
12	Source of funds	
13	ARRA funds	90,195
14	General fund	6,108,660
15	Special funds	4,131,257
16	Federal funds	<u>13,557,320</u>
17	Total	23,887,432

1	Sec. B.802 Historic sites - special improvements	
2	Personal services	40,000
3	Operating expenses	<u>40,670</u>
4	Total	80,670
5	Source of funds	
6	Special funds	20,000
7	Federal funds	40,000
8	Interdepartmental transfers	<u>20,670</u>
9	Total	80,670
10	Sec. B.803 Community development block grants	
11	Grants	<u>8,535,530</u>
12	Total	8,535,530
13	Source of funds	
14	ARRA funds	1,089,000
15	Federal funds	<u>7,446,530</u>
16	Total	8,535,530
17	Sec. B.804 Downtown transportation and capital improvement fund	
18	Personal services	79,326



1	Grants	<u>320,674</u>
2	Total	400,000
3	Source of funds	
4	Special funds	<u>400,000</u>
5	Total	400,000
6	Sec. B.805 Tourism and marketing	
7	Personal services	1,503,826
8	Operating expenses	1,751,984
9	Grants	<u>30,000</u>
10	Total	3,285,810
11	Source of funds	
12	General fund	3,279,810
13	Special funds	<u>6,000</u>
14	Total	3,285,810
15	Sec. B.806 Vermont life	
16	Personal services	723,536
17	Operating expenses	<u>89,881</u>
18	Total	813,417

1	Source of funds	
2	Enterprise funds	<u>813,417</u>
3	Total	813,417
4	Sec. B.807 Vermont council on the arts	
5	Grants	<u>507,607</u>
6	Total	507,607
7	Source of funds	
8	General fund	<u>507,607</u>
9	Total	507,607
10	Sec. B.808 Vermont symphony orchestra	
11	Grants	<u>113,821</u>
12	Total	113,821
13	Source of funds	
14	General fund	<u>113,821</u>
15	Total	113,821
16	Sec. B.809 Vermont historical society	
17	Grants	<u>795,669</u>
18	Total	795,669

1	Source of funds	
2	General fund	<u>795,669</u>
3	Total	795,669
4	Sec. B.810 Vermont housing and conservation board	
5	Grants	<u>23,789,348</u>
6	Total	23,789,348
7	Source of funds	
8	Special funds	6,606,662
9	Federal funds	<u>17,182,686</u>
10	Total	23,789,348
11	Sec. B.811 Vermont humanities council	
12	Grants	<u>172,670</u>
13	Total	172,670
14	Source of funds	
15	General fund	<u>172,670</u>
16	Total	172,670

1	Sec. B.812 Total commerce and community development	
2		66,873,049
3	Source of funds	
4	General fund	13,704,312
5	Special funds	11,163,919
6	Federal funds	39,026,536
7	ARRA funds	1,529,195
8	Enterprise funds	813,417
9	Interdepartmental transfers	<u>635,670</u>
10	Total	66,873,049
11	Sec. B.900 Transportation - finance and administration	
12	Personal services	9,737,904
13	Operating expenses	2,720,073
14	Grants	<u>385,000</u>
15	Total	12,842,977
16	Source of funds	
17	Transportation fund	11,883,975
18	Federal funds	<u>959,002</u>

1	Total	12,842,977
2	Sec. B.901 Transportation - aviation	
3	Personal services	2,643,444
4	Operating expenses	21,031,298
5	Grants	<u>160,000</u>
6	Total	23,834,742
7	Source of funds	
8	ARRA funds	3,500,000
9	Transportation fund	2,965,242
10	Federal funds	<u>17,369,500</u>
11	Total	23,834,742
12	Sec. B.902 Transportation - buildings	
13	Operating expenses	<u>2,467,500</u>
14	Total	2,467,500
15	Source of funds	
16	TIB fund	190,000
17	Transportation fund	1,517,500
18	Federal funds	<u>760,000</u>

1	Total	2,467,500
2	Sec. B.903 Transportation - program development	
3	Personal services	36,339,478
4	Operating expenses	219,656,050
5	Grants	<u>26,819,421</u>
6	Total	282,814,949
7	Source of funds	
8	ARRA funds	45,034,600
9	TIB fund	14,806,273
10	Transportation fund	18,937,922
11	Local match	1,427,254
12	Federal funds	198,966,920
13	Interdepartmental transfers	<u>3,641,980</u>
14	Total	282,814,949
15	Sec. B.904 Transportation - rest areas	
16	Personal services	270,000
17	Operating expenses	<u>4,550,000</u>
18	Total	4,820,000

1	Source of funds	
2	TIB fund	283,800
3	Transportation fund	405,144
4	Federal funds	<u>4,131,056</u>
5	Total	4,820,000
6	Sec. B.905 Transportation - maintenance state system	
7	Personal services	34,530,658
8	Operating expenses	32,821,229
9	Grants	<u>30,000</u>
10	Total	67,381,887
11	Source of funds	
12	Transportation fund	65,552,943
13	Federal funds	1,728,944
14	Interdepartmental transfers	<u>100,000</u>
15	Total	67,381,887
16	Sec. B.906 Transportation - planning, outreach and community affairs	
17	Personal services	3,080,461
18	Operating expenses	1,350,317

1	Grants	<u>4,969,488</u>
2	Total	9,400,266
3	Source of funds	
4	Transportation fund	1,986,265
5	Federal funds	7,166,001
6	Interdepartmental transfers	<u>248,000</u>
7	Total	9,400,266
8	Sec. B.907 Transportation - rail	
9	Personal services	3,344,027
10	Operating expenses	<u>48,385,856</u>
11	Total	51,729,883
12	Source of funds	
13	ARRA funds	26,231,846
14	TIB fund	1,609,000
15	Transportation fund	10,026,291
16	Local match	250,000
17	Federal funds	<u>13,612,746</u>
18	Total	51,729,883



1	Sec. B.908 Transportation - public transit	
2	Personal services	707,567
3	Operating expenses	168,602
4	Grants	<u>23,863,535</u>
5	Total	24,739,704
6	Source of funds	
7	ARRA funds	2,000,000
8	Transportation fund	6,842,927
9	Federal funds	<u>15,896,777</u>
10	Total	24,739,704
11	Sec. B.909 Transportation - central garage	
12	Personal services	3,347,147
13	Operating expenses	<u>14,130,716</u>
14	Total	17,477,863
15	Source of funds	
16	Internal service funds	<u>17,477,863</u>
17	Total	17,477,863

1	Sec. B.910 Department of motor vehicles	
2	Personal services	15,786,441
3	Operating expenses	8,303,553
4	Grants	<u>136,476</u>
5	Total	24,226,470
6	Source of funds	
7	Transportation fund	23,022,730
8	Federal funds	<u>1,203,740</u>
9	Total	24,226,470
10	Sec. B.911 Transportation - town highway structures	
11	Grants	<u>5,833,500</u>
12	Total	5,833,500
13	Source of funds	
14	Transportation fund	<u>5,833,500</u>
15	Total	5,833,500
16	Sec. B.912 Transportation - town highway Vermont local roads	
17	Grants	<u>375,000</u>
18	Total	375,000

1	Source of funds	
2	Transportation fund	235,000
3	Federal funds	<u>140,000</u>
4	Total	375,000
5	Sec. B.913 Transportation - town highway class 2 roadway	
6	Grants	<u>7,248,750</u>
7	Total	7,248,750
8	Source of funds	
9	Transportation fund	<u>7,248,750</u>
10	Total	7,248,750
11	Sec. B.914 Transportation - town highway bridges	
12	Personal services	3,600,000
13	Operating expenses	<u>15,489,340</u>
14	Total	19,089,340
15	Source of funds	
16	ARRA funds	3,990,070
17	TIB fund	1,616,014
18	Transportation fund	658,224

1	Local match	766,631
2	Federal funds	<u>12,058,401</u>
3	Total	19,089,340
4	Sec. B.915 Transportation - town highway aid program	
5	Grants	<u>24,982,744</u>
6	Total	24,982,744
7	Source of funds	
8	Transportation fund	<u>24,982,744</u>
9	Total	24,982,744
10	Sec. B.916 Transportation - town highway class 1 supplemental grants	
11	Grants	<u>128,750</u>
12	Total	128,750
13	Source of funds	
14	Transportation fund	<u>128,750</u>
15	Total	128,750
16	Sec. B.917 Transportation - town highway emergency fund	
17	Grants	<u>750,000</u>
18	Total	750,000

1	Source of funds	
2	Transportation fund	<u>750,000</u>
3	Total	750,000
4	Sec. B.918 Transportation - municipal mitigation grant program	
5	Grants	<u>2,112,998</u>
6	Total	2,112,998
7	Source of funds	
8	Transportation fund	247,998
9	Federal funds	<u>1,865,000</u>
10	Total	2,112,998
11	Sec. B.919 Transportation - public assistance grant program	
12	Grants	<u>200,000</u>
13	Total	200,000
14	Source of funds	
15	Federal funds	<u>200,000</u>
16	Total	200,000
17	Sec. B.920 Transportation board	
18	Personal services	75,633

1	Operating expenses	<u>10,911</u>
2	Total	86,544
3	Source of funds	
4	Transportation fund	<u>86,544</u>
5	Total	86,544
6	Sec. B.921 Total transportation	582,543,867
7	Source of funds	
8	Transportation fund	183,312,449
9	TIB fund	18,505,087
10	Local match	2,443,885
11	Federal funds	276,058,087
12	ARRA funds	80,756,516
13	Internal service funds	17,477,863
14	Interdepartmental transfers	<u>3,989,980</u>
15	Total	582,543,867
16	Sec. B.1000 Debt service	
17	Debt service	<u>71,471,398</u>
18	Total	71,471,398

1	Source of funds	
2	General fund	66,962,533
3	Transportation fund	3,482,640
4	Special funds	<u>1,026,225</u>
5	Total	71,471,398
6	Sec. B.1001 Total debt service	71,471,398

7	Source of funds	
8	General fund	66,962,533
9	Transportation fund	3,482,640
10	Special funds	<u>1,026,225</u>
11	Total	71,471,398

12 Sec. B.1100 FISCAL YEAR 2011 NEXT GENERATION APPROPRIATION  
13 AND TRANSFERS

14 (a) In fiscal year 2011, \$4,793,000 is appropriated or transferred from the  
15 next generation initiative fund, created in 16 V.S.A. § 2887, as prescribed  
16 below:

17 (1) Workforce development: \$2,063,500 as follows:

18 (A) Workforce Education Training Fund (WETF). The sum of  
19 \$1,415,500 is transferred to the Vermont workforce education and training

1 fund and subsequently appropriated to the department of labor for workforce  
2 development. Up to seven percent of the funds may be used for administration  
3 of the program.

4 (B) Adult Technical Education Programs. The amount of \$410,500  
5 is appropriated to the department of labor working with the workforce  
6 development council. This appropriation is for the purpose of awarding grants  
7 to regional technical centers and comprehensive high schools to provide adult  
8 technical education, as that term is defined in 16 V.S.A. § 522, to unemployed  
9 and underemployed Vermont adults. Centers receiving funding shall provide  
10 to the department the social security number of each individual who has  
11 completed a training program within 30 days of the completion of the program.  
12 The department shall include the Adult Education Program in the table  
13 required by Section 6(b) of No. 46 of the Acts of 2007 as added by Section 8  
14 of No. 54 of the Acts of 2009.

15 (C) UVM Technology Transfer Program. The amount of \$118,750 is  
16 appropriated to the University of Vermont. This appropriation is for patent  
17 development and commercialization of technology created at the university for  
18 the purpose of creating employment opportunities for Vermont residents.

19 (D) Vermont center for emerging technologies. The amount of  
20 \$118,750 is appropriated to the agency of commerce and community  
21 development for a grant to the Vermont center for emerging technologies to



1 enhance development of high technology businesses and next generation  
2 employment opportunities throughout Vermont.

3 (2) Loan repayment: The sum of \$300,000 is appropriated to the agency  
4 of human services Global Commitment for the department of health to use for  
5 health care loan repayment. The department shall use these funds for a grant to  
6 the area health education centers (AHEC) for repayment of commercial or  
7 governmental loans for postsecondary health-care-related education or training  
8 owed by persons living and working in Vermont in the health care field.

9 (3) Scholarships and grants: \$2,429,500 as follows:

10 (A) Nondegree VSAC Grants. The amount of \$494,500 is  
11 appropriated to the Vermont Student Assistance Corporation. These funds  
12 shall be for the purpose of providing nondegree grants to Vermonters to  
13 improve job skills and increase overall employability, enabling them to enroll  
14 in a postsecondary education or training program, including adult technical  
15 education that is not part of a degree or accredited certificate program. A  
16 portion of these funds shall be used for grants for indirect educational expenses  
17 to students enrolled in training programs. The grants shall not exceed \$3,000  
18 per student. None of these funds shall be used for administrative overhead.

19 (B) The sum of \$150,000 is appropriated to the Vermont Student  
20 Assistance Corporation to fund the national guard educational assistance  
21 program established in 16 V.S.A. § 856.

1           (C) Scholarships. The sum of \$1,500,000 is appropriated to the  
2           University of Vermont, the Vermont State Colleges, and the Vermont Student  
3           Assistance Corporation for need-based scholarships to Vermont residents.  
4           These funds shall be divided equally among the University of Vermont, the  
5           Vermont State Colleges, and the Vermont Student Assistance Corporation.  
6           The Vermont Student Assistance Corporation shall reserve these funds for  
7           students attending institutions other than the University of Vermont or the  
8           Vermont State Colleges. None of these funds shall be used for administrative  
9           overhead.

10           (D) Dual Enrollment Programs. The sum of \$285,000 is appropriated  
11           to the Vermont State Colleges for dual enrollment programs. The state  
12           colleges shall develop a voucher program that will allow Vermont students to  
13           attend programs at a postsecondary institution other than the state college  
14           system when programs at the other institution are better academically or  
15           geographically suited to student need.

16           Sec. B.1101 FISCAL YEAR 2011 BASE REDUCTIONS

17           (a) In fiscal year 2011, the secretary of administration is authorized to  
18           reduce the following amounts from appropriations and shall provide a report to  
19           the joint fiscal committee by November 15, 2010 on these reductions:

1           (1) Labor contract savings due to negotiated contract. The secretary of  
2 administration is authorized to reduce fiscal year 2011 appropriations  
3 consistent with these contract savings:

4                                   General fund           \$5,548,030

5           (2) Adjustment to state employees' retirement.

6                                   General fund           \$1,768,800

7                                   Transportation fund   \$686,400

8       Sec. B.1102 FISCAL YEAR 2011 CONTRACT IMPLEMENTATION

9           (a) There is appropriated to the secretary of administration for contract  
10 nonsalary items, to be transferred to departments as the secretary may

11 determine to be necessary:                   General fund           \$556,500

12       Sec. B.1103 FISCAL YEAR 2011 ONE-TIME APPROPRIATIONS

13           (a) In fiscal year 2011, the following amounts are appropriated:

14           (1) To the secretary of administration for the 27th payday in fiscal year  
15 2011, to be transferred to departments as the secretary may determine to be  
16 necessary:

17                                   General fund           \$9,485,885

18                                   Transportation fund   \$2,288,340

19           (2) To the department of finance and management, for the governor's  
20 transition. These funds are for costs incurred by the transitions of the

1 executive office. No funds shall be used for inaugural celebrations. Any  
2 unexpended portion of these funds shall revert to the general fund:

3 General fund \$75,000

4 (3) To the secretary of state for the 2010 elections:

5 General fund \$610,000

6 (4) To ACCD for communities to utilize the sales tax reallocation in  
7 fiscal year 2011 pursuant to Sec. E.803.1 of this act:

8 General fund \$600,000

9 (5) To the department of environmental conservation for transition of  
10 the geological survey program to the University of Vermont:

11 General fund \$125,000

12 (6) To the military department, division of veterans' affairs for  
13 Supplemental Assistance to Survivors (DeptID 2150890501) to be used in  
14 accordance with the guidelines as set forth in Sec. 72b of No. 66 of the Acts of  
15 2003, as amended by Sec. 16 of No. 80 and Sec. 72 of No. 122 of 2004:

16 General fund \$30,000

17 (7) To the department of finance and management for ARRA audits:

18 General fund \$351,000

19 (8) To the University of Vermont: General fund \$2,587,646

20 (9) To the Vermont State Colleges: General fund \$1,722,837



1 Sec. C.101 Sec. 60 of No. 67 of the Acts of 2010 is amended to read:

2 Sec. 60. FUND TRANSFERS

3 (a) Notwithstanding any other provisions of law, in fiscal year 2010:

4 (1) The following amounts shall be transferred to the general fund from  
5 the funds indicated:

6	<u>21405</u>	<u>Fidelity/interest earnings</u>	<u>51,797</u> <u>Approx.</u>
7	<u>21500</u>	<u>Inter-Unit Transfer (Bus Unit #01150) - Buildings &amp; General</u>	
8		<u>Services</u>	<u>186,135</u>
9	<u>21500</u>	<u>Inter-Unit Transfers Spec Fd (Bus Unit #01120) - Human</u>	
10		<u>Resources</u>	<u>23,020</u>
11	<u>21525</u>	<u>Conference Fee Special Fund (Bus Unit #05100) - Education</u>	<u>3,000</u>
12	<u>21584</u>	<u>Surplus Property (Bus Unit #1130) - Libraries</u>	<u>2,237</u>
13	<u>21584</u>	<u>Surplus Property (Bus Unit #04100) - Labor</u>	<u>741</u>
14	<u>21585</u>	<u>Pers-Human Resources Development</u>	<u>13,282</u>
15	<u>21638</u>	<u>Attny Gen Fees - Reimbursements</u>	<u>1,500,000</u> <u>Approx.</u>
16	<u>21844</u>	<u>PERS - Recruitment Services</u>	<u>12,506</u>
17	<u>21904</u>	<u>Wallace Foundation - SAELP</u>	<u>1,406</u>
18	<u>21500</u>	<u>Inter-unit Transfers Special Fund (Bus Unit</u>	
19		<u># 01110) - Finance and Management</u>	<u>293,672</u>
20	<u>22005</u>	<u>AHS Central Office earned federal receipts</u>	<u>1,500,000</u>
21	<u>50300</u>	<u>Liquor Control</u>	<u>836,516</u>



1 \$3,449,427 from the property transfer tax that are deposited into the municipal  
2 and regional planning fund shall be transferred into the general fund. The  
3 \$3,449,427 shall be allocated as follows:

4 (A) \$2,632,027 for disbursement to regional planning commissions in a  
5 manner consistent with 24 V.S.A. § 4306(b);

6 (B) \$408,700 for disbursement to municipalities in a manner consistent  
7 with 24 V.S.A. § 4306(b);

8 (C) \$408,700 to the Vermont center for geographic information.

9 Sec. D.101 FUND TRANSFERS AND RESERVES

10 (a) The following amounts are transferred or reserved from the funds  
11 indicated:

12 (1) from the general fund to the:

13 (A) communications and information technology internal service  
14 fund established by 22 V.S.A. § 902a: \$700,000.

15 (B) next generation initiative fund established by 16 V.S.A. § 2887:  
16 \$4,793,000.

17 (C) reserved in the human services caseload reserve created by  
18 32 V.S.A. § 308b: \$62,500,000.

*(D) education fund for reserve within the education fund in fiscal year*  
*2011: \$2,300,000.*

(2) from the transportation fund to the downtown transportation and  
related capital improvement fund established by 24 V.S.A. § 2796 to be used  
by the Vermont downtown development board for the purposes of the fund:  
\$400,000.



1 Sec. D.102 TOBACCO LITIGATION SETTLEMENT FUND BALANCE

2 (a) Notwithstanding 18 V.S.A. § 9502(b), the actual balances at the end of  
3 fiscal year 2010 in the tobacco litigation settlement fund shall remain for  
4 appropriation in fiscal year 2011.

5 Sec. D.103 TRANSFER OF TOBACCO TRUST FUNDS

6 (a) Notwithstanding 18 V.S.A. § 9502(a)(3) and (4), the actual amount of  
7 investment earnings of the tobacco trust fund at the end of fiscal year 2011  
8 shall be transferred from the tobacco trust fund to the tobacco litigation  
9 settlement fund in fiscal year 2011.

10 Sec. D.104 [DELETED]

11 ~~Sec. D.104 EDUCATION MEDICAID RECEIPTS IN FISCAL YEAR 2011~~

12 ~~(a) Notwithstanding 16 V.S.A. § 2959a(g), during fiscal year 2011, after~~  
13 ~~the application of subsections (a) through (f), any remaining Medicaid~~  
14 ~~reimbursement funds shall be deposited in the general fund.~~

15 Sec. D.105 GROSS RECEIPTS TAX IN FISCAL YEAR 2011

16 (a) In fiscal year 2011, notwithstanding 33 V.S.A. § 2503(c), the first  
17 \$2,300,000 of gross receipts tax revenue shall be deposited in the general fund.

18 Sec. D.106 HUMAN SERVICES CASELOAD RESERVE

19 (a) If the commissioner of finance and management determines that  
20 state funding needed to support the Medicaid program including the “Part D  
21 Clawback” payment is not adequate as a result of the federal government

1 not extending the ARRA Enhanced Federal Medical Assistance Percentage  
2 (EFMAP) to June 30, 2010, then the amount determined to be inadequate  
3 by the commissioner shall be appropriated from the human services  
4 caseload reserve established in 32 V.S.A. § 308b in fiscal year 2011 and the  
5 commissioner shall report such action to the joint fiscal committee.

6 (b) Of the reserve balance remaining after the requirements of subsection  
7 (a) of this section have been met, the secretary of administration in fiscal year  
8 2011 shall authorize the secretary of human services to include up to  
9 \$13,500,000 of funds available in the reserve as an available state match when  
10 setting the per-member per-month actuarial rates for Medicaid eligibility  
11 groups in the global commitment program for federal fiscal year 2011 and  
12 submitting these rates for approval by the Centers for Medicare and Medicaid  
13 Services.

14 (c) Any balance remaining after the requirements of subsections (a) and  
15 (b) of this section have been met shall remain in the reserve until  
16 appropriated by the general assembly.

17 Sec. D.107 AMERICAN RECOVERY AND REINVESTMENT ACT:

18 STATE FISCAL STABILIZATION FUND PROGRAM FOR

19 THE SUPPORT OF PUBLIC ELEMENTARY, SECONDARY,

20 AND HIGHER EDUCATION

21 (a) The governor is authorized to submit an application as soon as

1 practicable for Vermont's share of the American Recovery and Reinvestment  
2 Act (ARRA) State Fiscal Stabilization Fund Program (SFSF) consistent with  
3 the intent of the act and this section. The amount of \$38,575,036, which is  
4 one-half of Vermont's SFSF, funds is available to school districts as part of the  
5 funding of the state's adjusted education payment under Sec. B.505 of this act.

6 (b) The commissioner of education shall ensure that federal reporting is  
7 carried out as to:

8 (1) the use of funds provided under the SFSF program;

9 (2) the estimated number of jobs created or saved with program funds;

10 (3) estimated tax increases that were averted as a result of program  
11 funds;

12 (4) the state's progress in the areas covered by the application  
13 assurances; and

14 (5) maintaining records to ensure the ability to effectively monitor,  
15 evaluate, and audit the state fiscal stabilization fund.

\* \* \* GENERAL GOVERNMENT \* \* \*

1  
2 Sec. E.100 Secretary of administration – secretary’s office (Sec. B.100,

3 #1100010000)

4 (a) The secretary of administration shall use the Global Commitment funds  
5 appropriated in this section for the Vermont Blueprint for Health chronic care  
6 initiative director.

7 Sec. E. 100.1 3 V.S.A. § 2222(a)(9)(E) is added to read:

8 (E) The budget submission shall detail the specific projects included  
9 in the annual budget request.

10 Sec. E.100.2 DII; INFORMATION TECHNOLOGY; FIVE-YEAR PLAN

11 SUBMISSION

12 (a) The department of information and innovation shall create and submit a  
13 five-year plan and budget for state government information technology during  
14 its annual budget presentation to the house and senate committees on  
15 appropriations.

16 Sec. E.100.3. 32 V.S.A. § 704b is added to read:

17 § 704b. PROPOSED REDUCTION IN WORK FORCE WHEN GENERAL  
18 ASSEMBLY NOT IN SESSION

19 (a) The general assembly recognizes that when it is not in session, it may  
20 nonetheless be necessary to take significant measures to achieve savings in  
21 order to ensure a balanced budget in the general fund. As a result, if the

1 general assembly is not in session, and the secretary of administration proposes  
2 to eliminate, by reduction in force or position elimination, or both, more than  
3 one percent of the entire state workforce in one fiscal year, as measured  
4 cumulatively from July 1 in that fiscal year, the secretary shall first submit a  
5 plan which complies with the standards outlined in subdivisions (1) through  
6 (7) of this subsection to the joint fiscal committee for its consideration. For the  
7 purposes of this section, “entire state workforce” means all full-time,  
8 permanent, classified, and exempt state employees.

9 (1) The plan shall outline the proportional impacts on exempt  
10 employees, classified confidential employees, and all other employee  
11 classifications, and shall not have an undue disproportionate impact on any  
12 employee classification;

13 (2) The plan shall not have an undue disproportionate effect on any  
14 single function, program, service, or benefit;

15 (3) The plan shall describe how it will minimize any negative impacts  
16 on delivery of services to the public, public health, and public safety;

17 (4) The plan shall describe how it will minimize cost impacts on other  
18 departments, agencies, or areas of government;

19 (5) The plan shall describe all proposed reductions in expenditures  
20 authorized by a general appropriations or budget adjustment act;

1           (6) The plan shall describe why alternatives to the proposed elimination  
2 of positions are not utilized in the plan; and

3           (7) The plan shall reflect the priorities established by the general  
4 assembly in law.

5           (b) A plan developed under subsection (a) of this section shall be filed with  
6 the joint fiscal committee and shall not be implemented unless approved by the  
7 joint fiscal committee as set forth under this subsection. The joint fiscal  
8 committee shall meet within 14 days of the date the secretary's plan is filed, to  
9 review and act upon the plan in accordance with the standards in subsection (a)  
10 of this section. If the plan does not meet the standards of subsection (a) of this  
11 section, the committee may disapprove the plan, and if disapproved, the plan  
12 may not be implemented.

13       Sec. E.101 Information and innovation - communications and information  
14                                    technology (Sec. B.101, #1105500000)

15           (a) Of this appropriation, \$700,000 is for a grant to the Vermont  
16 telecommunications authority established in 30 V.S.A. § 8061.

17       Sec. E.103 Finance and management – financial operations (Sec. B.103,  
18                                    #1115001000)

19           (a) Pursuant to 32 V.S.A. § 307(e), financial management fund charges not  
20 to exceed \$6,266,531 plus the costs of fiscal year 2011 salary adjustments  
21 bargained as part of the state/VSEA agreement are hereby approved. Of this

1 amount, \$3,239,764 plus the costs of fiscal year 2011 salary adjustments  
2 bargained as part of the state/VSEA agreement shall be used to support the  
3 HCM system that is operated by the department of information and innovation.

4 Sec. E.107 Tax – administration/collection (Sec. B.107, #1140010000)

5 (a) Pursuant to Sec. 79 of No. 67 of the Acts of 2010, the timing of hiring  
6 and filling the six additional positions in fiscal year 2011 and the five  
7 additional positions in fiscal year 2012 designed to augment the department of  
8 taxes' compliance efforts shall be determined by the commissioner. However,  
9 the commissioner shall ensure that fiscal year 2011 and fiscal year 2012  
10 compliance revenue targets are achieved. These targets, relative to the close of  
11 fiscal year 2010, are an increase of \$2,721,276 in revenue in fiscal year 2011  
12 and an increase of \$4,543,506 in fiscal year 2012.

13 Sec. E.109 Buildings and general services - engineering (Sec. B.109,  
14 #1150300000)

15 (a) The \$2,465,785 interdepartmental transfer in this appropriation shall be  
16 from the general bond fund appropriation in the Capital Appropriations Act of  
17 the 2010 session.

18 Sec. E.114 Buildings and general services - fleet management services  
19 (Sec. B.114, #1160150000)

20 (a) Any state employee that utilizes the standard mileage reimbursement  
21 rate for use of their private vehicle shall be required to utilize a state-owned or

1 -leased vehicle if their reimbursement amount exceeds \$14,000 on a fiscal year  
2 basis. Exceptions may be made if the employee receives approval from their  
3 agency secretary or department head to exceed the \$14,000 limit on  
4 reimbursement for use of their private vehicle.

5 Sec. E.118 Buildings and general services – workers’ compensation insurance  
6 (Sec. B.118, #1160450000)

7 (a) Pursuant to 32 V.S.A. § 307(e), workers’ compensation fund charges  
8 not to exceed \$9,800,000 are hereby approved.

9 Sec. E.121 Buildings and general services – fee-for-space (Sec. B.121,  
10 #1160550000)

11 (a) Pursuant to 29 V.S.A. § 160a(b)(3), facilities operations fund charges  
12 not to exceed \$27,244,521 plus the costs of fiscal year 2011 salary adjustments  
13 bargained as part of the state/VSEA agreement are hereby approved.

14 Sec. E.125 Legislature (Sec. B.125, #1210002000)

15 (a) It is the intent of the general assembly that funding for the legislature in  
16 fiscal year 2012 and beyond be included at a level sufficient to support an  
17 18-week legislative session.

18 Sec. E.128 REVERSION; SERGEANT AT ARMS FUNDS

19 (a) Notwithstanding any other provisions of law, the first \$50,000 of  
20 general funds carried forward from fiscal year 2010 in the sergeant at arms  
21 appropriation shall revert to the general fund in fiscal year 2011.



1 Sec. E.131 State treasurer (Sec. B.131, #1260010000)

2 (a) Of this general fund appropriation, \$16,484 shall be deposited into the  
3 armed services scholarship fund established in 16 V.S.A. § 2541.

4 Sec. E.131.1 STATE TREASURER, VSEA; MEMORANDUM OF  
5 UNDERSTANDING

6 (a) For the fiscal year 2012 budget, the state treasurer and the Vermont  
7 state employees' association shall develop a memorandum of understanding to  
8 carry out a process to produce at least \$5,000,000 in gross dollar reductions to  
9 the state employee retirement "annual required contribution" (ARC).

10 Sec. E.133 Vermont state retirement system (Sec. B.133, #1265020000):

11 (a) Notwithstanding 3 V.S.A. § 473(d), in fiscal year 2011, investment fees  
12 shall be paid from the corpus of the fund.

13 Sec. E.139 16 V.S.A. § 4025(c) is amended to read:

14 (c) An equalization and reappraisal account is established within the  
15 education fund. Moneys from this account are to be used by the division of  
16 property valuation and review to assist towns with maintenance or reappraisal  
17 on a case-by-case basis; and for reappraisal and grand list maintenance  
18 assistance payments pursuant to section 32 V.S.A. §§ 4041a of Title 32 and  
19 5405(f).

1 Sec. E.141 Lottery commission (Sec. B.141, #2310010000)

2 (a) Of this appropriation, the lottery commission shall transfer \$150,000 to  
3 the department of health, office of alcohol and drug abuse programs, to support  
4 the gambling addiction program.

5 (b) The Vermont state lottery shall provide assistance and work with the  
6 Vermont council on problem gambling on systems and program development.

7 Sec. E.142 Payments in lieu of taxes (Sec. B.142, #1140020000)

8 (a) This appropriation is for state payments in lieu of property taxes under  
9 subchapter 4 of chapter 123 of Title 32, and the payments shall be calculated in  
10 addition to and without regard to the appropriations for PILOT for Montpelier  
11 and for correctional facilities elsewhere in this act.

12 Sec. E.143 Payments in lieu of taxes - Montpelier (Sec. B.143, #1150800000)

13 (a) Payments in lieu of taxes under this section shall be paid from the  
14 PILOT special fund under 32 V.S.A. § 3709.

15 Sec. E.144 Payments in lieu of taxes – correctional facilities (Sec. B.144,  
16 #1140030000)

17 (a) Payments in lieu of taxes under this section shall be paid from the pilot  
18 special fund under 32 V.S.A. § 3709.

1                   \* \* \* PROTECTION TO PERSONS AND PROPERTY \* \* \*

2           Sec. E.200 Attorney general (Sec. B.200, #2100001000)

3           (a) Notwithstanding any other provisions of law, the office of the attorney  
4           general, Medicaid fraud control unit, is authorized to retain one-half of any  
5           civil monetary penalty proceeds from global Medicaid fraud settlements. All  
6           penalty funds retained shall be used to finance Medicaid fraud and residential  
7           abuse unit activities.

8           (b) Of the revenue available to the attorney general under 9 V.S.A.  
9           § 2458(b)(4), \$510,000 is appropriated in Sec. B.200 of this act.

10           (c) The establishment of one new exempt position—enforcement  
11           attorney—is authorized in fiscal year 2011. This position shall be transferred  
12           and converted from existing vacant positions in the executive branch of state  
13           government.

14           Sec. E.201 3 V.S.A. § 163(c)(9) is amended to read:

15           (9) Each participant shall pay a fee to the local juvenile court diversion  
16           project. The amount of the fee shall be determined by project officers based  
17           upon the financial capabilities of the participant. The fee shall not exceed  
18           \$150.00. The fee shall be a debt due from the participant, and payment of such  
19           shall be required for successful completion of the program. Fees  
20           Notwithstanding 32 V.S.A. § 502(a), fees collected under this subdivision shall

1 be ~~paid to the court diversion fund and shall be~~ retained and used solely for the  
2 purpose of the court diversion program.

3 Sec. E.201.1 3 V.S.A. § 164(c)(9) is amended to read:

4 (9) Each participant shall pay a fee to the local adult court diversion  
5 project. The amount of the fee shall be determined by project officers or  
6 employees based upon the financial capabilities of the participant. The fee  
7 shall not exceed \$300.00. The fee shall be a debt due from the participant, and  
8 payment of such shall be required for successful completion of the program.

9 ~~Fees-~~ Notwithstanding 32 V.S.A. § 502(a), fees collected under this

10 subdivision shall be ~~paid to the court diversion fund and shall be~~ retained and  
11 used solely for the purposes of the court diversion program.

12 Sec. E.201.2 3 V.S.A. § 166 is amended to read:

13 § 166. COURT DIVERSION FUND

14 The court diversion fund is hereby established in the state treasury. All fees  
15 and assessments of the juvenile and adult court diversion programs shall be  
16 ~~deposited~~ recorded in the fund. ~~Interest earned on the fund and any remaining~~  
17 ~~balance shall be retained in the fund for the purposes of this subchapter.~~

18 ~~Annually~~ Quarterly, the director of each court diversion program shall report to  
19 the attorney general in a manner as prescribed by the attorney general's office  
20 on all fees paid under sections 163 and 164 of this title. An independent audit  
21 that includes all state funding sources shall be required biennially.

1 Sec. E.209 Public safety - state police (Sec. B.209, #2140010000)

2 (a) Of this appropriation, \$32,000 shall be used to make a grant to the  
3 Essex County sheriff's department for law enforcement purposes.

4 (b) Of this appropriation, \$35,000 in special funds shall be available for  
5 snowmobile law enforcement activities and \$35,000 in general funds shall be  
6 available to the southern Vermont wilderness search and rescue team, which  
7 comprises state police, the department of fish and wildlife, county sheriffs, and  
8 local law enforcement personnel in Bennington, Windham, and Windsor  
9 Counties, for snowmobile enforcement.

10 (c) Of the \$255,000 allocated for local heroin interdiction grants funded in  
11 this section, \$190,000 shall be used by the Vermont drug task force to fund  
12 three town task force officers. These town task force officers will be dedicated  
13 to heroin and heroin-related drug (e.g., methadone, oxycontin, crack cocaine,  
14 and methamphetamine) enforcement efforts. Any additional available funds  
15 shall remain as a "pool" available to local and county law enforcement to fund  
16 overtime costs associated with heroin investigations. Any unexpended funds  
17 from prior fiscal years' allocations for local heroin interdiction shall be carried  
18 forward.

1 Sec. E.212 Public safety - fire safety (Sec. B.212, #2140040000)

2 (a) Of this general fund appropriation, \$55,000 shall be granted to the  
3 Vermont rural fire protection task force for the purpose of designing dry  
4 hydrants.

5 Sec. E.214 Public safety - emergency management - radiological emergency  
6 response plan (Sec. B.214, #2140080000)

7 (a) Of this special fund appropriation, up to \$30,000 shall be available to  
8 contract with any radio station serving the emergency planning zone for the  
9 emergency alert system.

10 Sec. E.215 Military – administration (Sec. B.215, #2150010000)

11 (a) Of this appropriation, \$100,000 shall be disbursed to the Vermont  
12 student assistance corporation for the national guard educational assistance  
13 program established in 16 V.S.A. § 2856.

14 Sec. E.219 Military - veterans' affairs (Sec. B.219, #2150050000):

15 (a) Of this appropriation, \$5,000 shall be used for continuation of the  
16 Vermont medal program, \$4,800 shall be used for the expenses of the  
17 governor's veterans' advisory council, \$7,500 shall be granted to the Green  
18 Mountain Council of the Boy Scouts of America to be used for the Veterans'  
19 Day parade, \$5,000 shall granted to the Vermont state council of the Vietnam  
20 Veterans of America to fund the service officer program, and \$5,000 shall be  
21 used for the military, family, and community network.

1 Sec. E.220 Center for crime victim services (Sec. B.220, #2160010000)

2 (a) Of this appropriation, the amount of \$806,195 from the victims'  
3 compensation fund created by 13 V.S.A. § 5359 is appropriated for the  
4 Vermont network against domestic and sexual violence initiative.  
5 Expenditures for this initiative shall not exceed the revenues raised in fiscal  
6 year 2011 from the \$10.00 increase authorized by Sec. 20 of No. 174 of the  
7 Acts of 2008 applied to the assessment in 13 V.S.A. § 7282(a)(8)(B), and from  
8 the \$20.00 authorized by Sec. 21 of No. 174 of the Acts of 2008 applied to the  
9 fee in 32 V.S.A. § 1712(1).

10 (b) Of the appropriation in this section, \$50,000 shall be for a grant to  
11 certified batterer intervention programs.

12 Sec. E.220.1 20 V.S.A. § 2365(c) is amended to read:

13 (c) The Vermont police academy shall employ a domestic violence trainer.  
14 Funding for this position shall be transferred by the center for crime victims  
15 services from the victims' compensation fund created by 13 V.S.A. § 5359.

16 Sec. E.231 Banking, insurance, securities, and health care administration –  
17 health care administration (Sec. B.231, #2210040000)

18 (a) The department of banking, insurance, securities, and health care  
19 administration (BISHCA) shall use the Global Commitment funds  
20 appropriated in this section for health care administration for the purpose of  
21 funding certain health care-related BISHCA programs, projects, and activities

1 to increase the access of quality health care to uninsured persons, underinsured  
2 persons, and Medicaid beneficiaries.

3 Sec. E.232 Secretary of state (Sec. B.232, #2230010000)

4 (a) Of this special fund appropriation, \$492,991 represents the corporation  
5 division of the secretary of state's office, and these funds shall be from the  
6 securities regulation and supervision fund in accordance with 9 V.S.A. § 5613.

7 Sec. E.235 Enhanced 9-1-1 Board (Sec. B.235, #2260001000)

8 (a) The director shall develop a plan to implement pay equity in fiscal year  
9 2012 among all of the state paid call-takers at the state's eight call-taking  
10 centers. The objective shall be that call-takers' seats are funded equally,  
11 regardless of the location of the call-taking facility. This plan shall be  
12 submitted to the house and senate committees on appropriations by January 15,  
13 2011.

14 \* \* \* HUMAN SERVICES \* \* \*

15 Sec. E.300 DEPARTMENT FOR CHILDREN AND FAMILY GRANT

16 REDUCTIONS

17 (a) The department for children and families shall not reduce the following  
18 grants or programs: financial assistance provided by the division of family  
19 services to families who have adopted a child, financial assistance provided by  
20 the division of family services to foster families, grants to substitute care  
21 programs, and grants to emergency housing shelters.



1 Sec. E.300.1 ELIGIBILITY DETERMINATION; QUALITY CONTROL

2 (a) The establishment of six (6) new full-time positions is authorized in  
3 fiscal year 2011 to enhance quality control efforts related to eligibility for  
4 Medicaid, Medicaid waiver programs, and programs administered by the  
5 agency of human services. These positions shall be transferred and converted  
6 from vacant positions in the executive branch of state government.

7 Sec. E.301 Secretary's office – Global Commitment (Sec. B.301,  
8 #3400004000)

9 (a) The agency of human services shall use the funds appropriated in this  
10 section for payment of the actuarially certified premium required under the  
11 intergovernmental agreement between the agency of human services and the  
12 managed care organization in the office of Vermont health access as provided  
13 for in the Global Commitment for Health Waiver (“Global Commitment”)  
14 approved by the Centers for Medicare and Medicaid Services under Section  
15 1115 of the Social Security Act.

16 (b) In addition to the state funds appropriated in this section, a total  
17 estimated sum of \$33,358,229 is anticipated to be certified as state matching  
18 funds under the Global Commitment as follows:

19 (1) \$14,444,983 certified state match available from local education  
20 agencies for eligible special education school-based Medicaid services under  
21 the Global Commitment. This amount combined with \$26,055,017 of federal

1 funds appropriated in Sec. B.301 equals a total estimated expenditure of  
2 \$40,500,000. An amount equal to the amount of the federal matching funds  
3 for eligible special education school-based Medicaid services under Global  
4 Commitment shall be transferred from the Global Commitment fund to the  
5 Medicaid reimbursement special fund created in 16 V.S.A. § 2959a.

6 (2) \$8,956,247 certified state match available from local education  
7 agencies for direct school-based health services, including school nurse  
8 services, that increases the access of quality health care to uninsured persons,  
9 underinsured persons, and Medicaid beneficiaries.

10 (3) \$2,069,402 certified state match available from local education  
11 agencies for eligible services as allowed by federal regulation for early  
12 periodic screening, diagnosis, and treatment programs for school-aged  
13 children.

14 (4) \$2,229,835 certified state match available via the University of  
15 Vermont's child health improvement program for quality improvement  
16 initiatives for the Medicaid program.

17 (5) \$637,564 certified state match available via the University of  
18 Vermont's child health improvement program for expanded quality  
19 improvement initiatives for the Medicaid program.

1           (6) \$5,020,198 certified state match available from local designated  
2           mental health and developmental services agencies for eligible mental health  
3           services provided under Global Commitment.

4           Sec. E.301.1 RETAINING ENHANCED FEDERAL MEDICAL  
5                                   ASSISTANCE PERCENTAGE (FMAP)

6           (a) Notwithstanding 16 V.S.A. § 2959a, to the extent possible, any  
7           additional federal funds received as a result of an enhanced FMAP (Federal  
8           Medical Assistance Percentage) that are associated with the certified  
9           expenditures specified in subdivisions (b)(1) through (6) of Sec. E.301 of this  
10          act shall be retained in the Global Commitment fund and shall not be  
11          transferred to the certifying entity.

12          Sec. E.306 Office of Vermont health access – administration (Sec. B.306,  
13                                   #3410010000)

14          (a) The establishment of six (6) new full-time positions is authorized in  
15          fiscal year 2011 to expand program integrity efforts. These positions shall be  
16          transferred and converted from vacant positions in the executive branch of  
17          state government.

18          Sec. E.308 FISCAL YEAR 2011 NURSING HOME RATE SETTING

19          (a) Notwithstanding any other provisions of law, for state fiscal year 2011,  
20          the division of rate setting shall modify its methodology for calculating  
21          Medicaid rates for nursing homes as follows.

1           (1) Inflation. For state fiscal year 2011 rate setting, the division shall  
2           calculate the incremental inflation amount between state fiscal years 2010 and  
3           2011 for the following cost categories: nursing care, director of nursing,  
4           resident care, and indirect. The division shall add that incremental inflation  
5           amount to the inflation percentages used in state fiscal year 2010 rate setting.

6           (2) Case-mix weights. For state fiscal year 2011, the division shall  
7           decrease by one-half the case-mix weights for the following resource  
8           utilization groups: Impaired Cognition A (IA1), Challenging Behavior A  
9           (BA1), Reduced Physical Functioning A 2 (PA2) and Reduced Physical  
10          Functioning A 1 (PA1).

11          Sec. E.309 HOSPITAL INCENTIVE PAYMENTS

12          (a) It is the intent of the general assembly to establish an incentive payment  
13          within Medicaid, VHAP, and Dr. Dynasaur to encourage hospitals to  
14          aggressively pursue quality initiatives, to link some payments to performance  
15          measures, and to participate in health care reform initiatives.

16          (b) The department of Vermont health access shall create a hospital  
17          incentive payment program to meet the goals identified in subsection (a) of this  
18          section. The department shall provide an incentive payment to hospitals based  
19          on its performance on up to five process or clinical measures designed to  
20          improve existing activities or encourage participation in health care initiatives,  
21          including indicators showing appropriate management of utilization or

1 management of chronic care conditions. The department may provide a  
2 different incentive payment for each measure. The department shall make  
3 timely incentive payments on a periodic basis as determined by the  
4 commissioner in consultation with hospitals and the Vermont association of  
5 hospitals and health systems.

6 (c) Each hospital may choose to participate in the hospital incentive  
7 payment program and choose on which process measure or measures it would  
8 like to be assessed. The department shall provide each hospital with the  
9 specific requirements that must be met in order to receive incentive payments  
10 for each measure, as well as the methodology to be used in determining  
11 hospital performance on each measure. Hospitals shall agree to provide to the  
12 department all information necessary to assess their performance in the format  
13 and time frames specified by the department.

14 (d) The department shall limit the incentive payments to the amount  
15 appropriated and, in no event, shall exceed the upper payment limit established  
16 under federal law.

17 (e) In fiscal year 2011, \$20,000,000 is appropriated from the Global  
18 Commitment fund for the hospital incentive payment program.

1 Sec. E.309.1 MEDICAID; BENEFIT LIMITATIONS; RATES

2 (a) The department of Vermont health access may impose the following  
3 limitations and process requirements on benefits for adults in Medicaid and  
4 VHAP:

5 (1) Physical, occupational, or speech therapy visits may be limited to 30  
6 visits per year, except that the department shall allow additional visits through  
7 the prior authorization process for individuals with the following diagnoses:  
8 spinal cord injury, traumatic brain injury, stroke, amputation, or severe burn.  
9 This limit shall not apply to therapy services provided by home health  
10 agencies.

11 (2) Urine drug tests may be limited to eight tests per month.

12 (3) Emergency room visits may be limited to 12 visits per year, except  
13 that the department shall not include emergency room visits resulting in the  
14 individual being admitted to the facility or transferred to another inpatient  
15 facility in the limitation.

16 (b) The department of Vermont health access may institute a prior  
17 authorization process for imaging, which shall include the following  
18 requirements:

19 (1) Approval criteria shall be transparent, readily available to health care  
20 professionals upon request, based on peer-reviewed, published clinical  
21 standards, and include citations for the sources of the standards.

1           (2) Decisions on prior authorization requests shall be made in a timely  
2 manner, and the department shall have sufficient clinical staff to provide  
3 timely access by health care professionals making requests.

4           (3) The department shall form an advisory committee comprised of  
5 health care professionals to comment on: the evidence-based criteria used, and  
6 the process for prior authorization with the goal of minimizing the  
7 administrative burden on health care professionals, including any forms and  
8 the time lines for the process.

9           (4) If the department uses a vendor for prior authorization of imaging,  
10 the terms of the contract shall not include financial incentives to deny requests  
11 for imaging services; the vendor chosen shall have business experience in  
12 Vermont; and the department shall ensure that the vendor has information  
13 about the imaging-related findings in the report required by No. 49 of the Acts  
14 of 2009 that found Vermont health care professionals' imaging rates are among  
15 the lowest in the country.

16           (5) The department or its vendor shall conduct training about the prior  
17 authorization process at least 60 days prior to the implementation of the  
18 process. This training shall include:

19           (A) face-to-face regional meetings and demonstrations;

20           (B) webinars; and

21           (C) other training as requested by health care professionals.

1           (6) The department or its vendor shall distribute information about the  
2 prior authorization approval criteria and the process to all participating  
3 providers at least 60 days prior to the implementation of the prior authorization  
4 process. The department or its vendor shall provide an on-line tool to allow  
5 health care professionals to determine if prior authorization is required for a  
6 particular service.

7           (7) The department shall track and report the following information:

8           (A) imaging usage rates, including usage in emergency departments;  
9 the aggregate amount reimbursed for imaging by the department; and net  
10 savings from implementing the prior authorization process;

11           (B) the number of requests processed, including numbers of  
12 approvals and denials, and number of requests by method, including through a  
13 website, by telephone, by fax, and by mail;

14           (C) the average response time by method of request, including web  
15 response time, call waiting time, and fax response time.

16           (D) the number of requests where additional clinical information was  
17 requested by the department or its vendor;

18           (E) the average time between the receipt of clinical information and  
19 the decision on the request; and

20           (F) the number of prior authorization requests where the department  
21 or its vendor asked for a discussion with a health care professional requesting



1 the prior authorization, including the average number of contacts required to  
2 engage in this discussion.

3 (8) The department or its vendor shall perform a satisfaction survey of  
4 health care professionals annually, and meet with health care professionals and  
5 the Vermont medical society to discuss the survey results.

6 (9) The department or its vendor shall consider establishing a process to  
7 exempt health care professionals from the prior authorization process when the  
8 health care professionals routinely orders imaging consistent with the  
9 department's evidence-based criteria and whose prior authorization requests  
10 are routinely granted by the department. In developing this exemption, the  
11 department shall review its data and meet with health care professionals and  
12 the Vermont medical society to discuss the appropriate process for this  
13 exemption.

14 (c) The department of Vermont health access may reduce the  
15 reimbursement rate to a laboratory for urine drug testing to \$10.49 per test.

16 (d) The department of Vermont health access may modify the  
17 reimbursement amount paid pharmacies for brand-name pharmaceuticals to  
18 reflect the revised Average Wholesale Price (AWP) published in 2009.

19 Sec. E.309.2 HEALTH INSURANCE PREMIUM PROGRAM

20 (a) The department of Vermont health access may expand the health  
21 insurance premium program, which enrolls a Medicaid beneficiary in an

1 employer-sponsored or private health insurance plan available to the  
2 beneficiary if it is cost-effective to the state to do so.

3 Sec. E.309.3 TEMPORARY SUSPENSION OF 2008 PREMIUM

4 INCREASES; GLOBAL COMMITMENT TO HEALTH

5 (a) The general assembly finds that the state should maximize the federal  
6 economic stimulus money available for Medicaid provided in the American  
7 Recovery and Reinvestment Act of 2009, Public Law 111-5, by complying  
8 with the maintenance of eligibility requirements in Section 5001(f). It is the  
9 intent of this section to comply with Section 5001(f) for the duration of the  
10 recession adjustment period as defined in Section 5001(h)(3) of Public Law  
11 111-5, as amended, which ends June 30, 2011, by maintaining the premiums  
12 due on June 15, 2008 for individuals with incomes less than or equal to  
13 200 percent of the federal poverty level (FPL) receiving Catamount Health  
14 Premium Assistance, individuals with incomes less than or equal to  
15 200 percent of FPL receiving employer-sponsored insurance premium  
16 assistance, and individuals with incomes no greater than 175 percent of FPL  
17 enrolled in VPharm and VermontRx. By maintaining the premiums for  
18 programs included in Global Commitment to Health, the state will remain  
19 eligible for the full amount of stimulus funds available for Medicaid and  
20 Medicaid-waiver programs.

1        (b)(1) Notwithstanding the premium amounts listed in sections 1974(j),  
2        1984(c)(1)(A) and (B), 2073(d)(2), and 2074(c) of Title 33, the agency of  
3        human services shall maintain premiums at the amounts due on June 15, 2008  
4        for:

5                (A) individuals with incomes less than or equal to 200 percent of FPL  
6        receiving Catamount Health Premium Assistance;

7                (B) individuals with incomes less than or equal to 200 percent of FPL  
8        receiving employer-sponsored insurance premium assistance; and

9                (C) individuals with incomes no greater than 175 percent of FPL in  
10        VPharm and VermontRx.

11                (2) The agency shall maintain the premium amounts established in  
12        subdivision (1) of this subsection through June 30, 2011. Notwithstanding  
13        33 V.S.A. § 1984(b), individuals with incomes less than or equal to  
14        200 percent of FPL receiving Catamount Health Premium Assistance shall not  
15        have the premiums indexed until July 1, 2011.

16                (c)(1) Through July 1, 2011, this section of this act shall supersede any  
17        agency rules establishing premium amounts above the amounts due on  
18        June 15, 2008 from the individuals described in subsection (b) of this section.  
19        The agency shall issue policy guidance to clarify that there is a temporary  
20        suspension of increases in premium amounts through June 30, 2011, and  
21        indicate the appropriate premium amounts for affected individuals.

1           (2) At its discretion, the agency may adopt emergency rules as provided  
2 for in 3 V.S.A. § 844 to maintain the premium amounts to amounts due on  
3 June 15, 2008, and also may adopt emergency rules to raise the premium  
4 amounts to the amounts indicated in statute effective July 1, 2011. The general  
5 assembly deems the temporary suspension of premium increases necessary to  
6 meet the public health, safety, or welfare requirement in subsection 3 V.S.A.  
7 § 844(a).

8           Sec. E.309.4 33 V.S.A. § 1953 is amended to read:

9           § 1953. HOSPITAL ASSESSMENT

10          (a) Hospitals shall be subject to an annual assessment as follows:

11           (1) ~~Beginning January 1, 2008, each~~ Each hospital's annual assessment,  
12 except for hospitals assessed under subdivision (2) of this subsection, shall be  
13 5.5 percent of its net patient revenues (less chronic, skilled, and swing bed  
14 revenues) for the hospital's fiscal year as determined annually by the ~~director~~  
15 commissioner of Vermont health access from the hospital's financial reports  
16 and other data filed with the department of banking, insurance, securities, and  
17 health care administration. The annual assessment shall be based on data from  
18 a hospital's ~~third~~ most recent full fiscal year for which data has been reported  
19 to the department of banking, insurance, securities, and health care  
20 administration.

1           (2) Beginning July 1, 2004, each mental hospital or psychiatric facility's  
2           annual assessment shall be 4.21 percent, provided that the United States  
3           Department of Health and Human Services grants a waiver to the uniform  
4           assessment rate, pursuant to 42 C.F.R. § 433.68(e). If the United States  
5           Department of Health and Human Services fails to grant a waiver, mental  
6           hospitals and psychiatric facilities shall be assessed under subdivision (1) of  
7           this subsection.

8           (b) Each hospital shall be notified in writing by the ~~office~~ department of the  
9           assessment made pursuant to this section. If no hospital submits a request for  
10          reconsideration under section 1958 of this title, the assessment shall be  
11          considered final.

12          (c) Each hospital shall submit its assessment to the ~~office~~ department  
13          according to a payment schedule adopted by the ~~director~~ commissioner.  
14          Variations in payment schedules shall be permitted as deemed necessary by the  
15          ~~director~~ commissioner.

16          (d) Any hospital that fails to make a payment to the ~~office~~ department on or  
17          before the specified schedule, or under any schedule for delayed payments  
18          established by the ~~director~~ commissioner, shall be assessed not more than  
19          \$1,000.00. The ~~director~~ commissioner may waive this late payment  
20          assessment provided for in this subsection for good cause shown by the  
21          hospital.

1 (e) ~~[Repealed.]~~

2 Sec. E.309.5 8 V.S.A. § 4080f(c)(1) is amended to read:

3 (c)(1) Catamount Health shall provide coverage for primary care,  
4 preventive care, chronic care, acute episodic care, and hospital services. The  
5 benefits for Catamount Health shall be a preferred provider organization plan  
6 with:

7 (A) a ~~\$250.00~~ \$500.00 deductible for an individual and a ~~\$500.00~~  
8 \$1,000.00 deductible for a family for health services received in network, and a  
9 ~~\$500.00~~ \$1,000.00 deductible for an individual and a ~~\$1,000.00~~ \$2,000.00  
10 deductible for a family for health services received out of network;

11 (B) 20 percent co-insurance, in and out of network;

12 (C) a \$10.00 office co-payment;

13 (D) prescription drug coverage without a deductible, \$10.00 co-  
14 payments for generic drugs, ~~\$30.00~~ \$35.00 co-payments for drugs on the  
15 preferred drug list, and ~~\$50.00~~ \$55.00 co-payments for nonpreferred drugs;

16 \* \* \*

17 Sec. E.309.6 EXPEDITED RULEMAKING; MEDICAID

18 (a) Notwithstanding the provisions of chapter 25 of Title 3, in order to  
19 administer Sec. E.309.1(a), (b) [benefit limits], and (d) [AWP] of this act  
20 relating to limiting the annual number of covered visits for physical therapy,  
21 occupational therapy, speech therapy, emergency room services, instituting a

1 prior authorization for imaging, and limiting the monthly number of drug tests,  
2 the agency of human services shall adopt rules pursuant to the following  
3 process:

4 (1) The secretary shall file final proposed rules with the secretary of  
5 state and the legislative committee on administrative rules under 3 V.S.A.  
6 § 841, after publication, in three daily newspapers with the highest average  
7 circulation in the state, of a notice that lists the rules to be adopted pursuant to  
8 this process and a seven-day public comment period following publication.

9 (2) The secretary shall file final proposed rules with the legislative  
10 committee on administrative rules no later than 28 days after the effective date  
11 of this act.

12 (3) The legislative committee on administrative rules shall review, and  
13 may approve or object to, the final proposed rules under 3 V.S.A. § 842, except  
14 that its action shall be completed no later than 14 days after the final proposed  
15 rules are filed with the committee.

16 (4) The secretary may adopt a properly filed final proposed rule after the  
17 passage of 14 days from the date of filing final proposed rules with the  
18 legislative committee on administrative rules or after receiving notice of  
19 approval from the committee, provided the secretary:

20 (A) has not received a notice of objection from the legislative  
21 committee on administrative rules; or

1           (B) after having received a notice of objection from the committee,  
2 has responded pursuant to 3 V.S.A. § 842.

3           (5) Rules adopted under this section shall be effective upon being filed  
4 with the secretary of state and shall have the full force and effect of rules  
5 adopted pursuant to chapter 25 of Title 3. Rules filed by the secretary of the  
6 agency of human services with the secretary of state pursuant to this section  
7 shall be deemed to be in full compliance with 3 V.S.A. § 843, and shall be  
8 accepted by the secretary of state if filed with a certification by the secretary of  
9 the agency of human services that the rule is required to meet the purposes of  
10 this section.

11       Sec. E. 312 Health - public health (Sec. B.312, #3420021000)

12       (a) AIDS/HIV funding:

13           (1) In fiscal year 2011, the funds to Vermont AIDS service and  
14 peer-support organizations shall be \$335,000 appropriated from Global  
15 Commitment funds to the department of health for grants to the following  
16 Vermont AIDS service and peer-support organizations for client-based support  
17 services. It is the intent of the general assembly that if the Global Commitment  
18 funds appropriated in this subsection are unavailable, the funding for Vermont  
19 AIDS service and peer-support organizations for client-based support services  
20 shall be maintained through the general fund or other state-funding sources.  
21 The department of health AIDS program shall meet at least quarterly with the



1 HIV/AIDS service advisory committee (HASAC) with current information and  
2 data relating to service initiatives. The funds shall be allocated as follows:

3 (A) AIDS Project of Southern Vermont, \$69,709;

4 (B) ACORN, \$32,400;

5 (C) IMANI, \$32,400;

6 (D) VT CARES, \$135,491;

7 (E) Twin States Network, \$30,000;

8 (F) People with AIDS Coalition, \$35,000.

9 (2) Ryan White Title II funds for AIDS services and the AIDS  
10 Medication Assistance Program shall be distributed in accordance with federal  
11 guidelines. The federal guidelines shall not apply to programs or services  
12 funded solely by state general funds.

13 (3) The amount of \$140,000 in pharmaceutical rebate special funds shall  
14 be appropriated for assistance to individuals in the HIV/AIDS medication  
15 assistance program (AMAP), including the costs of prescribed medications,  
16 related laboratory testing, and nutritional supplements. These funds may not  
17 be used for any administrative purposes by the department of health or by any  
18 other state agency or department. Any pharmaceutical rebate special funds not  
19 used for AMAP at the end of the fiscal year shall be distributed to Vermont  
20 AIDS service organizations in the same proportions as those outlined under  
21 this subsection. If the amount of \$140,000 in pharmaceutical rebates is

1 unavailable for this purpose in fiscal year 2011, the department of health shall  
2 request general funds to supplement or replace the pharmaceutical rebates  
3 through the budget adjustment process.

4 (4) In fiscal year 2011, the funds to Vermont AIDS service  
5 organizations and other Vermont HIV/AIDS prevention providers shall be  
6 \$100,000 appropriated from the general fund to the department of health for  
7 grants to Vermont AIDS service organizations and other Vermont HIV/AIDS  
8 prevention providers for community-based HIV prevention programs and  
9 services. These funds shall be used for HIV/AIDS prevention purposes,  
10 including improving the availability of confidential and anonymous HIV  
11 testing; prevention work with at-risk groups such as women, intravenous drug  
12 users, and people of color; anti-stigma campaigns; and promotion of needle  
13 exchange programs. No more than 15 percent of the funds may be used for the  
14 administration of such services by the recipients of these funds. The method  
15 by which these prevention funds shall be distributed shall be determined by  
16 mutual agreement of the department of health and the Vermont AIDS service  
17 organizations and other Vermont HIV/AIDS prevention providers.

18 (b) Funding for the tobacco programs in fiscal year 2011 shall consist of  
19 the \$1,166,803 in tobacco funds and \$529,704 in Global Commitment funds  
20 appropriated in Sec. B.312 of this act; and \$212,709 of the tobacco funds  
21 appropriated in Sec. B.300 of this act. The tobacco evaluation and review

1 board shall determine how these funds are allocated to tobacco cessation,  
2 community-based, media, public education, surveillance, and evaluation  
3 activities. This allocation shall include funding for tobacco cessation programs  
4 that serve pregnant women.

5 Sec. E.313 Health - alcohol and drug abuse programs (Sec. B.313,  
6 #3420060000)

7 (a) For the purpose of meeting the need for outpatient substance abuse  
8 services when the preferred provider system has a waiting list of five days or  
9 more or there is a lack of qualified clinicians to provide services in a region of  
10 the state, a state-qualified alcohol and drug abuse counselor may apply to the  
11 department of health, division of alcohol and drug abuse programs, for  
12 time-limited authorization to participate as a Medicaid provider to deliver  
13 clinical and case coordination services, as authorized.

14 (b)(1) In accordance with federal law, the division of alcohol and drug  
15 abuse programs may use the following criteria to determine whether to enroll a  
16 state-supported Medicaid and uninsured population substance abuse program  
17 in the division's network of designated providers, as described in the state  
18 plan:

19 (A) The program is able to provide the quality, quantity, and levels of  
20 care required under the division's standards, licensure standards, and  
21 accreditation standards established by the commission of accreditation of

1 rehabilitation facilities, the joint commission on accreditation of health care  
2 organizations, or the commission on accreditation for family services.

3 (B) Any program that is currently being funded in the existing  
4 network shall continue to be a designated program until further standards are  
5 developed, provided the standards identified in this subdivision (b)(1) are  
6 satisfied.

7 (C) All programs shall continue to fulfill grant or contract  
8 agreements.

9 (2) The provisions of subdivision (1) of this subsection shall not  
10 preclude the division's "request for bids" process.

11 Sec. E.314 DEPARTMENT OF MENTAL HEALTH; GRANT REDUCTION

12 (a) The department of mental health shall implement a five-percent  
13 reduction in general funds, totaling \$7,472 to community support programs for  
14 mental health treatment by allowing the programs to determine the most  
15 appropriate method to implement the reduction.

*Sec. E.314.1. VERMONT STATE HOSPITAL; CANTEEN*

*(a) The general assembly finds that the availability of a cafeteria, also known as "the canteen," for use by patients of the Vermont state hospital is therapeutic for them and should be available for their use, as well as for their guests, hospital staff, and members of the general public.*

*(b) From any appropriation contained in any act of the general assembly to the department of buildings and general services, the sum of up to \$25,000 shall be used to make necessary repairs and upgrades to bring up to code the premises used as the canteen, which repairs and upgrades shall be completed by October 30, 2010.*

(c) On or before November 1, 2010, the secretary of human services shall cause the canteen to reopen for no fewer than five days per week for a reasonable number of hours per day, for use by state hospital patients, their guests, staff, and members of the public. The cafeteria service shall be provided either by state employees or a contracted vendor, so long as the operation is cost-neutral to the general fund. If the cafeteria service is offered by a vendor, the premises used by the vendor shall be leased at an annual cost of \$1.00, and the leased premises shall otherwise be offered to the vendor on the same terms and conditions as those offered to the vendor who operates the state house cafeteria.

(d) The canteen service shall continue in operation unless closure is authorized by act of the general assembly.

(e) The vendor shall strive to offer affordable lower-cost food prices to state hospital patients.

*Sec. E.318 CHILD CARE ELIGIBILITY; PROCESSING*

(a) Until July 1, 2011, the department for children and families shall continue to contract with community agencies for the determination of eligibility for the child care services program established in 33 V.S.A. § 3212.

1 Sec. E.319 4 V.S.A. § 461(a) is amended to read:

2 (a) The office of magistrate is created within the family court. Except as  
3 provided in section 463 of this title, the office of magistrate shall have  
4 jurisdiction concurrent with the family court to hear and dispose of the  
5 following cases:

6 \* \* \*

7 (3) ~~Child Proceedings to determine parentage and establish child support~~  
8 ~~in parentage cases after parentage has been determined.~~

9 (4) Cases arising under ~~section 5533~~ 33 V.S.A. § 5116 of ~~Title 33~~, when  
10 delegated by the family court.

11 \* \* \*

1           (6) Proceedings to establish, modify, or enforce temporary parental  
2 rights and responsibilities or parent-child contact orders or to modify or  
3 enforce final parent-child contact orders issued pursuant to this title.

4           Sec. E.319.1 15 V.S.A. § 658(f) is amended to read:

5           (f)(1) The court shall order either or both parents owing a duty of support  
6 to provide a cash contribution or medical coverage for a child, provided that  
7 medical coverage is available to the parent at a reasonable cost. Medical  
8 coverage is presumed to be available to a parent at a reasonable cost only if the  
9 amount payable for the individual's contribution to the insurance or health  
10 benefit plan premium cost of adding the child to an existing insurance or health  
11 benefit plan or the difference between providing coverage to the individual  
12 alone and family coverage under an existing insurance or health benefit plan is  
13 five percent or less of the parent's gross income. ~~The court, in its discretion,~~  
14 ~~retains the right to order a parent to obtain medical coverage even if the cost~~  
15 ~~exceeds five percent of the parent's gross income if the cost is deemed~~  
16 ~~reasonable under all the circumstances after considering the factors pursuant to~~  
17 ~~section 659 of this title.~~

18           (2) If private health insurance or an employer-sponsored health benefit  
19 plan is not available at a reasonable cost, the court may order one or both  
20 parents owing a duty of support to contribute a cash contribution of up to five  
21 percent of gross income ~~toward the cost of health care coverage of a child~~

1 ~~under public or private health insurance or a health benefit plan. The court~~  
2 ~~also may order a cash contribution if a child receives coverage or health~~  
3 ~~benefits under Medicaid, a Medicaid waiver program, Dr. Dynasaur, or is~~  
4 ~~uninsured.~~ A cash contribution under this section shall be considered child  
5 support for tax purposes. ~~When calculating the contribution of a parent whose~~  
6 ~~child receives coverage under Medicaid, a Medicaid waiver program, or~~  
7 ~~Dr. Dynasaur, the court shall not order a contribution greater than the premium~~  
8 ~~amount charged by the agency of human services for the child's coverage.~~

9 (3) The court, in its discretion, may order a parent to provide a cash  
10 contribution or coverage under a public or private insurance or health benefit  
11 plan even if the cost exceeds five percent of the parent's gross income, if the  
12 cost is deemed reasonable under the totality of the circumstances after  
13 considering the factors pursuant to section 659 of this title.

14 Sec. E.319.2 15 V.S.A. § 653 is amended to read:

15 § 653. DEFINITIONS

16 As used in this subchapter:

17 (1) "Available income" means gross income, less

18 (A) the amount of spousal support or preexisting child support  
19 obligations actually paid;

1 (B) the actual cost to a parent of providing adequate health insurance  
2 coverage or a cash contribution as provided for in section 658 of this title for  
3 the children who are the subject of the order;

4 \* \* \*

5 Sec. E.319.3 OFFICE OF CHILD SUPPORT; POSITIONS

6 (a) From existing funds or increased collections, the office of child support  
7 may fill two existing positions in order to increase collections of medical  
8 support and cash contributions, including from families with incomes between  
9 185 and 300 percent of the federal poverty level.

10 Sec. E.321 Department for children and families – general assistance

11 (Sec. B.321, #3440060000)

12 (a) Commencing July 1, 2010, the commissioner for children and families  
13 may amend the maximum amount for death benefits paid at public expense  
14 through the general assistance program to \$1100.00 per burial.

15 (b) If the department for children and families receives additional funds  
16 through the recoupment of Supplemental Security Income (SSI) funds for  
17 participants in the general assistance program, the commissioner shall use up  
18 to \$500,000 of these recouped funds to fund homelessness assistance provided  
19 through general assistance under Sec. E.321.2 of this act.



1        (c) The department for children and families may not reduce or eliminate  
2        the personal needs (PNI) amount provided to individuals eligible for and  
3        receiving ongoing general assistance without legislative approval.

4        Sec. E.321.1 33 V.S.A. § 2301 is amended to read:

5        § 2301. BURIAL RESPONSIBILITY

6        (a)(1) When a person dies in this state, or a resident of this state dies within  
7        the state or elsewhere, and the decedent was a recipient of assistance under  
8        Title IV or XVI of the Social Security Act, or nursing home care under Title  
9        XIX of the Social Security Act, or assistance under state aid to the aged, blind  
10       or disabled, or an honorably discharged veteran of any branch of the U.S.  
11       military forces to the extent funds are available and to the extent authorized by  
12       department ~~regulations~~ rules, the decedent's burial shall be arranged and paid  
13       for by the department if the decedent was without sufficient known assets to  
14       pay for burial. The department shall pay burial expenses ~~when arrangements~~  
15       ~~are made other than by the department to the maximum permitted by its~~  
16       ~~regulations~~ for individuals meeting the requirements of this section in an  
17       amount not to exceed a maximum established by rule and also shall establish  
18       by rule a process for reducing the maximum payment amount by the amount of  
19       other assets available to pay for the burial. In any case where other  
20       ~~contributions are made these payments shall be deducted from the amount~~  
21       ~~otherwise paid by the department but in no case is the department responsible~~

1 ~~for any payment when the person arranging the burial selects a funeral the~~  
2 ~~price of which exceeds the department's maximum.~~

3 (2) The department shall notify the directors of all funeral homes within  
4 the state and within close proximity to the state's borders of its ~~regulations~~  
5 rules with respect to those services for which it shall make payment and the  
6 amount of payment authorized for such services. All payments shall be made  
7 directly to the appropriate funeral director. In order to receive payment under  
8 this section, the funeral director shall provide the department and the party  
9 making the funeral arrangements with an itemized invoice for the specific  
10 services that are to be provided at public expense.

11 (3) As a condition of payment when arrangements are made other than  
12 by the department, funeral directors shall be required to do the following:

13 (A) determine from the person making the arrangements if the  
14 decedent was a recipient of assistance or an eligible veteran as specified in  
15 subdivision (a)(1) of this section;

16 (B) If the decedent was such a recipient, give notice to the party  
17 making the arrangements of the department's ~~regulations~~ rules.

18 (4) If the funeral home director does not advise the person making the  
19 arrangements of the department's ~~regulations~~ rules then that person shall not be  
20 liable for expenses incurred.

1 (b) When a person dies while an inmate of a state institution and the inmate  
2 is without sufficient known assets to pay for burial, the burial shall be arranged  
3 and paid for by the state institution.

4 (c) When a person other than one described in subsection (a) or (b) of this  
5 section dies in the town of domicile without sufficient known assets to pay for  
6 burial, the burial shall be arranged and paid for by the town. The department  
7 shall reimburse the town up to \$250.00 for expenses incurred.

8 (d) In all other cases, the department shall arrange for and pay up to a  
9 maximum amount established by rule for the burial of eligible persons who die  
10 in this state or residents of this state who die within the state or elsewhere  
11 when such persons are without sufficient known assets to pay for their burial.

12 (e) [Omitted.]

13 ~~(f) In all cases where the department is responsible for funeral and/or burial~~  
14 ~~expenses under this chapter, the department shall provide, by rule, the specific~~  
15 ~~services that are to be provided at public expense, and on an itemized basis the~~  
16 ~~maximum price to be paid by the department for each such service.~~

17 ~~(g)~~(e) For the purpose of this chapter, “burial” means the final disposition  
18 of human remains, including the act of interring the ~~human dead~~ decedent and  
19 the ceremonies directly related to that interment at the gravesite; and “funeral”  
20 means the ceremonies prior to burial of the body by interment, cremation or  
21 other method.



1 ~~and the individual has exhausted all other housing alternatives. The agency~~  
2 ~~may, however, prioritize services to the most vulnerable populations in order to~~  
3 ~~target assistance within the funds available.~~

4 (b) The program may operate in up to 12 districts designated by the  
5 secretary of human services. This program will be budget neutral. For each  
6 district in which the agency operates the program, it shall establish procedures  
7 for evaluating the pilot and its effects. The agency shall report annually to the  
8 general assembly on its findings from the programs, its recommendations for  
9 changes in the general assistance program, and a plan for further  
10 implementation of the program.

11 (c) The agency shall continue to engage interested parties, including both  
12 statewide organizations and local agencies, in the design, implementation, and  
13 evaluation of the general assistance flexibility program.

14 Sec. E.321.3 HOUSING ASSISTANCE; ARRA FUNDS

15 (a) This section shall not apply to the administration of housing assistance  
16 funded with general funds provided through the general assistance program  
17 under Sec. E.321.2 of this act and existing rules.

18 (b) Commencing in fiscal year 2010, the agency of human services may  
19 establish a housing assistance program with homelessness prevention and rapid  
20 rehousing program (HPRP) funds from the American Recovery and  
21 Reinvestment Act of 2009, Public Law 111-5. HPRP funds shall be granted to

1 direct-service community organizations which demonstrate experience and  
2 expertise in serving the homeless or those at risk for homelessness. The funds  
3 shall also be granted in accordance with requirements established by the U.S.  
4 Department of Housing and Urban Development (HUD).

5 (c) The agency shall engage interested parties in the ongoing delivery and  
6 evaluation of the program.

7 (d)(1) The agency shall maintain procedures established in fiscal year 2010  
8 to ensure equitable access to housing assistance provided by direct service  
9 community organizations with HPRP funds, in compliance with chapter 139 of  
10 Title 9, through a standard application and assessment process.

11 (2) The agency shall ensure that grantees of these funds provide an  
12 appropriate grievance and appeal process for applicants and recipients of the  
13 funds, including for expedited appeals.

14 (e)(1) The agency shall maintain reporting procedures established in fiscal  
15 year 2010 for all grantees receiving HPRP funds to provide housing assistance  
16 and collect sufficient information to determine that grantees are following all  
17 requirements and to evaluate the program's effectiveness.

18 (2) The agency of human services field service directors shall monitor  
19 the housing assistance programs provided by direct service community  
20 organizations granted HPRP funds and assess the effectiveness of these  
21 programs.



1 the legislative committee on administrative rules or after receiving notice of  
2 approval from the committee, provided the secretary:

3 (A) has not received a notice of objection from the legislative  
4 committee on administrative rules; or

5 (B) after having received a notice of objection from the committee,  
6 has responded pursuant to 3 V.S.A. § 842.

7 (5) Rules adopted under this section shall be effective upon being filed  
8 with the secretary of state and shall have the full force and effect of rules  
9 adopted pursuant to chapter 25 of Title 3. Rules filed by the commissioner for  
10 families and children with the secretary of state pursuant to this section shall be  
11 deemed to be in full compliance with 3 V.S.A. § 843, and shall be accepted by  
12 the secretary of state if filed with a certification by the commissioner for  
13 families and children that the rule is required to meet the purposes of this  
14 section.

15 Sec. E.323 REPEAL

16 (a) Sec. 106 of No. 4 of the Acts of 2010 (Reach Ahead sunset) is repealed.

17 Sec. E.323.1 33 V.S.A. § 1116(c)(1) is amended to read:

18 (c)(1)(A) For a first, ~~second and third~~ month in which a participating adult  
19 is not in compliance with a family development plan or work requirement and  
20 has not demonstrated good cause for such noncompliance, the family's



1 financial assistance grant shall be reduced by the amount of \$75.00 for each  
2 adult sanctioned.

3 (B) For a second month in which a participating adult is not in  
4 compliance with a family development plan or work requirement and has not  
5 demonstrated good cause for such noncompliance, the family's financial  
6 assistance grant shall be reduced by the amount of \$100.00 for each adult  
7 sanctioned.

8 (C) For a third month in which a participating adult is not in  
9 compliance with a family development plan or work requirement and has not  
10 demonstrated good cause for such noncompliance, the family's financial  
11 assistance grant shall be reduced by the amount of \$125.00 for each adult  
12 sanctioned.

13 Sec. E.323.2 33 V.S.A. § 1116(h) is amended to read:

14 (h)(1) To receive payments during the fiscal sanction period, an adult who  
15 is the subject of the sanction shall meet no less than once each month to report  
16 his or her circumstances to the case manager or to participate in assessments as  
17 directed by the case manager. In addition, this meeting shall be for initial  
18 assessment and development of the family development plan when such tasks  
19 have not been completed; reassessment or review and revision of the family  
20 development plan, if appropriate; and to encourage the participant to fulfill the  
21 work requirement. Meetings required under this section may take place in the

1 district office, a community location, or in the participant's home. Facilitation  
2 of meeting the participant's family development plan goals shall be a primary  
3 consideration in determining the location of the meeting. The commissioner  
4 may waive any meeting when extraordinary circumstances prevent a  
5 participant from attending. The commissioner shall adopt rules to implement  
6 this subsection.

7 (2) To receive payments during the fourth month of fiscal sanction in a  
8 12-month period, the participating adults shall engage in an assessment that  
9 includes the employability and life skills capabilities of the adult participants.  
10 If the evaluation reveals that a sanctioned adult should have had a modified or  
11 deferred work requirement during the current month of sanction or earlier  
12 months of sanction, the department shall strike the sanction, reinstate the full  
13 grant amount to which the family is entitled, and modify the participant's  
14 family development plan. The months of sanction incorrectly assessed shall  
15 not be applied toward any time period or for any other purpose described in  
16 chapter 11 of Title 33. The assessment may be conducted by a team consisting  
17 of service providers familiar with the family and with an individual family  
18 member's needs.

19 ~~(3)(A) When a family including a minor age 10 or older is in the 12th~~  
20 ~~month of fiscal sanction in a 12-month period or beyond, the department for~~  
21 ~~children and families shall engage the child or children, as well as other family~~

1 ~~members as necessary, in activities or programs designed to build each child's~~  
2 ~~strengths. The activities or programs shall be designed to assist the child in~~  
3 ~~becoming a financially independent adult.~~

4 ~~(B) If, after engaging the child or children, the case manager~~  
5 ~~determines that the parent is needed in the home to care for a child with an~~  
6 ~~illness or disability in order for the child's engagement plan under subdivision~~  
7 ~~(A) of this subdivision (3) to be successful, the case manager shall modify the~~  
8 ~~family development plan to reflect the activities and any deferments available~~  
9 ~~under section 1114 of this title.~~

10 Sec. E.323.3 33 V.S.A. § 1122(b) is amended to read:

11 (b) The program authorized by this section shall be administered by the  
12 commissioner or by a contractor designated by the commissioner, ~~and~~. The  
13 program shall be supported with funds other than federal TANF block grant  
14 funds provided under Title IV-A of the Social Security Act, except that the  
15 commissioner may fund financial assistance grants and support services of  
16 families participating in the postsecondary education program with TANF  
17 block grant or state maintenance of effort funds when the participating adult's  
18 educational activities are a countable work activity under federal law and when  
19 it will further one or more of the purposes in subdivision 1121(c)(1) of this  
20 title.

1 Sec. E.323.4 POSTSECONDARY EDUCATION; CASE MANAGEMENT

2 (a) The department for children and families may reduce its contract by  
3 \$150,000 with postsecondary institutions for case management services to  
4 families participating in the postsecondary education program provided for in  
5 33 V.S.A. § 1122 as follows:

6 (1) by renegotiating the amount in the contract attributable to  
7 administrative services provided by the postsecondary institution; and

8 (2) if renegotiation does not achieve the savings required in this section,  
9 then by transferring case management for a portion of the families participating  
10 in the program to the Reach Up program. The department shall evaluate  
11 student outcomes by comparing the outcomes of students receiving case  
12 management through the postsecondary institution with outcomes of students  
13 receiving case management through Reach Up and provide this information  
14 with its annual budget proposal.

15 Sec. E.323.5 TANF; ARRA

16 (a) The department for children and families may use excess receipts  
17 authority to spend additional funds from the Temporary Assistance for Needy  
18 Families (TANF) emergency contingency fund for any of the purposes  
19 provided for in Section 2101 of the American Recovery and Reinvestment Act  
20 of 2009 (ARRA) which are subsidized employment, caseload increase, and  
21 short-term nonrecurrent benefits.

1 Sec. E.324 Department for children and families – home heating fuel  
2 assistance/LIHEAP (Sec. B.324, #3440090000)

3 (a) Of the funds appropriated for home heating fuel assistance/LIHEAP in  
4 this act, no more than \$450,000 shall be expended for crisis fuel direct  
5 service/administration exclusive of statewide after-hours crisis coverage.

6 Sec. E.324.1 HOME HEATING FUEL ASSISTANCE/LIHEAP

7 (a) For the purpose of a crisis set-aside, for seasonal home heating fuel  
8 assistance through December 31, 2010, and for program administration, the  
9 commissioner of finance and management shall transfer \$2,550,000 from the  
10 home weatherization assistance trust fund to the home heating fuel assistance  
11 fund to the extent that federal LIHEAP or similar federal funds are not  
12 available. An equivalent amount shall be returned to the home weatherization  
13 trust fund from the home heating fuel assistance fund to the extent that federal  
14 LIHEAP or similar federal funds are received. Should a transfer of funds from  
15 the home weatherization assistance trust fund be necessary for the 2010–2011  
16 crisis set-aside and for seasonal home heating fuel assistance through  
17 December 31, 2010, and if LIHEAP funds awarded as of December 31, 2010,  
18 for fiscal year 2011 do not exceed \$2,550,000, subsequent payments under the  
19 home heating fuel assistance program shall not be made prior to January 30,  
20 2011. Notwithstanding any other provision of law, payments authorized by the  
21 office of home heating fuel assistance shall not exceed funds available, except

1 that for fuel assistance payments made through December 31, 2010, the  
2 commissioner of finance and management may anticipate receipts into the  
3 home weatherization assistance trust fund.

4 Sec. E.325 Department for children and families – office of economic  
5 opportunity (Sec. B.325, #3440100000)

6 (a) Of the general fund appropriation in this section, \$792,000 shall be  
7 granted to community agencies for homeless assistance by preserving existing  
8 services, increasing services, or increasing resources available statewide.

9 These funds may be granted alone or in conjunction with federal McKinney  
10 emergency shelter funds. Grant decisions shall be made with assistance from  
11 the coalition of homeless Vermonters.

12 Sec. E.325.1 INDIVIDUAL DEVELOPMENT SAVINGS PROGRAM

13 (a) In fiscal year 2011, the funding for the individual development (IDA)  
14 savings program established in 33 V.S.A. § 1123 shall be from multiple  
15 sources, including general funds, community services block grant funds, and  
16 federal funds for economic development. It is the intent of the general  
17 assembly to fully fund the IDA program in future fiscal years as an important  
18 tool for the state's economic development through providing matched savings  
19 for starting small businesses and through promotion of financial literacy.

1 Sec. E.326 Department for children and families - OEO - weatherization  
2 assistance (Sec. B.326, #3440110000)

3 (a) Of the special fund appropriation in this section, \$400,000 is for the  
4 replacement and repair of home heating equipment.

5 (b) Appropriations from the weatherization trust fund may be limited based  
6 on the revenue forecast for the fund from the gross receipts tax as adopted  
7 pursuant to 32 V.S.A. § 305a.

8 Sec. E.330 Disabilities, aging, and independent living - advocacy and  
9 independent living (Sec. B.330, #3460020000)

10 (a) Certification of adult day providers shall require a demonstration that  
11 the new program is filling an unmet need for adult day services in a given  
12 geographic region and does not have an adverse impact on existing adult day  
13 services.

14 (b) Of this appropriation, \$109,995 in general funds shall be allocated for  
15 base funds to adult day programs in the same proportion as they were allocated  
16 in fiscal year 2010.

17 Sec E.337 Corrections – correctional education (Sec. B.337 #3480003000)

18 (a) The appropriation in this section shall be made, notwithstanding  
19 28 V.S.A. § 120(g).

1 Sec. E.342 Vermont veterans' home – care and support services (Sec. B.342,  
2 #3300010000)

3 (a) If Global Commitment fund monies are unavailable, the total funding  
4 for the Vermont veterans' home shall be maintained through the general fund  
5 or other state funding sources.

6 (b) The Vermont veterans' home will use the Global Commitment funds  
7 appropriated in this section for the purpose of increasing the access of quality  
8 health care to uninsured persons, underinsured persons, and Medicaid  
9 beneficiaries.

10 \* \* \* LABOR \* \* \*

11 Sec. E.401 Labor - programs (Sec. B.401, 4100500000)

12 (a) The workforce development council shall allocate funding to the  
13 workforce investment boards based upon the performance of the local  
14 workforce investment boards, measured according to standards established by  
15 the council.

16 \* \* \* K-12 EDUCATION \* \* \*

17 Sec. E.500 Education – finance and administration (Sec. B.500,

18 #5100010000)

19 (a) The Global Commitment funds appropriated in this section for school  
20 health services, including school nurses, shall be used for the purpose of  
21 funding certain health-care-related projects. It is the goal of these projects to



1 reduce the rate of uninsured or underinsured persons or both in Vermont and to  
2 increase the access of quality health care to uninsured persons, underinsured  
3 persons, and Medicaid beneficiaries.

4 Sec. E.501 Sec. E. 501(a) of No. 1 of the Acts of 2009 (Special Session) is  
5 amended to read:

6 (a) In fiscal year 2010 and fiscal year 2011, \$1,131,751 shall be paid by the  
7 education fund for early education initiative grants for at-risk preschoolers.  
8 These payments shall be made, notwithstanding 16 V.S.A. § 4025(b)(1). In  
9 fiscal year 2012, these expenses shall revert to the general fund, and the  
10 general fund transfer shall be adjusted accordingly.

11 Sec. E.501.1 Sec. 9.001(d) of No. 192 of the Acts of 2008 (sunset; teen parent  
12 education programs), as amended by Sec. E.501.1 of No. 1 of the  
13 Acts of the Special Session of 2009, is amended to read:

14 (d) Sec. 5.304.1 of this act shall take effect on July 1, 2008 ~~and shall~~  
15 ~~remain in effect until July 1, 2010.~~

16 Sec. E.502 Education – special education: formula grants (Sec. B.502,  
17 #5100040000)

18 (a) The education fund appropriated in this section shall be made  
19 notwithstanding 16 V.S.A. §§ 2963(c)(3) and 2967(b).

20 (b) Of the appropriation authorized in this section, and notwithstanding any  
21 other provision of law, an amount not to exceed \$3,300,654 shall be used by

1 the department of education in fiscal year 2011 as funding for 16 V.S.A.  
2 § 2967(b)(2)–(6). In distributing such funds, the commissioner shall not be  
3 limited by the restrictions contained within 16 V.S.A. § 2969(c) and (d). In  
4 addition to funding for 16 V.S.A. § 2967(b)(2)–(6), up to \$169,061 may be  
5 used by the department of education for its participation in the higher  
6 education partnership plan.

7 Sec. E.503 Education – state-placed students (Sec. B.503, #5100050000)

8 (a) The independence place program of the Lund Family Center shall be  
9 considered a 24-hour residential program for the purposes of reimbursement of  
10 education costs.

11 Sec. E.504 Education – adult education and literacy (Sec. B.504,  
12 #5100060000)

13 (a) Of this appropriation, the amount from the education fund shall be  
14 distributed to school districts for reimbursement of high school completion  
15 services pursuant to 16 V.S.A. § 1049a(c).

16 Sec. E.505 Education – adjusted education payment (Sec. B.505,  
17 #5100090000)

18 (a) Any calculations required to identify funding levels for the education  
19 fund budget stabilization reserve under 16 V.S.A. § 4026(b) shall be calculated  
20 as if in fiscal year 2011, those revenues and appropriations included

1 \$38,575,036 in additional revenues and \$38,575,036 in additional  
2 expenditures.

3 Sec. E.505.1 COMMUNITY HIGH SCHOOL OF VERMONT GRANT

4 (a) From the education funds appropriated in Sec. B.505 in fiscal year  
5 2011, a base education payment shall be paid to the community high school of  
6 Vermont for full-time equivalent students studying high school equivalency  
7 coursework. For fiscal year 2011, this total grant shall be set at the base  
8 education amount for 256 full-time equivalent pupils. This amount shall be  
9 transferred from the funds appropriated in Sec. B.505 to the department of  
10 corrections - correctional education program. These payments shall be made,  
11 notwithstanding 16 V.S.A. § 4025(b)(1). In fiscal year 2012, these expenses  
12 shall revert to the general fund, and the general fund transfer shall be adjusted  
13 accordingly.

14 Sec. E.512 Education – No. 117 of the Acts of 2000 – cost containment

15 (Sec. B.512, #5100310000)

16 (a) Notwithstanding any provisions of law, expenditures made from this  
17 section shall be counted under 16 V.S.A. § 2967(b) as part of the state's 60  
18 percent of the statewide total special education expenditures of funds which are  
19 not derived from federal sources.



1       (b) Of this appropriation, \$407,113 shall be transferred to EPSCoR  
2       (Experimental Program to Stimulate Competitive Research) for the purpose of  
3       complying with state matching fund requirements necessary for the receipt of  
4       available federal or private funds or both.

5       (c) If Global Commitment fund monies are unavailable, the total grant  
6       funding for the University of Vermont shall be maintained through the general  
7       fund or other state funding sources.

8       (d) The University of Vermont will use the Global Commitment funds  
9       appropriated in this section to support Vermont physician training. The  
10       University of Vermont prepares students, both Vermonters and out-of-state,  
11       and awards approximately 100 medical degrees annually. Graduates of this  
12       program, currently representing a significant number of physicians practicing  
13       in Vermont, deliver high quality health care services to Medicaid beneficiaries  
14       and to the uninsured or underinsured persons or both in Vermont and across  
15       the nation.

16       Sec. E.602 Vermont state colleges (Sec. B.602, #1110009000)

17       (a) The commissioner of finance and management shall issue warrants to  
18       pay one-twelfth of this appropriation to the Vermont state colleges on or about  
19       the 15th day of each calendar month of the year.

20       (b) Of this appropriation, \$459,801 shall be transferred to the Vermont  
21       manufacturing extension center for the purpose of complying with state

1 matching fund requirements necessary for the receipt of available federal or  
2 private funds or both.

3 Sec. E.603 Vermont state colleges – allied health (Sec. B.603, #1110010000)

4 (a) If Global Commitment fund monies are unavailable, the total grant  
5 funding for the Vermont state colleges shall be maintained through the general  
6 fund or other state funding sources.

7 (b) The Vermont state colleges shall use the Global Commitment funds  
8 appropriated in this section to support the dental hygiene, respiratory therapy,  
9 and nursing programs which graduate approximately 250 health care providers  
10 annually. These graduates deliver direct, high quality health care services to  
11 Medicaid beneficiaries and uninsured or underinsured persons or both.

12 Sec. E.605 Vermont student assistance corporation (Sec. B.605,  
13 #1110012000)

14 (a) Of this appropriation, \$25,000 is appropriated from the general fund to  
15 the Vermont Student Assistance Corporation to be deposited into the trust fund  
16 established in 16 V.S.A. § 2845.

17 (b) Except as provided in subsection (a) of this section, not less than 93  
18 percent of grants shall be used for direct student aid.

19 (c) Of state funds available to the Vermont Student Assistance Corporation  
20 pursuant to Secs. E.215(a) and B.1100(a)(3)(B) of this act, \$250,000 shall be

1 used for the purposes of 16 V.S.A. § 2856. Any unexpended funds from these  
2 allocations shall carry forward for this purpose.

3 \* \* \* NATURAL RESOURCES \* \* \*

4 Sec. E.701 10 V.S.A § 7553(h)(4) is amended to read:

5 (4) ~~For purposes of reimbursing the solid waste management account in~~  
6 ~~full for all funds transferred to the electronic waste collection and recycling~~  
7 ~~assistance account for implementation of the electronic waste collection and~~  
8 ~~recycling program, the secretary, under subdivision (1) or (2) of this~~  
9 ~~subsection, may assess against a manufacturer registered and operating under~~  
10 ~~the standard plan set forth in section 7552 of this title a charge in addition to~~  
11 ~~the manufacturer's prorated share of the costs of implementing the electronic~~  
12 ~~waste collection and recycling program~~ The secretary, as authorized under  
13 32 V.S.A. § 588, may pay from the anticipated receipts of the waste  
14 management assistance fund from fees assessed under this subsection the costs  
15 incurred by the secretary in implementing the standard plan established under  
16 section 7552 of this title in the first quarter of the program year beginning  
17 July 1, 2011.

18 Sec. E.701.1 REPEAL

19 (a) Subsections 6b(b) and (c)(transfer of funds from the solid waste  
20 management account for implementation of electronic waste program) of S.77  
21 of 2010 as enacted are repealed.

1 Sec. E.701.2 Subsection 6c of S.77 of 2010 as enacted is amended to read:

2 Sec. 6c. ANR DISBURSEMENTS; APPROPRIATIONS

3 (a) In fiscal ~~years~~ year 2011 ~~and 2012~~, the secretary of natural resources  
4 may authorize disbursements from the electronic waste collection and  
5 recycling account within the waste management assistance fund for the  
6 purpose of paying the costs of administering and implementing the electronic  
7 waste collection program set forth under chapter 166 of Title 10.

8 (b) In addition to any other funds appropriated to the agency of natural  
9 resources in fiscal year 2011, there is appropriated ~~from the general fund~~ to the  
10 agency \$50,000.00 in fiscal year 2011 from the waste management assistance  
11 fund under 10 V.S.A. § 6618 from fees assessed under 10 V.S.A. § 7553(g) for  
12 the purpose of administering and implementing the electronic waste collection  
13 and recycling program under chapter 166 of Title 10.

14 Sec. E.702 Fish and wildlife - support and field services (Sec. B.702,  
15 #6120000000)

16 (a) It is the intent of the general assembly that the fiscal year 2011 budget  
17 provides funding to fill five (5) game warden positions that are vacant as of  
18 January 1, 2010, and funds two (2) limited service Fish and Wildlife Scientist  
19 II positions (position numbers 640148 and 640150).



1 Sec. E.704 Forests, parks and recreation - forestry (Sec. B.704, #6130020000)

2 (a) This special fund appropriation shall be authorized, notwithstanding  
3 3 V.S.A. § 2807(c).

4 \* \* \* COMMERCE AND COMMUNITY DEVELOPMENT \* \* \*

5 Sec. E.801 COMPREHENSIVE STATISTICAL BENCHMARKING  
6 SYSTEM

7 (a) There is created a comprehensive statistical benchmarking system,  
8 which shall be based upon the benchmarking system designed by the  
9 commission on the future of economic development in collaboration with the  
10 state economists to strategically gather and analyze economic data.

11 (b) The comprehensive statistical benchmarking system shall be jointly  
12 managed by the legislative joint fiscal committee and the agency of  
13 administration through two economists, one of whom shall be designated by  
14 the joint fiscal committee, and one of whom shall be designated by the  
15 secretary of the agency of administration.

16 (c)(1) The work of the economists and the ongoing maintenance of the  
17 comprehensive statistical benchmarking system shall be supervised by a  
18 five-member oversight panel composed of:

19 (A) two members of the house committee on commerce and  
20 economic development appointed by its chair;

1           (B) two members of the senate committee on economic development,  
2           housing and general affairs appointed by its chair; and

3           (C) the secretary of commerce and community development or his or  
4           her designee.

5           (2) The members of the panel shall select a chair from among the five  
6           members.

7           (3) For attendance at a meeting when the general assembly is not in  
8           session, the legislative members of the panel shall be entitled to the same per  
9           diem compensation and reimbursement of necessary expenses as provided to  
10           members of standing committees under 2 V.S.A. § 406.

11           (d) The comprehensive statistical benchmarking system shall be used to:

12           (1) aid the general assembly and the administration in anticipating  
13           changes in economic trends and conditions that may beneficially or adversely  
14           affect Vermont's businesses and citizens;

15           (2) generate reports, provide information and analysis, and make policy  
16           recommendations with regard to specific economic development policies and  
17           programs; and

18           (3) set outcome-based targets for specific economic development  
19           criteria and measure the effectiveness and ongoing progress toward attaining  
20           these targets and the four goals for economic development identified in  
21           10 V.S.A. § 3.

1       (e) The economists designated by the joint fiscal committee and the agency  
2       of administration shall maintain the core benchmark indicators analytic  
3       database on an ongoing basis, including at least biannual updates of each  
4       indicator, in addition to ongoing monitoring and assessment of the sufficiency  
5       and scope of economic data-sets and -series available for use in the  
6       benchmarking system. The economists shall provide at least biannual status  
7       reports to the house committees on ways and means, on appropriations, on  
8       commerce and economic development, and to the senate committees on  
9       finance, on appropriations, and on economic development, housing and general  
10       affairs.

11       (f) The agency of administration, the joint fiscal office, and the agency of  
12       commerce and community development shall cause the benchmark indicators  
13       analytic database to be available to the public via their websites in both  
14       manipulative and nonmanipulative electronic formats.

15       (g) The comprehensive statistical benchmarking system, the core  
16       benchmark indicators analytic database, and any information, reports, or other  
17       work product generated by the designated economists during the ongoing  
18       management and maintenance of the benchmarking system shall remain the  
19       property of the state of Vermont.

1 Sec. E.801.1 REPEAL

2 (a) 10 V.S.A. § 1 (commission on the future of economic development) is  
3 repealed.

4 Sec. E.801.2 INTEGRATION WITH CHALLENGES FOR CHANGE

5 (a) Each state agency and department participating in the Challenges for  
6 Change shall make available to the economists designated by the joint fiscal  
7 committee and the agency of administration pursuant to Sec. E.801 of this act  
8 the indicators, benchmarks, or other analytic measures of progress toward  
9 attainment of the outcomes or goals identified in the Challenges for Change  
10 process.

11 (b) To the extent practical, the designated economists shall integrate the  
12 indicators, benchmarks, or other analytic measures into, and shall measure and  
13 report on the progress of the Challenges process as a component of, the  
14 comprehensive statistical benchmarking system.

15 Sec. E.801.3 APPROPRIATION

16 (a) Of the funds appropriated in Sec. B.801, \$50,000 shall be used to  
17 support the ongoing administration of the comprehensive statistical  
18 benchmarking system by the economists designated by the joint fiscal  
19 committee and the agency of administration. In order to carry out these  
20 functions, \$25,000 of the appropriation shall be transferred to the legislative

1 joint fiscal committee and \$25,000 shall be transferred to the secretary of  
2 administration.

3 Sec. E.801.4 OVERSIGHT PANEL MEETINGS IN FY 2011;

4 ADMINISTRATIVE SUPPORT

5 (a) The oversight panel created by this act shall meet in fiscal year 2011 as  
6 needed, but shall not meet more than three times during the legislative interim.  
7 Administrative support to the panel shall be provided by the legislative  
8 council. Any necessary fiscal or legal support to the panel shall be provided by  
9 the joint fiscal office and the legislative council, respectively.

10 Sec. E.803 Community development block grants (Sec. B.803, #7110030000)

11 (a) Community development block grants shall carry forward until  
12 expended.

13 Sec. E. 805 Tourism and Marketing (Sec. B.805, #7130000000)

14 (a) Of the funds appropriated for tourism and marketing, \$50,000 shall be  
15 used to support the Vermont convention bureau.

16 Sec. E.806 Vermont Life Magazine (Sec. B.806, #7150020000)

17 (a) As part of the fiscal year 2012 budget submission to the general  
18 assembly, the department of tourism and marketing shall include a copy of  
19 Vermont Life magazine's annual profit and loss statement reflecting the  
20 agency's annual budget request.



1 account for implementation of electronic waste collection program), and  
2 E.701.2 (ANR appropriations for electronic waste collection program) of this  
3 act shall take effect as of the date of enactment of S.77 of 2010.

4 Sec. H. [Reserved]

5 \* \* \* DESIGNATING OVHA AS A DEPARTMENT \* \* \*

6 Sec. I.1 2 V.S.A. § 852(b)(3) is amended to read:

7 (3) The ~~office~~ department of Vermont health access.

8 Sec. I.2 2 V.S.A. § 902(c)(1) is amended to read:

9 (c)(1) The commission may request analysis from the ~~office~~ department of  
10 Vermont health access, the department of banking, insurance, securities, and  
11 health care administration, and other appropriate agencies. The agencies shall  
12 report to the commission at such times and with such information as the  
13 commission determines is necessary to fulfill its oversight responsibilities.

14 Sec. I.3 2 V.S.A. § 903(b)(1)(B)(ii) is amended to read:

15 (ii) recommend a method and format for reporting employer costs  
16 in the monthly financial reports submitted to the general assembly by the ~~office~~  
17 department of Vermont health access;

18 Sec. I.4 2 V.S.A. § 903(b)(1)(C) is amended to read:

19 (C) The ~~office~~ department of Vermont health access shall provide the  
20 commission with access to any information requested in order to conduct the

1 activities specified in subdivision (B) of this subdivision (1), except the  
2 following:

3 (i) Names, addresses, and Social Security numbers of recipients of  
4 and applicants for services administered by the ~~office~~ department.

5 (ii) Medical services provided to recipients.

6 (iii) Social and economic conditions or circumstances, except such  
7 de-identified information as the ~~office~~ department may compile in the  
8 aggregate.

9 (iv) Agency evaluation of personal information.

10 (v) Medical data, including diagnosis and past history of disease  
11 or disability.

12 (vi) Information received for verifying income eligibility and  
13 amount of medical assistance payments, except such de-identified information  
14 as the ~~office~~ department may compile in the aggregate.

15 (vii) Any additional types of information the ~~office~~ department has  
16 identified for safeguarding pursuant to the requirements of 42 C.F.R.  
17 § 431.305.

18 Sec. I.5 3 V.S.A. § 3002(a)(6) is amended to read:

19 (6) The ~~office~~ department of Vermont health access.



1 Sec. I.6 3 V.S.A. § 3004 is amended to read:

2 § 3004. PERSONNEL DESIGNATION

3 The secretary, deputy secretary, commissioners, deputy commissioners,  
4 attorneys, directors of the offices of state economic opportunity, alcohol and  
5 drug abuse programs, ~~Vermont health access~~, and child support, and all  
6 members of boards, committees, commissions, or councils attached to the  
7 agency for support are exempt from the classified state service. Except as  
8 authorized by section 311 of this title or otherwise by law, all other positions  
9 shall be within the classified service.

10 Sec. I.7 3 V.S.A. § 3084(a) is amended to read:

11 (a) The department for children and families is created within the agency of  
12 human services as the successor to and the continuation of the department of  
13 social and rehabilitation services, the department of prevention, assistance,  
14 transition, and health access, excluding the ~~office~~ department of Vermont  
15 health access, the office of economic opportunity, and the office of child  
16 support. The department shall also include a division of child development  
17 programs.

18 Sec. I.8 3 V.S.A. § 3088 is amended to read:

19 § 3088. ~~OFFICE~~ DEPARTMENT OF VERMONT HEALTH ACCESS

20 The ~~office~~ department of Vermont health access is created within the  
21 agency of human services.

1 Sec. I.9 3 V.S.A. § 3091(a) is amended to read:

2 (a) An applicant for or a recipient of assistance, benefits, or social services  
3 from the department for children and families, the ~~office~~ department of  
4 Vermont health access, ~~and~~ the department of disabilities, aging, and  
5 independent living, or the department of mental health, or an applicant for a  
6 license from one of those departments ~~or offices~~, or a licensee, may file a  
7 request for a fair hearing with the human services board. An opportunity for a  
8 fair hearing will be granted to any individual requesting a hearing because his  
9 or her claim for assistance, benefits, or services is denied, or is not acted upon  
10 with reasonable promptness; or because the individual is aggrieved by any  
11 other agency action affecting his or her receipt of assistance, benefits, or  
12 services, or license or license application; or because the individual is  
13 aggrieved by agency policy as it affects his or her situation.

14 Sec. I.10 8 V.S.A. § 4080a(h)(2)(B) is amended to read:

15 (B) The commissioner's rules shall permit a carrier, including a  
16 hospital or medical service corporation and a health maintenance organization,  
17 to establish rewards, premium discounts, split benefit designs, rebates, or  
18 otherwise waive or modify applicable co-payments, deductibles, or other cost-  
19 sharing amounts in return for adherence by a member or subscriber to  
20 programs of health promotion and disease prevention. The commissioner shall  
21 consult with the commissioner of health, the director of the Blueprint for

1 Health, and the ~~director~~ commissioner of ~~the office of~~ Vermont health access  
2 in the development of health promotion and disease prevention rules that are  
3 consistent with the Blueprint for Health. Such rules shall:

4 \* \* \*

5 Sec. I.11 8 V.S.A. § 4080b(h)(2)(B) is amended to read:

6 (B) The commissioner's rules shall permit a carrier, including a  
7 hospital or medical service corporation and a health maintenance organization,  
8 to establish rewards, premium discounts, rebates, or otherwise waive or modify  
9 applicable co-payments, deductibles, or other cost-sharing amounts in return  
10 for adherence by a member or subscriber to programs of health promotion and  
11 disease prevention. The commissioner shall consult with the commissioner of  
12 health and the ~~director~~ commissioner of ~~the office of~~ Vermont health access in  
13 the development of health promotion and disease prevention rules. Such rules  
14 shall:

15 \* \* \*

16 Sec. I.12 8 V.S.A. § 4080f(a)(9)(A)(i)(II)(aa) is amended to read:

17 (II)(aa) A self-employed individual who was insured through  
18 the nongroup market whose insurance coverage ended as the direct result of  
19 either the termination of a business entity owned by the individual or the  
20 individual's inability to continue in his or her line of work, if the individual  
21 produces satisfactory evidence to the ~~office~~ department of Vermont health

1 access of the business termination or certifies by affidavit to the ~~office~~  
2 department of Vermont health access that he or she is not employed and is no  
3 longer seeking employment in the same line of work;

4 Sec. I.13 8 V.S.A. § 4089b(h)(2) is amended to read:

5 (2) the ~~director~~ commissioner of ~~the office of~~ Vermont health access or  
6 a designee;

7 Sec. I.14 8 V.S.A. § 4185(c)(2)(B) is amended to read:

8 (B) the amounts provided by contract between a hospital provider  
9 and the ~~office~~ department of Vermont health access for similar services to  
10 recipients of Medicaid; or

11 Sec. I.15 9 V.S.A. § 2480h(1)(5) is amended to read:

12 (5) The economic services division of the department for children and  
13 families or the ~~office~~ department of Vermont health access or its agents or  
14 assignee acting to investigate welfare or Medicaid fraud.

15 Sec. I.16 12 V.S.A. § 3169(a)(3) is amended to read:

16 (3) whether the judgment debtor has been a recipient of assistance from  
17 the Vermont department for children and families or the ~~office~~ department of  
18 Vermont health access within the two months preceding the date of the  
19 hearing; and

20 Sec. I.17 12 V.S.A. § 3170(a) is amended to read:

1 (a) No order approving the issuance of trustee process against earnings  
2 shall be entered against a judgment debtor who was, within the two-month  
3 period preceding the hearing provided in section 3169 of this title, a recipient  
4 of assistance from the Vermont department for children and families or the  
5 ~~office~~ department of Vermont health access. The judgment debtor must  
6 establish this exemption at the time of hearing.

7 Sec. I.18 15 V.S.A. § 658(b) is amended to read:

8 (b) A request for support may be made by either parent, a guardian, or the  
9 department for children and families or the ~~office~~ department of Vermont  
10 health access, if a party in interest. A court may also raise the issue of support  
11 on its own motion.

12 Sec. I.19 18 V.S.A. § 702(c)(1) is amended to read:

13 (c)(1) The secretary shall establish an executive committee to advise the  
14 director of the Blueprint on creating and implementing a strategic plan for the  
15 development of the statewide system of chronic care and prevention as  
16 described under this section. The executive committee shall consist of no  
17 fewer than 10 individuals, including the commissioner of health; a  
18 representative from the department of banking, insurance, securities, and  
19 health care administration; a representative from the ~~office~~ department of  
20 Vermont health access; a representative from the Vermont medical society; a  
21 representative from a statewide quality assurance organization; a representative

1 from the Vermont association of hospitals and health systems; two  
2 representatives of private health insurers; a consumer; a representative of the  
3 complementary and alternative medicine profession; a primary care  
4 professional serving low income or uninsured Vermonters; and a representative  
5 of the state employees' health plan, who shall be designated by the director of  
6 human resources and who may be an employee of the third-party administrator  
7 contracting to provide services to the state employees' health plan. In addition,  
8 the director of the commission on health care reform shall be a nonvoting  
9 member of the executive committee.

10 Sec. I.20 18 V.S.A. § 1130(g)(2) is amended to read:

11 (2) The advisory committee shall include representatives from the three  
12 largest health insurers licensed to do business in Vermont and the ~~office~~  
13 department of Vermont health access and shall be chaired by the chief of the  
14 immunization program for the department of health.

15 Sec. I.21 18 V.S.A. § 4621 is amended to read:

16 § 4621. DEFINITIONS

17 ~~For~~ Except as otherwise specified, for the purposes of this subchapter:

18 \* \* \*

19 Sec. I.22 18 V.S.A. § 4622 is amended to read:

20 § 4622. EVIDENCE-BASED EDUCATION PROGRAM

1           (a)(1) The department of health, in collaboration with the attorney general,  
2           the University of Vermont area health education centers program, and the  
3           ~~office~~ department of Vermont health access, shall establish an evidence-based  
4           prescription drug education program for health care professionals designed to  
5           provide information and education on the therapeutic and cost-effective  
6           utilization of prescription drugs to physicians, pharmacists, and other health  
7           care professionals authorized to prescribe and dispense prescription drugs. To  
8           the extent practicable, the program shall use the evidence-based standards  
9           developed by the blueprint for health. The department of health may  
10          collaborate with other states in establishing this program.

11           (2) The program shall notify prescribers about commonly used brand-  
12          name drugs for which the patent has expired within the last 12 months or will  
13          expire within the next 12 months. The ~~department~~ departments of health and  
14          ~~the office~~ of Vermont health access shall collaborate in issuing the notices.

15           (3) To the extent permitted by funding, the program may include the  
16          distribution to prescribers of vouchers for samples of generic medicines used  
17          for health conditions common in Vermont.

18           (b) The department of health shall request information and collaboration  
19          from physicians, pharmacists, private insurers, hospitals, pharmacy benefit  
20          managers, the drug utilization review board, medical schools, the attorney

1 general, and any other programs providing an evidence-based education to  
2 prescribers on prescription drugs in developing and maintaining the program.

3 (c) The department of health may contract for technical and clinical support  
4 in the development and the administration of the program from entities  
5 conducting independent research into the effectiveness of prescription drugs.

6 (d) The department of health and the attorney general shall collaborate in  
7 reviewing the marketing activities of pharmaceutical manufacturing companies  
8 in Vermont and determining appropriate funding sources for the program,  
9 including awards from suits brought by the attorney general against  
10 pharmaceutical manufacturers.

11 Sec. I.23 18 V.S.A. § 4632(a)(6) is amended to read:

12 (6) The ~~office~~ department of Vermont health access shall examine the  
13 data available from the office of the attorney general for relevant expenditures  
14 and determine whether and to what extent prescribing patterns by health care  
15 providers of prescribed products reimbursed by Medicaid, VHAP, Dr.  
16 Dynasaur, VermontRx, and VPharm may reflect manufacturer influence. The  
17 ~~office~~ department may select the data most relevant to its analysis. The ~~office~~  
18 department shall report its analysis annually to the general assembly and the  
19 governor on or before October 1.

20 Sec. I.24 18 V.S.A. § 7401(19) is amended to read:



1 (19) ensure the development of chronic care services, addressing mental  
2 health and substance abuse, for children and adults and ensure the coordination  
3 of these services with other chronic care initiatives, including the Blueprint for  
4 Health, and the care coordination and case management programs of the ~~office~~  
5 department of Vermont health access;

6 Sec. I.25 18 V.S.A. § 9351(b) and (c) are amended to read:

7 (b) The health information technology plan shall:

8 \* \* \*

9 (7) integrate the information technology components of the Blueprint for  
10 Health established in chapter 13 of this title, the agency of human services'  
11 enterprise master patient index, and all other Medicaid management  
12 information systems being developed by the ~~office~~ department of Vermont  
13 health access, information technology components of the quality assurance  
14 system, the program to capitalize with loans and grants electronic medical  
15 record systems in primary care practices, and any other information technology  
16 initiatives coordinated by the secretary of administration pursuant to ~~section~~  
17 3 V.S.A. § 2222a of Title 3; and

18 \* \* \*

19 (c) The secretary of administration or designee shall update the plan  
20 annually to reflect emerging technologies, the state's changing needs, and such  
21 other areas as the secretary or designee deems appropriate. The secretary or

1 designee shall solicit recommendations from Vermont Information Technology  
2 Leaders, Inc. (VITL) and other entities in order to update the health  
3 information technology plan pursuant to this section, including applicable  
4 standards, protocols, and pilot programs, and may enter into a contract or grant  
5 agreement with VITL or other entities to update some or all of the plan. Upon  
6 approval by the secretary, the updated plan shall be distributed to the  
7 commission on health care reform; the commissioner of information and  
8 innovation; the commissioner of banking, insurance, securities, and health care  
9 administration; the ~~director~~ commissioner of ~~the office of~~ Vermont health  
10 access; the secretary of human services; the commissioner of health; the  
11 commissioner of mental health; the commissioner of disabilities, aging, and  
12 independent living; the senate committee on health and welfare; the house  
13 committee on health care; affected parties; and interested stakeholders.

14 Sec. I.26 18 V.S.A. § 9352(e) is amended to read:

15 (e) Report. No later than January 15 of each year, VITL shall file a report  
16 with the commission on health care reform; the secretary of administration; the  
17 commissioner of information and innovation; the commissioner of banking,  
18 insurance, securities, and health care administration; the ~~director~~ commissioner  
19 of ~~the office of~~ Vermont health access; the secretary of human services; the  
20 commissioner of health; the commissioner of mental health; the commissioner  
21 of disabilities, aging, and independent living; the senate committee on health

1 and welfare; and the house committee on health care. The report shall include  
2 an assessment of progress in implementing health information technology in  
3 Vermont and recommendations for additional funding and legislation required.  
4 In addition, VITL shall publish minutes of VITL meetings and any other  
5 relevant information on a public website.

6 Sec. I.27 18 V.S.A. § 9410(a)(2)(B) is amended to read:

7 (B) The commissioner shall convene a working group composed of  
8 the commissioner of mental health, the ~~director~~ commissioner of the office of  
9 Vermont health access, health care consumers, the office of the health care  
10 ombudsman, employers and other payers, health care providers and facilities,  
11 the Vermont program for quality in health care, health insurers, and any other  
12 individual or group appointed by the commissioner to advise the commissioner  
13 on the development and implementation of the consumer health care price and  
14 quality information system.

15 Sec. I.28 18 V.S.A. § 9418(a) is amended to read:

16 (a) Except as otherwise specified, as used in this subchapter:

17 \* \* \*

18 (3) “Contracting entity” means any entity that contracts directly or  
19 indirectly with a health care provider for either the delivery of health care  
20 services or the selling, leasing, renting, assigning, or granting of access to a  
21 contract or terms of a contract. For purposes of this subchapter, the ~~office~~

1 department of Vermont health access, health care providers, physician hospital  
2 organizations, health care facilities, and stand-alone dental plans are not  
3 contracting entities.

4 (4) “Covered entity” means an organization that enters into a contract  
5 with a contracting entity to gain access to a provider network contract. For  
6 purposes of this subchapter, the ~~office~~ department of Vermont health access is  
7 not a covered entity.

8 \* \* \*

9 (14) “Payer” means any person or entity that assumes the financial risk  
10 for the payment of claims under a health care contract or the reimbursement for  
11 health care services rendered to an insured by a participating provider under  
12 the health care contract. The term “payer” does not include:

13 (A) the ~~office~~ department of Vermont health access; or

14 \* \* \*

15 Sec. I.29 18 V.S.A. § 9421(d) is amended to read:

16 (d) The ~~department’s~~ reasonable expenses of the department of banking,  
17 insurance, securities, and health care administration in administering the  
18 provisions of this section may be charged to pharmacy benefit managers in the  
19 manner provided for in ~~section 8 V.S.A. § 18 of Title 8.~~ These expenses shall  
20 be allocated in proportion to the lives of Vermonters covered by each  
21 pharmacy benefit manager as reported annually to the commissioner in a

1 manner and form prescribed by the commissioner. The department of banking,  
2 insurance, securities, and health care administration shall not charge its  
3 expenses to the pharmacy benefit manager contracting with the ~~office~~  
4 department of Vermont health access if the ~~office~~ department of Vermont  
5 health access notifies the department of banking, insurance, securities, and  
6 health care administration of the conditions contained in its contract with a  
7 pharmacy benefit manager.

8 Sec. I.30 24 V.S.A. § 1173 is amended to read:

9 § 1173. TOWN OR VILLAGE REPORTS

10 The clerk of a municipality shall supply annually each library in such  
11 municipality with two copies of the municipal report, upon its publication.

12 The clerk shall also mail to the state library two copies thereof, and one copy  
13 each to the secretary of state, commissioner of taxes, highway board, state  
14 board of health, commissioner for children and families, ~~director~~ commissioner  
15 of ~~the office of~~ Vermont health access, auditor of accounts, and board of  
16 education. Officers making these reports shall supply the clerk of the  
17 municipality with the printed copies necessary for him or her to comply with  
18 the provisions of this section and section 1174 of this title.

19 Sec. I.31 32 V.S.A. § 308b(a) is amended to read:

20 (a) There is created within the general fund a human services caseload  
21 management reserve. Expenditures from the reserve shall be subject to an

1 appropriation by the general assembly or approval by the emergency board.  
2 Expenditures from the reserve shall be limited to agency of human services  
3 caseload related needs primarily in the departments for children and families,  
4 of health, of mental health, ~~and~~ of disabilities, aging, and independent living,  
5 and ~~in the office~~ of Vermont health access.

6 Sec. I.32 32 V.S.A. § 9530 is amended to read:

7 § 9530. DEFINITIONS

8 The following definitions shall apply throughout this chapter unless the  
9 context requires otherwise:

10 (1) ~~“Director” means the director of the office of Vermont health access~~  
11 “Commissioner” means the commissioner of taxes.

12 \* \* \*

13 Sec. I.33 32 V.S.A. § 9533(b) and (e) are amended to read:

14 (b) The tax shall be paid by the transferor to the ~~office~~ department of  
15 Vermont health access within 10 days after the date of the transfer,  
16 accompanied by the nursing home transferor tax form prescribed by the  
17 commissioner of taxes.

18 (e) Upon the receipt of the full amount of the tax, the ~~director~~  
19 commissioner of Vermont health access shall deposit receipts from the  
20 transferor tax in the health care trust fund established pursuant to 33 V.S.A.

1 § 1956 and shall send a certificate of payment to the transferor, the transferee,  
2 and the division showing the date when the tax was received.

3 Sec. I.34 32 V.S.A. § 9535 is amended to read:

4 § 9535. REVIEW AND APPEALS

5 (a) At any time before, or within 10 days after the date of a transfer of a  
6 nursing home, a transferor may request from the ~~director~~ commissioner of  
7 Vermont health access a determination of the transferor's liability to pay or the  
8 amount of the nursing home transfer tax due. The ~~director~~ commissioner of  
9 Vermont health access shall render a decision within 30 days of the receipt of  
10 all information that the ~~director~~ commissioner of Vermont health access deems  
11 necessary to make a determination.

12 (b) Within 30 days of the date of issuance of the ~~director's~~ determination  
13 by the commissioner of Vermont health access, a transferor aggrieved by that  
14 determination may request review by the secretary or the secretary's designee.  
15 This review shall not be subject to the provisions of ~~3 V.S.A.~~ chapter 25 of  
16 Title 3.

17 Sec. I.35 32 V.S.A. § 10301(c)(2) is amended to read:

18 (2) contributions from the ~~office~~ department of Vermont health access,  
19 as appropriated by the general assembly; and

20 Sec. I.36 33 V.S.A. § 102 is amended to read:

1 § 102. DEFINITIONS AND CONSTRUCTION

2 (a) Unless otherwise expressly provided, the words and phrases in this  
3 chapter mean:

4 \* \* \*

5 ~~(12) Director: the director of the office of Vermont health access.~~

6 ~~(13) Office: the office of Vermont health access.~~

7 \* \* \*

8 Sec. I.37 33 V.S.A. § 114 is amended to read:

9 § 114. ALLOCATION OF PAYMENTS WHEN APPROPRIATION  
10 INSUFFICIENT

11 Should the funds available for assistance be insufficient to provide  
12 assistance to all those eligible, the amounts of assistance granted in any  
13 program or portion thereof shall be reduced equitably, in the discretion of the  
14 commissioner for children and families or the ~~director~~ commissioner of  
15 Vermont health access by rule.

16 Sec. I.38 33 V.S.A. § 121 is amended to read:

17 § 121. CANCELLATION OF ASSISTANCE OR BENEFITS

18 If at any time the commissioner for children and families or the ~~director~~  
19 commissioner of Vermont health access has reason to believe that assistance or  
20 benefits have been improperly obtained, he or she shall cause an investigation  
21 to be made and may suspend assistance or benefits pending the investigation.



1 If on investigation the commissioner for children and families or the ~~director~~  
2 commissioner of Vermont health access is satisfied that the assistance or  
3 benefits were illegally obtained, he or she shall immediately cancel them. A  
4 person having illegally obtained assistance or benefits shall not be eligible for  
5 reinstatement until his or her need has been reestablished.

6 Sec. I.39 33 V.S.A. § 122 is amended to read:

7 § 122. RECOVERY OF PAYMENTS

8 (a) The amount of assistance or benefits may be changed or cancelled at  
9 any time if the commissioner for children and families or ~~director~~ the  
10 commissioner of Vermont health access finds that the recipient's  
11 circumstances have changed. Upon granting assistance or benefits the  
12 department for children and families or ~~office~~ the department of Vermont  
13 health access shall inform the recipient that changes in his or her circumstances  
14 must be promptly reported to the department.

15 (b) When on the death of a person receiving assistance it is found that the  
16 recipient possessed income or property in excess of that reported to the  
17 department for children and families or ~~office~~ the department of Vermont  
18 health access, up to double the total amount of assistance in excess of that to  
19 which the recipient was lawfully entitled may be recovered by the  
20 commissioner for children and families or ~~director~~ the commissioner of  
21 Vermont health access as a preferred claim from the estate of the recipient.

1 The commissioner for children and families or ~~director~~ the commissioner of  
2 Vermont health access shall calculate the amount of the recovery by applying  
3 the legal interest rate to the amount of excess recovery paid, except that the  
4 recovery shall be capped at double the excess assistance paid.

5 (c) When the commissioner for children and families or ~~director~~ the  
6 commissioner of Vermont health access finds that a recipient of benefits  
7 received assistance in excess of that to which the recipient was lawfully  
8 entitled, because the recipient possessed income or property in excess of  
9 department standards, the commissioner for children and families or ~~director~~  
10 the commissioner of Vermont health access may take actions to recover the  
11 overpayment.

12 (d) In the event of recovery, an amount may be retained by the  
13 commissioner for children and families or ~~director~~ the commissioner of  
14 Vermont health access in a special fund for use in offsetting program expenses  
15 and an amount equivalent to the pro rata share to which the United States of  
16 America is equitably entitled shall be paid promptly to the appropriate federal  
17 agency.

18 Sec. I.40 33 V.S.A. § 141(e) is amended to read:

19 (e) A person providing service for which compensation is paid under a state  
20 or federally-funded assistance program who requests, and receives, either  
21 actually or constructively, any payment or contribution through a payment,

1 assessment, gift, devise, bequest, or other means, whether directly or  
2 indirectly, from either a recipient of assistance from the assistance program or  
3 from the family of the recipient shall notify the commissioner for children and  
4 families or ~~director~~ the commissioner of Vermont health access, on a form  
5 provided by him or her, of the amount of the payment or contribution and of  
6 such other information as specified by the commissioner for children and  
7 families or ~~director~~ the commissioner of Vermont health access within 10 days  
8 after the receipt of the payment or contribution or, if the payment or  
9 contribution is to become effective at some time in the future, within 10 days  
10 of the consummation of the agreement to make the payment or contribution.  
11 Failure to notify the commissioner for children and families or ~~director~~ the  
12 commissioner of Vermont health access within the time prescribed is  
13 punishable as provided in section 143 of this title.

14 Sec. I.41 33 V.S.A. § 143(b) and (c) are amended to read:

15 (b) If the person convicted is receiving assistance, benefits, or payments,  
16 the commissioner for children and families or ~~director~~ the commissioner of  
17 Vermont health access may recoup the amount of assistance or benefits  
18 wrongfully obtained by reducing the assistance, benefits, or payments  
19 periodically paid to the recipient, as limited by federal law, until the amount is  
20 fully recovered.

1 (c) If a provider of services is convicted of a violation of subsection 141(d)  
2 or (e) of this title, the ~~director~~ commissioner of Vermont health access shall,  
3 within 90 days of the conviction, suspend the provider from further  
4 participation in the medical assistance program administered under Title XIX  
5 of the Social Security Act for a period of four years. The suspension required  
6 by this subsection may be waived by the secretary of human services only  
7 upon a finding that the recipients served by the convicted provider would  
8 suffer substantial hardship through a denial of medical services that could not  
9 reasonably be obtained through another provider.

10 Sec. I.42 33 V.S.A. § 143b is amended to read:

11 § 143b. EDUCATION AND INFORMATION

12 Within six months of the effective date of section 143a of this title, the  
13 ~~office~~ department of Vermont health access shall issue rules establishing a  
14 procedure for health care providers enrolled in state and federally funded  
15 medical assistance programs to obtain advisory opinions regarding coverage  
16 and reimbursement under those programs. Each advisory opinion issued by  
17 the ~~office~~ department of Vermont health access shall be binding on ~~the office~~  
18 that department and the party or parties requesting the opinion only with regard  
19 to the specific questions posed in the opinion, the facts and information set  
20 forth in it, and the statutes and rules specifically noted in the opinion.

21 Sec. I.43 33 V.S.A. § 1901 is amended to read:

1 § 1901. ADMINISTRATION OF PROGRAM

2 \* \* \*

3 (d)(1) To enable the state to manage public resources effectively while  
4 preserving and enhancing access to health care services in the state, the ~~office~~  
5 department of Vermont health access is authorized to serve as a publicly  
6 operated managed care organization (MCO).

7 (2) To the extent permitted under federal law, the ~~office~~ department of  
8 Vermont health access shall be exempt from any health maintenance  
9 organization (HMO) or MCO statutes in Vermont law and shall not be  
10 considered to be an HMO or MCO for purposes of state regulatory and  
11 reporting requirements. The MCO shall comply with the federal rules  
12 governing managed care organizations in Part 438 of Chapter IV of Title 42 of  
13 the United States Code. The Vermont rules on the primary care case  
14 management in the Medicaid program shall be amended to apply to the MCO  
15 except to the extent that the rules conflict with the federal rules.

16 (3) The agency of human services and ~~office~~ department of Vermont  
17 health access shall report to the health access oversight committee about  
18 implementation of Global Commitment in a manner and at a frequency to be  
19 determined by the committee. Reporting shall, at a minimum, enable the  
20 tracking of expenditures by eligibility category, the type of care received, and  
21 to the extent possible allow historical comparison with expenditures under the

1 previous Medicaid appropriation model (by department and program) and, if  
2 appropriate, with the amounts transferred by ~~the~~ another department to the  
3 ~~office~~ department of Vermont health access. Reporting shall include spending  
4 in comparison to any applicable budget neutrality standards.

5 (e)(1) The department for children and families and the ~~office~~ department  
6 of Vermont health access shall monitor and evaluate and report quarterly  
7 beginning July 1, 2006 on the disenrollment in each of the Medicaid or  
8 Medicaid waiver programs subject to premiums, including:

9 (A) The number of beneficiaries receiving termination notices for  
10 failure to pay premiums;

11 (B) The number of beneficiaries terminated from coverage as a result  
12 of failure to pay premiums as of the second business day of the month  
13 following the termination notice. The number of beneficiaries terminated from  
14 coverage for nonpayment of premiums shall be reported by program and  
15 income level within each program; and

16 (C) The number of beneficiaries terminated from coverage as a result  
17 of failure to pay premiums whose coverage is not restored three months after  
18 the termination notice.

19 (2) The department for children and families and the ~~office~~ department  
20 of Vermont health access shall submit reports at the end of each quarter  
21 required by subdivision (1) of this subsection to the house and senate

1 committees on appropriations, the senate committee on health and welfare, the  
2 house committee on human services, the health access oversight committee,  
3 and the Medicaid advisory board.

4 \* \* \*

5 Sec. I.44 33 V.S.A. § 1901b is amended to read:

6 § 1901b. PHARMACY PROGRAM ENROLLMENT

7 (a) The ~~office~~ department of Vermont health access and the department for  
8 children and families shall monitor actual caseloads, revenue and expenditures,  
9 anticipated caseloads, revenue and expenditures, and actual and anticipated  
10 savings from implementation of the preferred drug list, supplemental rebates,  
11 and other cost containment activities in each state pharmaceutical assistance  
12 program, including VPharm and VermontRx. The ~~department and the office~~  
13 departments shall allocate supplemental rebate savings to each program  
14 proportionate to expenditures in each program. During the second week of  
15 each month, the ~~office~~ department of Vermont health access shall report such  
16 actual and anticipated caseload, revenue, expenditure and savings information  
17 to the joint fiscal committee and to the health access oversight committee.

18 (b)(1) If at any time expenditures for VPharm and VermontRx are  
19 anticipated to exceed the aggregate amount of state funds expressly  
20 appropriated for such state pharmaceutical assistance programs during any  
21 fiscal year, the ~~office~~ department of Vermont health access shall recommend to

1 the joint fiscal committee and notify the health access oversight committee of a  
2 plan to cease new enrollments in VermontRx for individuals with incomes over  
3 225 percent of the federal poverty level.

4 (2) If at any time expenditures for VPharm and VermontRx are  
5 anticipated to exceed the aggregate amount of state funds expressly  
6 appropriated for such state pharmaceutical assistance programs during any  
7 fiscal year, even with the cessation of new enrollments as provided for in  
8 subdivision (1) of this subsection, the ~~office~~ department of Vermont health  
9 access shall recommend to the joint fiscal committee and notify the health  
10 access oversight committee of a plan to cease new enrollments in the  
11 VermontRx for individuals with incomes more than 175 percent and less than  
12 225 percent of the federal poverty level.

13 (3) The ~~office's~~ determinations of the department of Vermont health  
14 access under subdivisions (1) and (2) of this subsection shall be based on the  
15 information and projections reported monthly under subsection (a) of this  
16 section, and on the official revenue estimates under ~~section~~ 32 V.S.A. § 305a  
17 ~~of Title 32~~. An enrollment cessation plan shall be deemed approved unless the  
18 joint fiscal committee disapproves the plan after 21 days notice of the ~~office's~~  
19 recommendation and financial analysis of the department of Vermont health  
20 access.



1           (4) Upon the approval of or failure to disapprove an enrollment  
2           cessation plan by the joint fiscal committee, the ~~office~~ department of Vermont  
3           health access shall cease new enrollment in VermontRx for the individuals  
4           with incomes at the appropriate level in accordance with the plan.

5           (c)(1) If at any time after enrollment ceases under subsection (b) of this  
6           section expenditures for VermontRx, including expenditures attributable to  
7           renewed enrollment, are anticipated, by reason of increased federal financial  
8           participation or any other reason, to be equal to or less than the aggregate  
9           amount of state funds expressly appropriated for such state pharmaceutical  
10          assistance programs during any fiscal year, the ~~office~~ department of Vermont  
11          health access shall recommend to the joint fiscal committee and notify the  
12          health access oversight committee of a plan to renew enrollment in  
13          VermontRx, with priority given to individuals with incomes more than 175  
14          percent and less than 225 percent, if adequate funds are anticipated to be  
15          available for each program for the remainder of the fiscal year.

16          (2) The ~~office's~~ determination of the department of Vermont health  
17          access under subdivision (1) of this subsection shall be based on the  
18          information and projections reported monthly under subsection (a) of this  
19          section, and on the official revenue estimates under ~~section~~ 32 V.S.A. § 305a  
20          of Title 32. An enrollment renewal plan shall be deemed approved unless the  
21          joint fiscal committee disapproves the plan after 21 days notice of the ~~office's~~

1 recommendation and financial analysis of the department of Vermont health  
2 access.

3 (3) Upon the approval of, or failure to disapprove an enrollment renewal  
4 plan by the joint fiscal committee, the ~~office~~ department of Vermont health  
5 access shall renew enrollment in VermontRx in accordance with the plan.

6 (d) As used in this section:

7 (1) "State pharmaceutical assistance program" means any health  
8 assistance programs administered by the agency of human services providing  
9 prescription drug coverage, including ~~but not limited to~~, the Medicaid program,  
10 the Vermont health access plan, VPharm, VermontRx, the state children's  
11 health insurance program, the state of Vermont AIDS medication assistance  
12 program, the General Assistance program, the pharmacy discount plan  
13 program, and any other health assistance programs administered by the agency  
14 providing prescription drug coverage.

15 \* \* \*

16 Sec. I.45 33 V.S.A. § 1901c is amended to read:

17 § 1901c. MEDICAL CARE ADVISORY COMMITTEE

18 (a) The ~~director of the office~~ commissioner of Vermont health access shall  
19 appoint a medical care advisory committee to advise the ~~office~~ department of  
20 Vermont health access about health care and medical services, consistent with  
21 the requirements of federal law.

1 (b) The medical care advisory committee shall be given an opportunity to  
2 participate in policy development and program administration for Medicaid,  
3 the Vermont health access plan, VPharm, and VermontRx. It shall have an  
4 opportunity to review and comment upon agency policy initiatives pertaining  
5 to health care benefits and beneficiary eligibility. It also shall have the  
6 opportunity to comment on proposed rules prior to commencement of the  
7 rulemaking process and on waiver or waiver amendment applications prior to  
8 submission to the Centers for Medicare and Medicaid Services. Prior to the  
9 annual budget development process, the ~~office~~ department of Vermont health  
10 access shall engage the medical care advisory committee in priority setting,  
11 including consideration of scope of benefits, beneficiary eligibility, funding  
12 outlook, financing options, and possible budget recommendations.

13 (c) The medical care advisory committee shall make policy  
14 recommendations on ~~office~~ proposals of the department of Vermont health  
15 access ~~proposals~~ to the ~~office~~ department, the health access oversight  
16 committee, ~~and the standing committees~~ senate committee on health and  
17 welfare, and the house committee on human services. When the general  
18 assembly is not in session, the ~~director~~ commissioner shall respond in writing  
19 to these recommendations, a copy of which shall be provided to each of the  
20 legislative committees.

1 (d) During the legislative session, the ~~director~~ commissioner shall provide  
2 the committee at regularly scheduled meetings updates on the status of policy  
3 and budget proposals.

4 (e) The ~~director~~ commissioner shall convene the medical care advisory  
5 committee at least six times each year.

6 (f) At least one-third of the members of the medical care advisory  
7 committee shall be recipients of Medicaid, VHAP, or VermontRx. Such  
8 members shall receive per diem compensation and reimbursement of expenses  
9 pursuant to ~~section~~ 32 V.S.A. § 1010 of Title 32, including costs of travel,  
10 child care, personal assistance services, and any other service necessary for  
11 participation on the committee approved by the ~~director~~ commissioner.

12 (g) The ~~director~~ commissioner shall appoint members of the medical care  
13 advisory committee for staggered three-year terms. The ~~director~~ commissioner  
14 may remove members of the committee who fail to attend three consecutive  
15 meetings and appoint replacements.

16 (h) For purposes of this section, “program administration” means annual  
17 and long-term strategic planning, including priority setting, relative to scope of  
18 benefits, beneficiary eligibility, funding outlook, financing options, and  
19 possible budget recommendations.

1 Sec. I.46 33 V.S.A. § 1901e is amended to read:

2 § 1901e. GLOBAL COMMITMENT FUND

3 (a) The Global Commitment fund is created in the treasury as a special  
4 fund. The fund shall consist of the revenues received by the treasurer as  
5 payment of the actuarially certified premium from the agency of human  
6 services to the managed care organization within the ~~office~~ department of  
7 Vermont health access for the purpose of providing services under the Global  
8 Commitment for Health waiver approved by the Centers for Medicare and  
9 Medicaid Services under Section 1115 of the Social Security Act.

10 (b) The monies in the fund shall be disbursed as allowed by appropriation  
11 of the general assembly, and shall be disbursed by the treasurer on warrants  
12 issued by the commissioner of finance and management, when authorized by  
13 the ~~director~~ commissioner of ~~the office of~~ Vermont health access and approved  
14 by the commissioner of finance and management consistent with the  
15 interdepartmental agreements between the managed care organization within  
16 the ~~office~~ department of Vermont health access and departments delivering  
17 eligible services under the waiver. The ~~office~~ department of Vermont health  
18 access may not modify an appropriation through an interdepartmental  
19 agreement or any other mechanism. A department or agency authorized to  
20 spend monies from this fund under an interdepartmental agreement may spend  
21 monies appropriated as a base Medicaid expense for an allowable managed

1 care organization investment under Term and Condition 40 of the Global  
2 Commitment for Health Medicaid Section 1115 waiver only after receiving  
3 approval from the agency of human services.

4 (c) At the close of the fiscal year, the agency shall provide a detailed report  
5 to the joint fiscal committee which describes the managed care organization's  
6 investments under Term and Condition 40 of the Global Commitment for  
7 Health Medicaid Section 1115 waiver, including the amount of the investment  
8 and the agency, ~~department, or office~~ or departments authorized to make the  
9 investment.

10 Sec. I.47 33 V.S.A. § 1903 is amended to read:

11 § 1903. CONTRACT AUTHORIZED

12 (a) The ~~director of the office~~ commissioner of Vermont health access may  
13 contract with a private organization to operate, under his or her control and  
14 supervision, parts of the medical assistance program.

15 (b) The contract shall provide that either party may cancel it upon  
16 reasonable notice to the other party.

17 (c) In furtherance of the purposes of the contract, the ~~director~~ commissioner  
18 of Vermont health access may requisition funds for the purposes of this  
19 subchapter, with the approval of the governor, and the commissioner of finance  
20 and management shall issue a warrant in favor of the contracting party to  
21 permit the contracting party to make payments to vendors under the contract.

1 The ~~director~~ commissioner of Vermont health access shall quarterly, and at  
2 other times as the commissioner of finance and management requires, render  
3 an account in a form as the commissioner of finance and management  
4 prescribes of the expenditures of moneys so advanced.

5 Sec. I.48 33 V.S.A. § 1903a(a) is amended to read:

6 (a) The secretary of administration or designee shall create a chronic care  
7 management program as provided for in this section, which shall be  
8 administered or provided by a private entity for individuals with one or more  
9 chronic conditions who are enrolled in Medicaid, the Vermont health access  
10 plan (VHAP), or Dr. Dynasaur. The program shall not include individuals who  
11 are also eligible for Medicare, who are enrolled in the Choices for Care  
12 Medicaid Section 1115 waiver or who are in an institute for mental disease as  
13 defined in 42 C.F.R. §435.1009. The secretary may also exclude individuals  
14 who are eligible for or participating in the Medicaid care coordination program  
15 established through the ~~office~~ department of Vermont health access.

16 Sec. I.49 33 V.S.A. § 1904 is amended to read:

17 § 1904. DEFINITIONS

18 When used in this subchapter, unless otherwise indicated:

19 \* \* \*

20 (4) "~~Director~~" means the director of the office of Vermont health access.





1           ~~(12)~~(11) “Tobacco manufacturer” means any person engaged in the  
2 process of designing, fabricating, assembling, producing, constructing or  
3 otherwise preparing a product containing tobacco, including packaging or  
4 labeling of these products, with the intended purpose of selling the product for  
5 gain or profit. “Tobacco manufacturer” does not include persons whose  
6 activity is limited to growing natural leaf tobacco or to selling tobacco  
7 products at wholesale or retail to customers. “Tobacco manufacturer” also  
8 does not include any person who manufactures or produces firearms, dairy  
9 products, products containing alcohol or other nontobacco products, unless  
10 such person also manufactures or produces tobacco products.

11       Sec. I.50 33 V.S.A. § 1908a(c)(1)(F) is amended to read:

12           (F) information to the purchaser about available consumer  
13 information and public education provided by the department of banking,  
14 insurance, securities, and health care administration and the ~~office~~ department  
15 of Vermont health access; and

16       Sec. I.51 33 V.S.A. § 1950(b) is amended to read:

17           (b) The secretary and the ~~director~~ commissioner shall interpret and  
18 administer the provisions of this subchapter so as to maximize federal financial  
19 participation and avoid disallowances of federal financial participation.

20       Sec. I.52 33 V.S.A. § 1951 is amended to read:

21       § 1951. DEFINITIONS

1 As used in this subchapter:

2 \* \* \*

3 (3) "~~Director~~" "Commissioner" means the ~~director~~ commissioner of the  
4 ~~office of~~ Vermont health access.

5 \* \* \*

6 (12) "~~Office~~" "Department" means the ~~office~~ department of Vermont  
7 health access.

8 \* \* \*

9 Sec. I.53 33 V.S.A. § 1952 is amended to read:

10 § 1952. GENERAL PROVISIONS

11 \* \* \*

12 (b) The ~~office~~ department may use not more than one percent of the  
13 assessments received under the provisions of this subchapter for necessary  
14 administrative expenses associated with this subchapter.

15 \* \* \*

16 (f) If a health care provider fails to pay its assessments under this  
17 subchapter according to the schedule or a variation thereof adopted by the  
18 ~~director~~ commissioner, the ~~director~~ commissioner may, after notice and  
19 opportunity for hearing, deduct these assessment arrears and any late-payment  
20 penalties from Medicaid payments otherwise due to the provider. The

1 deduction of these assessment arrears may be made in one or more installments  
2 on a schedule to be determined by the ~~director~~ commissioner.

3 Sec. I.54 33 V.S.A. § 1954 is amended to read:

4 § 1954. NURSING HOME ASSESSMENT

5 (a) Beginning July 1, 2007, each nursing home's annual assessment shall  
6 be \$4,322.90, and beginning January 1, 2008, \$3,962.66 per bed licensed  
7 pursuant to section 7105 of this title on June 30 of the immediately preceding  
8 fiscal year. The annual assessment for each bed licensed as of the beginning of  
9 the fiscal year shall be prorated for the number of days during which the bed  
10 was actually licensed and any over payment shall be refunded to the facility.  
11 To receive the refund, a facility shall notify the ~~director~~ commissioner in  
12 writing of the size of the decrease in the number of its licensed beds and dates  
13 on which the beds ceased to be licensed.

14 (b) The ~~office~~ department shall provide written notification of the  
15 assessment amount to each nursing home. The assessment amount determined  
16 shall be considered final unless the home requests a reconsideration. Requests  
17 for reconsideration shall be subject to the provisions of section 1958 of this  
18 title.

19 (c) Each nursing home shall submit its assessment to the ~~office~~ department  
20 according to a schedule adopted by the ~~director~~ commissioner. The ~~director~~

1 commissioner may permit variations in the schedule of payment as deemed  
2 necessary.

3 (d) Any nursing home that fails to make a payment to the ~~office~~ department  
4 on or before the specified schedule, or under any schedule of delayed payments  
5 established by the ~~director~~ commissioner, shall be assessed not more than  
6 \$1,000.00. The ~~director~~ commissioner may waive this late-payment  
7 assessment provided for in this subsection for good cause shown by the  
8 nursing home.

9 Sec. I.55 33 V.S.A. § 1955 is amended to read:

10 § 1955. ICF/MR ASSESSMENT

11 \* \* \*

12 (b) The ~~office~~ department shall provide written notification of the  
13 assessment amount to each ICF/MR. The assessment amount determined shall  
14 be considered final unless the facility requests a reconsideration. Requests for  
15 reconsideration shall be subject to the provisions of section 1958 of this title.

16 (c) Each ICF/MR shall remit its assessment to the ~~office~~ department  
17 according to a schedule adopted by the ~~director~~ commissioner. The ~~director~~  
18 commissioner may permit variations in the schedule of payment as deemed  
19 necessary.

20 (d) Any ICF/MR that fails to make a payment to the ~~office~~ department on  
21 or before the specified schedule, or under any schedule of delayed payments

1 established by the ~~director~~ commissioner, shall be assessed not more than  
2 \$1,000.00. The ~~director~~ commissioner may waive this late-payment  
3 assessment provided for in this subsection for good cause shown by the  
4 ICF/MR.

5 Sec. I.56 33 V.S.A. § 1955a is amended to read:

6 § 1955a. HOME HEALTH AGENCY ASSESSMENT

7 (a) Beginning July 1, 2009, each home health agency's assessment shall be  
8 17.69 percent of its net operating revenues from core home health care  
9 services, excluding revenues for services provided under Title XVIII of the  
10 federal Social Security Act. The amount of the tax shall be determined by the  
11 ~~director~~ commissioner based on the home health agency's most recent audited  
12 financial statements at the time of submission, a copy of which shall be  
13 provided on or before December 1 of each year to the ~~office~~ department. For  
14 providers who begin operations as a home health agency after January 1, 2005,  
15 the tax shall be assessed as follows:

16 (1) Until such time as the home health agency submits audited financial  
17 statements for its first full year of operation as a home health agency, the  
18 ~~director~~ commissioner, in consultation with the home health agency, shall  
19 annually estimate the amount of tax payable and shall prescribe a schedule for  
20 interim payments.

1           (2) At such time as the full-year audited financial statement is filed, the  
2 final assessment shall be determined, and the home health agency shall pay any  
3 underpayment or the ~~office~~ department shall refund any overpayment. The  
4 assessment for the state fiscal year in which a provider commences operations  
5 as a home health agency shall be prorated for the proportion of the state fiscal  
6 year in which the new home health agency was in operation.

7           (b) Each home health agency shall be notified in writing by the ~~office~~  
8 department of the assessment made pursuant to this section. If no home health  
9 agency submits a request for reconsideration under section 1958 of this title,  
10 the assessment shall be considered final.

11           (c) Each home health agency shall submit its assessment to the ~~office~~  
12 department according to a payment schedule adopted by the ~~director~~  
13 commissioner. Variations in payment schedules shall be permitted as deemed  
14 necessary by the ~~director~~ commissioner.

15           (d) Any home health agency that fails to make a payment to the ~~office~~  
16 department on or before the specified schedule, or under any schedule for  
17 delayed payments established by the ~~director~~ commissioner, shall be assessed  
18 not more than \$1,000.00. The ~~director~~ commissioner may waive this late  
19 payment assessment provided for in this subsection for good cause shown by  
20 the home health agency.

21           Sec. I.57 33 V.S.A. § 1955b is amended to read:

1 § 1955b. PHARMACY ASSESSMENT

2 (a) Beginning July 1, 2005, each pharmacy's monthly assessment shall be  
3 \$0.10 for each prescription filled and refilled.

4 (b) Each pharmacy shall declare and provide supporting documentation to  
5 the ~~director~~ commissioner of the total number of prescriptions filled and  
6 refilled in the previous month and remit the assessment due for that month.  
7 The declaration and payment shall be due by the end of the following month.

8 (c) Each pharmacy shall submit its assessment payment to the ~~office~~  
9 department monthly. Variations in payment timing shall be permitted as  
10 deemed necessary by the ~~director~~ commissioner.

11 (d) Any pharmacy that fails to pay an assessment to the ~~office~~ department  
12 on or before the due date shall be assessed a late payment penalty of two  
13 percent of the assessment amount for each month it remains unpaid; but late  
14 payment penalties for any one quarter shall not exceed \$500.00. The ~~director~~  
15 commissioner may waive a penalty under this subsection for good cause shown  
16 by the pharmacy, as determined by the ~~director~~ commissioner in his or her  
17 discretion.

18 Sec. I.58 33 V.S.A. § 1957 is amended to read:

19 § 1957. AUDITS

20 The ~~director~~ commissioner may require the submission of audited  
21 information as needed from health care providers to determine that amounts

1 received from health care providers were correct. If an audit identifies  
2 amounts received due to errors by the ~~office~~ department, the ~~director~~  
3 commissioner shall make payments to any health care provider which the audit  
4 reveals paid amounts it should not have been required to pay. Payments made  
5 under this section shall be made from the fund.

6 Sec. I.59 33 V.S.A. § 1958 is amended to read:

7 § 1958. APPEALS

8 (a) Any health care provider may submit a written request to the ~~office~~  
9 department for reconsideration of the determination of the assessment within  
10 20 days of notice of the determination. The request shall be accompanied by  
11 written materials setting forth the basis for reconsideration. If requested, the  
12 ~~office~~ department shall hold a hearing within 20 days from the date on which  
13 the reconsideration request was received. The ~~office~~ department shall mail  
14 written notice of the date, time, and place of the hearing to the health care  
15 provider at least 10 days before the date of the hearing. On the basis of the  
16 evidence submitted to the ~~office~~ department or presented at the hearing, the  
17 ~~office~~ department shall reconsider and may adjust the assessment. Within 20  
18 days of the hearing, the ~~office~~ department shall provide notice in writing to the  
19 health care provider of the final determination of the amount it is required to  
20 pay based on any adjustments made by it. Proceedings under this section are  
21 not subject to the requirements of ~~3 V.S.A.~~ chapter 25 of Title 3.



1 (b) Upon request, the ~~director~~ commissioner shall enter into nonbinding  
2 arbitration with any health care provider dissatisfied with the ~~office's~~  
3 department's decision regarding the amount it is required to pay. The  
4 arbitrator shall be selected by mutual consent, and compensation shall be  
5 provided jointly.

6 (c) Any health care provider may appeal the decision of the ~~office~~  
7 department as to the amount it is required to pay either before or after  
8 arbitration, to the superior court having jurisdiction over the health care  
9 provider.

10 Sec. I.60 33 V.S.A. § 1971 is amended to read:

11 § 1971. DEFINITIONS

12 As used in this subchapter:

13 \* \* \*

14 (2) "~~Office~~ "Department of Vermont health access" means the ~~office~~  
15 department administering the Medicaid program for the agency of human  
16 services and includes the managed care organization established in section  
17 1901 of this title.

18 \* \* \*

19 Sec. I.61 33 V.S.A. § 1997 is amended to read:

20 § 1997. DEFINITIONS

21 As used in this subchapter:

1 \* \* \*

2 (2) "~~Director~~" "Commissioner" means the ~~director~~ commissioner of the  
3 ~~office~~ of Vermont health access.

4 \* \* \*

5 (4) "~~Office~~" "Department" means the ~~office~~ department of Vermont  
6 health access.

7 \* \* \*

8 Sec. I.62 33 V.S.A. § 1998 is amended to read:

9 § 1998. PHARMACY BEST PRACTICES AND COST CONTROL

10 PROGRAM ESTABLISHED

11 (a) The ~~director~~ commissioner of the ~~office~~ of Vermont health access shall  
12 establish and maintain a pharmacy best practices and cost control program  
13 designed to reduce the cost of providing prescription drugs, while maintaining  
14 high quality in prescription drug therapies. The program shall include:

15 \* \* \*

16 (8) Any other cost containment activity adopted, by rule, by the ~~director~~  
17 commissioner that is designed to reduce the cost of providing prescription  
18 drugs while maintaining high quality in prescription drug therapies.

19 (b) The ~~director~~ commissioner shall implement the pharmacy best practices  
20 and cost control program for Medicaid and all other state public assistance  
21 program health benefit plans to the extent permitted by federal law.

1           (c)(1) The ~~director~~ commissioner may implement the pharmacy best  
2 practices and cost control program for any other health benefit plan within or  
3 outside this state that agrees to participate in the program. For entities in  
4 Vermont, the ~~director~~ commissioner shall directly or by contract implement the  
5 program through a joint pharmaceuticals purchasing consortium. The joint  
6 pharmaceuticals purchasing consortium shall be offered on a voluntary basis  
7 no later than January 1, 2008, with mandatory participation by state or publicly  
8 funded, administered, or subsidized purchasers to the extent practicable and  
9 consistent with the purposes of this chapter, by January 1, 2010. If necessary,  
10 the ~~office~~ department of Vermont health access shall seek authorization from  
11 the Centers for Medicare and Medicaid to include purchases funded by  
12 Medicaid. "State or publicly funded purchasers" shall include the department  
13 of corrections, the ~~division~~ department of mental health, Medicaid, the  
14 Vermont Health Access Program (VHAP), Dr. Dynasaur, Vermont Rx,  
15 VPharm, Healthy Vermonters, workers' compensation, and any other state or  
16 publicly funded purchaser of prescription drugs.

17           (2) The ~~director~~ commissioner of ~~the office of~~ Vermont health access,  
18 and the secretary of administration shall take all steps necessary to enable  
19 Vermont's participation in joint prescription drug purchasing agreements with  
20 any other health benefit plan or organization within or outside this state that  
21 agrees to participate with Vermont in such joint purchasing agreements.

1           (3) The commissioner of human resources shall take all steps necessary  
2 to enable the state of Vermont to participate in joint prescription drug  
3 purchasing agreements with any other health benefit plan or organization  
4 within or outside this state that agrees to participate in such joint purchasing  
5 agreements, as may be agreed to through the bargaining process between the  
6 state of Vermont and the authorized representatives of the employees of the  
7 state of Vermont.

8           (4) The actions of the commissioners, ~~the director,~~ and the secretary  
9 shall include:

10           (A) active collaboration with the National Legislative Association on  
11 Prescription Drug Prices;

12           (B) active collaboration with the Pharmacy RFP Issuing States  
13 initiative organized by the West Virginia Public Employees Insurance Agency;

14           (C) the execution of any joint purchasing agreements or other  
15 contracts with any participating health benefit plan or organization within or  
16 outside the state which the ~~director~~ commissioner of Vermont health access  
17 determines will lower the cost of prescription drugs for Vermonters while  
18 maintaining high quality in prescription drug therapies; and

19           (D) with regard to participation by the state employees health benefit  
20 plan, the execution of any joint purchasing agreements or other contracts with  
21 any health benefit plan or organization within or outside the state which the

1 ~~director~~ commissioner of Vermont health access determines will lower the cost  
2 of prescription drugs and provide overall quality of integrated health care  
3 services to the state employees health benefit plan and the beneficiaries of the  
4 plan, and which is negotiated through the bargaining process between the state  
5 of Vermont and the authorized representatives of the employees of the state of  
6 Vermont.

7 (5) The ~~director and the commissioner~~ commissioners of human  
8 resources and of Vermont health access may renegotiate and amend existing  
9 contracts to which the ~~office~~ departments of Vermont health access and ~~the~~  
10 ~~department~~ of human resources are parties if such renegotiation and  
11 amendment will be of economic benefit to the health benefit plans subject to  
12 such contracts, and to the beneficiaries of such plans. Any renegotiated or  
13 substituted contract shall be designed to improve the overall quality of  
14 integrated health care services provided to beneficiaries of such plans.

15 (6) The ~~director, the~~ commissioners, and the secretary shall report  
16 quarterly to the health access oversight committee and the joint fiscal  
17 committee on their progress in securing Vermont's participation in such joint  
18 purchasing agreements.

19 (7) The ~~director~~ commissioner of Vermont health access, the  
20 commissioner of human resources, the commissioner of banking, insurance,  
21 securities, and health care administration, and the secretary of human services

1 shall establish a collaborative process with the Vermont medical society,  
2 pharmacists, health insurers, consumers, employer organizations and other  
3 health benefit plan sponsors, the National Legislative Association on  
4 Prescription Drug Prices, pharmaceutical manufacturer organizations, and  
5 other interested parties designed to consider and make recommendations to  
6 reduce the cost of prescription drugs for all Vermonters.

7 (d) A participating health benefit plan other than a state public assistance  
8 program may agree with the ~~director~~ commissioner to limit the plan's  
9 participation to one or more program components. The ~~director~~ commissioner  
10 shall supervise the implementation and operation of the pharmacy best  
11 practices and cost control program, including developing and maintaining the  
12 preferred drug list, to carry out the provisions of the subchapter. The ~~director~~  
13 commissioner may include such insured or self-insured health benefit plans as  
14 agree to use the preferred drug list or otherwise participate in the provisions of  
15 this subchapter. The purpose of this subchapter is to reduce the cost of  
16 providing prescription drugs while maintaining high quality in prescription  
17 drug therapies.

18 (e) The ~~director~~ commissioner of the office of Vermont health access shall  
19 develop procedures for the coordination of state public assistance program  
20 health benefit plan benefits with pharmaceutical manufacturer patient  
21 assistance programs offering free or low cost prescription drugs, including the

1 development of a proposed single application form for such programs. The  
2 ~~director~~ commissioner may contract with a nongovernmental organization to  
3 develop the single application form.

4 (f)(1) The drug utilization review board shall make recommendations to the  
5 ~~director~~ commissioner for the adoption of the preferred drug list. The board's  
6 recommendations shall be based upon evidence-based considerations of  
7 clinical efficacy, adverse side effects, safety, appropriate clinical trials, and  
8 cost-effectiveness. "Evidence-based" shall have the same meaning as in  
9 ~~section 18 V.S.A. § 4622 of Title 18.~~ The ~~director~~ commissioner shall provide  
10 the board with evidence-based information about clinical efficacy, adverse side  
11 effects, safety, and appropriate clinical trials, and shall provide information  
12 about cost-effectiveness of available drugs in the same therapeutic class.

13 \* \* \*

14 (3) To the extent feasible, the board shall review all drug classes  
15 included in the preferred drug list at least every 12 months, and may  
16 recommend that the ~~director~~ commissioner make additions to or deletions from  
17 the preferred drug list.

18 \* \* \*

19 (6) The ~~director~~ commissioner shall encourage participation in the joint  
20 purchasing consortium by inviting representatives of the programs and entities  
21 specified in subdivision (c)(1) of this section to participate as observers or

1 nonvoting members in the drug utilization review board; and by inviting the  
2 representatives to use the preferred drug list in connection with the plans'  
3 prescription drug coverage.

4 (g) The ~~office~~ department shall seek assistance from entities conducting  
5 independent research into the effectiveness of prescription drugs to provide  
6 technical and clinical support in the development and the administration of the  
7 preferred drug list and the evidence-based education program established in  
8 subchapter 2 of chapter 91 of Title 18.

9 Sec. I.63 33 V.S.A. § 2000 is amended to read:

10 § 2000. PHARMACY BENEFIT MANAGEMENT

11 The ~~director~~ commissioner may implement all or a portion of the pharmacy  
12 best practices and cost control program through a contract with a third party  
13 with expertise in the management of pharmacy benefits.

14 Sec. I.64 33 V.S.A. § 2001 is amended to read:

15 § 2001. LEGISLATIVE OVERSIGHT

16 (a) In connection with the pharmacy best practices and cost control  
17 program, the ~~director~~ commissioner of ~~the office of~~ Vermont health access  
18 shall report for review by the health access oversight committee, prior to initial  
19 implementation, and prior to any subsequent modifications:

20 \* \* \*



1 (c) The ~~director~~ commissioner of ~~the office of~~ Vermont health access shall  
2 report quarterly to the health access oversight committee concerning the  
3 following aspects of the pharmacy best practices and cost control program:

4 \* \* \*

5 (e)(1) [Repealed.]

6 (2) The ~~director~~ commissioner shall not enter into a contract with a  
7 pharmacy benefit manager unless the pharmacy benefit manager has agreed to  
8 disclose to the ~~director~~ commissioner the terms and the financial impact on  
9 Vermont and on Vermont beneficiaries of:

10 \* \* \*

11 (3) The ~~director~~ commissioner shall not enter into a contract with a  
12 pharmacy benefit manager who has entered into an agreement or engaged in a  
13 practice described in subdivision (2) of this subsection, unless the ~~director~~  
14 commissioner determines, and certifies in the fiscal report required by  
15 subdivision (d)(4) of this section, that such agreement or practice furthers the  
16 financial interests of Vermont, and does not adversely affect the medical  
17 interests of Vermont beneficiaries.

18 Sec. I.65 33 V.S.A. § 2002 is amended to read:

19 § 2002. SUPPLEMENTAL REBATES

20 (a) The ~~director~~ commissioner of ~~the office of~~ Vermont health access,  
21 separately or in concert with the authorized representatives of any participating

1 health benefit plan, shall use the preferred drug list authorized by the pharmacy  
2 best practices and cost control program to negotiate with pharmaceutical  
3 companies for the payment to the ~~director~~ commissioner of supplemental  
4 rebates or price discounts for Medicaid and for any other state public  
5 assistance health benefit plans designated by the ~~director~~ commissioner, in  
6 addition to those required by Title XIX of the Social Security Act. The  
7 ~~director~~ commissioner may also use the preferred drug list to negotiate for the  
8 payment of rebates or price discounts in connection with drugs covered under  
9 any other participating health benefit plan within or outside this state, provided  
10 that such negotiations and any subsequent agreement shall comply with the  
11 provisions of 42 U.S.C. § 1396r-8. The program, or such portions of the  
12 program as the ~~director~~ commissioner shall designate, shall constitute a state  
13 pharmaceutical assistance program under 42 U.S.C. § 1396r-8(c)(1)(C).

14 (b) The ~~director~~ commissioner shall negotiate supplemental rebates, price  
15 discounts, and other mechanisms to reduce net prescription drug costs by  
16 means of any negotiation strategy which the ~~director~~ commissioner determines  
17 will result in the maximum economic benefit to the program and to consumers  
18 in this state, while maintaining access to high quality prescription drug  
19 therapies. The ~~director~~ commissioner may negotiate through a purchasing pool  
20 or directly with manufacturers. The provisions of this subsection do not  
21 authorize agreements with pharmaceutical manufacturers whereby financial

1 support for medical services covered by the Medicaid program is accepted as  
2 consideration for placement of one or more prescription drugs on the preferred  
3 drug list.

4 (c) The ~~office~~ department of Vermont health access shall prohibit the  
5 public disclosure of information revealing company-identifiable trade secrets  
6 (including rebate and supplemental rebate amounts, and manufacturer's  
7 pricing) obtained by the ~~office~~ department, and by any officer, employee, or  
8 contractor of the department in the course of negotiations conducted pursuant  
9 to this section. Such confidential information shall be exempt from public  
10 disclosure under subchapter 3 of chapter 5 of Title 1 (open records law).

11 Sec. I.66 33 V.S.A. § 2003 is amended to read:

12 § 2003. PHARMACY DISCOUNT PLANS

13 (a) The ~~director~~ commissioner of ~~the office of~~ Vermont health access shall  
14 implement pharmacy discount plans, to be known as the "Healthy Vermonters"  
15 program, for Vermonters without adequate coverage for prescription drugs.  
16 The provisions of subchapter 8 of this chapter shall apply to the ~~director's~~  
17 commissioner's authority to administer the pharmacy discount plans  
18 established by this section.

19 \* \* \*

20 (c) As used in this section:

21 \* \* \*



1 charges under this program on pharmacies that submit claims or receive  
2 payments under the plans. Pharmacies shall submit claims to the department to  
3 verify the amount charged to beneficiaries under the plans. On a weekly or  
4 biweekly basis, the ~~office~~ department must reimburse pharmacies for the  
5 difference between the initial discounted price or the average wholesale price  
6 and the secondary discounted price provided to beneficiaries.

7 (f) The names of drug manufacturers and labelers who do and do not enter  
8 into rebate agreements under pharmacy discount plans are public information.  
9 The ~~office~~ department of Vermont health access shall release this information  
10 to health care providers and the public on a regular basis and shall publicize  
11 participation by manufacturers and labelers. The ~~office~~ department shall  
12 impose prior authorization requirements in the Medicaid program, as permitted  
13 by law, to the extent the ~~office~~ department determines it is appropriate to do so  
14 in order to encourage manufacturer and labeler participation in the pharmacy  
15 discount plans and so long as the additional prior authorization requirements  
16 remain consistent with the goals of the Medicaid program and the requirements  
17 of Title XIX of the federal Social Security Act.

18 (g) The ~~director~~ commissioner of ~~the office of~~ Vermont health access shall  
19 establish, by rule, a process to resolve discrepancies in rebate amounts claimed  
20 by manufacturers, labelers, pharmacies, and the ~~office~~ department.

1 (h) The Healthy Vermonters dedicated fund is established to receive  
2 revenue from manufacturers and labelers who pay rebates as provided in this  
3 section and any appropriations or allocations designated for the fund. The  
4 purposes of the fund are to reimburse retail pharmacies for discounted prices  
5 provided to individuals enrolled in the pharmacy discount plans; and to  
6 reimburse the ~~office~~ department of Vermont health access for contracted  
7 services, including pharmacy claims processing fees, administrative and  
8 associated computer costs, and other reasonable program costs. The fund is a  
9 nonlapsing dedicated fund. Interest on fund balances accrues to the fund.  
10 Surplus funds in the fund must be used for the benefit of the program.

11 (i) Annually, the ~~office~~ department of Vermont health access shall report  
12 the enrollment and financial status of the pharmacy discount plans to the health  
13 access oversight committee by September 1, and to the general assembly by  
14 January 1.

15 (j) The ~~office~~ department of Vermont health access shall undertake  
16 outreach efforts to build public awareness of the pharmacy discount plans and  
17 maximize enrollment. Outreach efforts shall include steps to educate retail  
18 pharmacists on the purposes of the Healthy Vermonters dedicated fund, in  
19 particular as it relates to pharmacy reimbursements for discounted prices  
20 provided to program enrollees. The ~~office~~ department may adjust the

1 requirements and terms of the pharmacy discount plans to accommodate any  
2 new federally funded prescription drug programs.

3 (k) The ~~office~~ department of Vermont health access may contract with a  
4 third party or third parties to administer any or all components of the pharmacy  
5 discount plans, including outreach, eligibility, claims, administration, and  
6 rebate recovery and redistribution.

7 (l) The ~~office~~ department of Vermont health access shall administer the  
8 pharmacy discount plans and other medical and pharmaceutical assistance  
9 programs under this title in a manner advantageous to the programs and  
10 enrollees. In implementing this section, the ~~office~~ department may coordinate  
11 the other programs and the pharmacy discount plans and may take actions to  
12 enhance efficiency, reduce the cost of prescription drugs, and maximize  
13 benefits to the programs and enrollees, including providing the benefits of  
14 pharmacy discount plans to enrollees in other programs.

15 (m) The ~~office~~ department of Vermont health access may adopt rules to  
16 implement the provisions of this section.

17 (n) The ~~office~~ department of Vermont health access shall seek a waiver  
18 from the Centers for Medicare and Medicaid Services (CMS) requesting  
19 authorization necessary to implement the provisions of this section, including  
20 application of manufacturer and labeler rebates to the pharmacy discount plans.  
21 The secondary discounted cost shall not be available to beneficiaries of the

1 pharmacy discount plans until the ~~office~~ department receives written  
2 notification from CMS that the waiver requested under this section has been  
3 approved and until the general assembly subsequently approves all aspects of  
4 the pharmacy discount plans, including funding for positions and related  
5 operating costs associated with eligibility determinations.

6 Sec. I.67 33 V.S.A. § 2004(a) is amended to read:

7 (a) Annually, each pharmaceutical manufacturer or labeler of prescription  
8 drugs that are paid for by the ~~office~~ department of Vermont health access for  
9 individuals participating in Medicaid, the Vermont Health Access Program,  
10 Dr. Dynasaur, VPharm, or Vermont Rx shall pay a fee to the agency of human  
11 services. The fee shall be 0.5 percent of the previous calendar year's  
12 prescription drug spending by the ~~office~~ department and shall be assessed  
13 based on manufacturer labeler codes as used in the Medicaid rebate program.

14 Sec. I.68 33 V.S.A. § 2007 is amended to read:

15 § 2007. CANADIAN PRESCRIPTION DRUG INFORMATION PROGRAM

16 The ~~office~~ department of Vermont health access shall establish a website  
17 and prepare written information to offer guidance to Vermont residents seeking  
18 information about ordering prescription drugs through the mail or otherwise  
19 from a participating Canadian pharmacy.



1 Sec. I.69 33 V.S.A. § 2010 is amended to read:

2 § 2010. ACTUAL PRICE DISCLOSURE AND CERTIFICATION

3 (a) A manufacturer of prescription drugs dispensed in this state under a  
4 health program directed or administered by the state shall, on a quarterly basis,  
5 report by National Drug Code the following pharmaceutical pricing criteria to  
6 the ~~director~~ commissioner of the ~~office~~ of Vermont health access for each of its  
7 drugs:

8 \* \* \*

9 (b) When reporting the prices as provided for in subsection (a) of this  
10 section, the manufacturer shall include a summary of its methodology in  
11 determining the price. The ~~office~~ department may accept the standards of the  
12 National Drug Rebate agreement entered into by the U.S. Department of  
13 Health and Human Services and Section 1927 of the Social Security Act for  
14 reporting pricing methodology.

15 (c) The pricing information required under this section is for drugs defined  
16 under the Medicaid drug rebate program and must be submitted to the ~~director~~  
17 commissioner following its submission to the federal government in  
18 accordance with 42 U.S.C. § 1396r-8(b)(3).

19 (d) When a manufacturer of prescription drugs dispensed in this state  
20 reports the information required under subsection (a) of this section, the  
21 president, chief executive officer, or a designated employee of the

1 manufacturer shall certify to the ~~office~~ department, on a form provided by the  
2 ~~director~~ commissioner of ~~the office~~ of Vermont health access, that the reported  
3 prices are the same as those reported to the federal government as required by  
4 42 U.S.C. § 1396r-8(b)(3) for the applicable rebate period. A designated  
5 employee shall be an employee who reports directly to the chief executive  
6 officer or president and who has been delegated to make the certification under  
7 this section.

8 (e) Notwithstanding any provision of law to the contrary, information  
9 submitted to the ~~office~~ department under this section is confidential and is not  
10 a public record as defined in ~~subsection 1 V.S.A. § 317(b) of Title 1.~~  
11 Disclosure may be made by the ~~office~~ department to an entity providing  
12 services to the ~~office~~ department under this section; however, that disclosure  
13 does not change the confidential status of the information. The information  
14 may be used by the entity only for the purpose specified by the ~~office~~  
15 department in its contract with the entity. Data compiled in aggregate form by  
16 the ~~office~~ department for the purposes of reporting required by this section are  
17 public records as defined in ~~subsection 1 V.S.A. § 317(b) of Title 1,~~ provided  
18 they do not reveal trade information protected by state or federal law.

19 \* \* \*

20 Sec. I.70 33 V.S.A. § 2071 is amended to read:

21 § 2071. DEFINITIONS

1 For purposes of this subchapter:

2 \* \* \*

3 (4) "~~OVHA~~" "DVHA" means the ~~office~~ department of Vermont health  
4 access.

5 \* \* \*

6 Sec. I.71 33 V.S.A. § 2073 is amended to read:

7 § 2073. VPHARM ASSISTANCE PROGRAM

8 \* \* \*

9 (c) VPharm shall provide supplemental benefits by paying or subsidizing:

10 \* \* \*

11 (4) pharmaceuticals that are not covered after the individual has  
12 exhausted the Medicare part D prescription drug plan's appeal process or the  
13 prescription drug plan's transition plan approved by the Centers for Medicare  
14 and Medicaid Services, and that are deemed medically necessary by the  
15 individual's prescriber in a manner established by the ~~director~~ commissioner of  
16 ~~the office of~~ Vermont health access. The coverage decision under this  
17 subdivision shall not be subject to the exceptions process established under  
18 Medicaid. An individual may appeal to the human services board or pursue  
19 any other remedies provided by law.

20 \* \* \*

1 (e) In order to ensure the appropriate payment of claims, ~~OVHA~~ DVHA  
2 may expand the Medicare advocacy program established under chapter 67 of  
3 this title to individuals receiving benefits from the VPharm program.

4 (f) A manufacturer of pharmaceuticals purchased by individuals receiving  
5 assistance from VPharm established under this section shall pay to ~~OVHA~~  
6 DVHA, as a condition of participation in the program, a rebate in an amount at  
7 least as favorable as the rebate paid to ~~OVHA~~ DVHA in connection with the  
8 Medicaid program.

9 Sec. I.72 33 V.S.A. § 2074 is amended to read:

10 § 2074. VERMONTRX PROGRAM

11 (a) Effective January 1, 2006, VermontRx is established within the ~~office~~  
12 department of Vermont health access and shall be the continuation of the state  
13 pharmaceutical programs in existence upon passage of this subchapter for  
14 those individuals not eligible for Medicare part D. VermontRx is a  
15 pharmaceutical assistance program for individuals age 65 or older who are not  
16 eligible for Medicare and for individuals with disabilities who are receiving  
17 Social Security disability benefits and who are not eligible for Medicare.  
18 VermontRx may retain the current program names of VHAP-Pharmacy,  
19 VScript, and VScript Expanded if it is cost-effective to retain the current  
20 names in lieu of combining the current programs into one program.



1 (e) Under VermontRx, a pharmaceutical may be dispensed to an eligible  
2 recipient provided such dispensing is pursuant to and in accordance with any  
3 contractual arrangement that ~~OVHA~~ DVHA may enter into or approve for the  
4 group discount purchase of pharmaceuticals. When a person or business  
5 located in Vermont and employing citizens of this state has submitted a bid for  
6 the group discount purchase of pharmaceuticals and has not been selected, the  
7 ~~director~~ commissioner of ~~OVHA~~ DVHA shall record the reason for  
8 nonselection. The ~~director's~~ commissioner's report shall be a public record  
9 available to any interested person. All bids or quotations shall be kept on file  
10 in the ~~director's~~ commissioner's office and open to public inspection.

11 Sec. I.73 33 V.S.A. § 2076(c) is amended to read:

12 (c) ~~OVHA~~ DVHA shall seek any waivers of federal law, rule, or regulation  
13 necessary to implement the provisions of this section.

14 Sec. I.74 33 V.S.A. § 2077 is amended to read:

15 § 2077. ADMINISTRATION

16 (a) The programs established under this subchapter shall be designed to  
17 provide maximum access to program participants, to incorporate mechanisms  
18 that are easily understood and require minimum effort for applicants and health  
19 care providers, and to promote quality, efficiency, and effectiveness through  
20 cost controls and utilization review. Applications may be filed at any time and  
21 shall be reviewed annually. ~~OVHA~~ DVHA may contract with a fiscal agent

1 for the purpose of processing claims and performing related functions required  
2 in the administration of the pharmaceutical programs established under this  
3 subchapter.

4 (b) Upon determining that an applicant is eligible under this subchapter,  
5 ~~OVHA~~ DVHA shall issue an identification card to the applicant.

6 (c) A pharmacy which dispenses a pharmaceutical to an individual eligible  
7 for a pharmaceutical program established under this subchapter shall collect  
8 payment for the pharmaceutical from ~~OVHA~~ DVHA.

9 Sec. I.75 33 V.S.A. § 2081(b) is amended to read:

10 (b) ~~OVHA~~ DVHA shall report on the status of the pharmaceutical  
11 assistance programs established by this subchapter to the health access  
12 oversight committee.

13 Sec. I.76 33 V.S.A. § 6501 is amended to read:

14 § 6501. DEFINITIONS

15 For purposes of this chapter:

16 (1) "Balance bill" means to charge to or collect from a Medicare or  
17 general assistance beneficiary any amount in excess of the reasonable charge  
18 for that service as determined by the United States Secretary of Health and  
19 Human Services; or the ~~director~~ commissioner of ~~the office of~~ Vermont health  
20 access, as the case may be.

21 \* \* \*

1 Sec. I.77 33 V.S.A. § 6703 is amended to read:

2 § 6703. CONTRACT FOR SERVICES

3 (a) Subject to the provisions of subsection (b) of this section, the ~~director~~  
4 commissioner of ~~the office of~~ Vermont health access shall contract on an  
5 annual basis with individuals or private organizations to provide services  
6 authorized by this chapter to dual eligible individuals including pursuit of  
7 subrogation claims under section 6705 of this chapter.

8 (b) The ~~director~~ commissioner shall not be required to enter into contracts  
9 under this section if:

10 (1) the amount of the state's share of recoveries to the Medicaid  
11 program from awards obtained under this chapter during the preceding year did  
12 not exceed the payments to the contractors during that year; and

13 (2) the ~~director~~ commissioner determines that the program is not  
14 accomplishing its goal of protecting dual eligible individuals from improper  
15 denials of Medicare coverage. The ~~director~~ commissioner shall base his or her  
16 determination under this subdivision on information obtained from the  
17 contractors, providers of health care, area agencies on aging, and other  
18 individuals and organizations affected by the program.



1 Sec. I.78 33 V.S.A. § 6705 is amended to read:

2 § 6705. SUBROGATION

3 (a) Upon furnishing medical assistance under chapter 19 of this title to any  
4 individual, the ~~office~~ department of Vermont health access shall be subrogated,  
5 to the extent of the expenditure for medical care furnished, to any rights such  
6 individual may have to third party reimbursement for such care.

7 (b) The ~~office~~ department of Vermont health access or its designee shall be  
8 entitled to obtain from any medical service provider any records of the  
9 treatment of any individual covered by subsection (a) of this section which are  
10 in any way relevant to the treatment paid for through medical assistance  
11 without regard to any other privilege or right of confidentiality or privacy  
12 which may exist. The ~~office~~ department shall ensure that any records obtained  
13 are not released to any other individual, agency or other entity except insofar  
14 as is necessary to pursue the ~~office's~~ department's rights of subrogation.

15 (c) The ~~office~~ department of Vermont health access may contract with a  
16 private attorney or attorneys, or other private persons, for the purpose of  
17 obtaining third party reimbursement for Medicaid expenditures under this  
18 section. In awarding contracts under this section, the ~~office~~ department shall  
19 give preference to bidders who maintain a place of business in this state.

1 Sec. I.79 33 V.S.A. chapter 4 is added to read:

2 CHAPTER 4. DEPARTMENT OF VERMONT HEALTH ACCESS

3 § 401. COMPOSITION OF DEPARTMENT

4 The department of Vermont health access, created under 3 V.S.A. § 3088,  
5 shall consist of the commissioner of Vermont health access, the medical  
6 director, and all divisions within the department, including the divisions of  
7 managed care; health care reform; and Medicaid policy, fiscal, and support  
8 services.