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S.69

Introduced by Senators Pollina, Snelling, Starr, Campion, Lyons, and White

Referred to Committee on

Date:

Subject: Executive; Legislature; results-based accountability; common
language

Statement of purpose of bill as introduced: This bill proposes amendments to Vermont law in accordance with 2014 Acts and Resolves No. 186 (An act relating to reporting on population-level outcomes and indicators and on program-level performance measures), which established the framework that enables State government to use results-based accountability (RBA) to assist in its decision making. Amendments in this bill would change language in Vermont laws that already require performance analysis so that those laws use RBA’s common language. In RBA, the General Assembly establishes population-level “outcomes,” which are analyzed using “indicators,” and the Executive Branch analyzes the “results” of its programs using “performance measures” that it establishes.

An act relating to the use of results-based accountability common language
in Vermont law

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

1 * * * Governor's Development Cabinet * * *

2 Sec. 1. 3 V.S.A. § 2293 is amended to read:

3 § 2293. DEVELOPMENT CABINET

4 * * *

5 (b) Development Cabinet.

6 (1) A Development Cabinet is created, to consist of the Secretaries of
7 the Agencies of Administration, of Agriculture, Food and Markets, of
8 Commerce and Community Development, of Education, of Natural Resources,
9 and of Transportation. The Governor or the Governor's designee shall chair
10 the Development Cabinet.

11 (2) The Development Cabinet shall advise the Governor on how best to
12 implement the purposes of this section, and shall recommend changes as
13 appropriate to improve implementation of those purposes.

14 (3) The Development Cabinet may establish interagency work groups to
15 support its mission, drawing membership from any agency or department of
16 State government. Any interagency work groups established under this
17 subsection shall evaluate, test the feasibility of, and suggest alternatives to
18 economic development proposals, including proposals for public-private
19 partnerships, submitted to them for consideration. The Development Cabinet
20 shall refer to appropriate interagency workgroups any economic development

1 proposal that has a significant impact on the inventory or use of State land or
2 buildings.

3 * * *

4 (d)(1) Pursuant to the recommendations of the Oversight Panel on
5 Economic Development created in 2010 Acts and Resolves No. 146, ~~Sec. 66~~
6 Sec. G6, the Development Cabinet shall create an interagency work group as
7 provided in subsection (b) of this section with the Secretary of Commerce and
8 Community Development serving as its chair.

9 (2) The mission of the Work Group shall be to develop a long-term
10 economic development plan for the State, which shall identify goals and
11 recommend actions to be taken over ten years, and which shall be consistent
12 with the four ~~goals~~ principles of economic development identified in
13 10 V.S.A. § 3 and the relevant population-level outcomes for economic
14 development ~~identified in 2010 Acts and Resolves No. 68, Sec. 8 set forth in~~
15 3 V.S.A. § 2311.

16 * * *

17 Sec. 2. 10 V.S.A. § 3 is amended to read:

18 § 3. ECONOMIC DEVELOPMENT; ~~LONG TERM GOALS~~ PRINCIPLES;
19 REVIEW AND ASSESSMENT

20 (a) For purposes of the Vermont Statutes Annotated and ~~state~~ State
21 economic development programs and assistance, “economic development”

1 means the process of generating economic wealth and vitality, security, and
2 opportunity for all Vermonters.

3 (b) There are established the following four ~~principal~~, interrelated ~~goals~~
4 principles for future economic development in Vermont:

5 (1) Vermont's businesses, educators, nongovernmental organizations,
6 and government form a collaborative partnership that results in a highly skilled
7 multigenerational workforce to support and enhance business vitality and
8 individual prosperity.

9 (2) Vermont invests in its digital, physical, and human infrastructure as
10 the foundation for all economic development.

11 (3) Vermont ~~state~~ State government takes advantage of its small scale to
12 create nimble, efficient, and effective policies and regulations that support
13 business growth and the economic prosperity of all Vermonters.

14 (4) Vermont leverages its brand and scale to encourage a diverse
15 economy that reflects and capitalizes on our rural character, entrepreneurial
16 people, and reputation for environmental quality.

17 (c) The four ~~principal goals~~ principles shall be used to guide the design and
18 implementation of each economic development program, policy, or initiative
19 that is sponsored or financially supported by the ~~state~~ State, its subdivisions,
20 agencies, authorities, or private partners.

1 ~~(d)(1) The commission on the future of economic development, or a~~
2 ~~working group thereof designated by the general assembly, shall work with the~~
3 ~~state economists and the joint fiscal office to adopt benchmarks for the four~~
4 ~~principal goals.~~

5 ~~(2) The commission or workgroup thereof shall on or before January 15,~~
6 ~~2010 report to the house committee on commerce and economic development,~~
7 ~~the senate committee on finance, and the senate committee on economic~~
8 ~~development, housing and general affairs concerning its review of the goals,~~
9 ~~benchmarks, and agency progress pursuant to this subsection.~~

10 ~~(3) On or before January 15, 2010, the commission shall recommend to~~
11 ~~the senate committee on economic development, housing and general affairs,~~
12 ~~the senate committee on finance, the house committee on commerce and~~
13 ~~economic development, the house committee on ways and means, and the~~
14 ~~governor on whether it would promote the best interests of Vermont for the~~
15 ~~commission to continue its review of the goals and benchmarks, or if a~~
16 ~~successor to that responsibility should be designated. Notwithstanding any~~
17 ~~recommendation, the commission shall continue to perform the review unless~~
18 ~~and until a successor is designated by legislation approved by the legislature~~
19 ~~and the governor.~~

1 * * * Partnerships for Children, Families, and Individuals * * *

2 Sec. 3. 3 V.S.A. § 3026 is amended to read:

3 § 3026. PARTNERSHIPS FOR CHILDREN, FAMILIES, AND
4 INDIVIDUALS

5 (a)(1) The Secretary of Human Services, the Secretary of Education, and
6 the President of the University of Vermont shall establish a research
7 partnership to study and make recommendations for improving the
8 effectiveness of State and local health, human services, and education
9 programs. ~~Critical program outcomes relating to the well-being of Vermonters~~
10 ~~that should be addressed by the research partnership may include the~~
11 ~~following:~~

12 ~~(1) Children, families, and individuals are engaged in and contribute to~~
13 ~~their community's decisions and activities.~~

14 ~~(2) Pregnant woman and children thrive.~~

15 ~~(3) Children are ready for school.~~

16 ~~(4) Children succeed in school.~~

17 ~~(5) Children live in stable, supported families.~~

18 ~~(6) Youth choose healthy behaviors.~~

19 ~~(7) Youth successfully transition to adulthood.~~

20 ~~(8) Elders and people with disabilities live with dignity and~~
21 ~~independence in settings they prefer.~~

1 (A) ~~Reducing~~ reducing the amount of acreage where pesticides
2 are used;

3 (B) ~~Reducing~~ reducing the risks associated with the use of
4 pesticides;

5 (C) ~~Increasing~~ increasing the acreage managed by means of
6 integrated pest management techniques;

7 (D) ~~Decreasing~~ decreasing, within each level of comparable risk, the
8 quantity of pesticides applied per acre; and

9 (E) ~~Recommendations~~ making recommendations regarding the
10 implementation of other management practices that result in decreased
11 pesticide use.

12 * * *

13 * * * Vermont Farm Viability Enhancement Program * * *

14 Sec. 6. 6 V.S.A. § 4710 is amended to read:

15 § 4710. VERMONT FARM VIABILITY ENHANCEMENT PROGRAM

16 (a) The Vermont ~~farm viability enhancement program~~ Farm Viability
17 Enhancement Program is a voluntary program established in the ~~agency of~~
18 ~~agriculture, food and markets~~ Agency of Agriculture, Food and Markets to
19 provide assistance to Vermont farmers to enhance the financial success and
20 long-term viability of Vermont agriculture. In administering the ~~program~~
21 Program, the ~~secretary~~ Secretary shall:

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(d) In consultation with the advisory board, the ~~secretary of agriculture, food and markets~~ Secretary of Agriculture, Food and Markets and the Vermont ~~housing and conservation board~~ Housing and Conservation Board shall establish grant criteria, performance goals, ~~evaluative~~ performance measures that demonstrate Program results, and other criteria to implement the ~~program~~ Program. The grant criteria shall include at least the following requirements:

* * *

(f)(1) In collaboration with the Vermont ~~housing and conservation board~~ Housing and Conservation Board, the ~~secretary of agriculture, food and markets~~ Secretary of Agriculture, Food and Markets shall report in writing to the ~~senate and house committees on agriculture~~ Senate Committee on Agriculture and the House Committee on Agriculture and Forest Products on or before January 31 of each year with a report on the activities and performance of the ~~farm viability enhancement program~~ Farm Viability Enhancement Program. At a minimum, the report shall include an evaluation of the ~~program~~ Program utilizing the performance goals and ~~evaluative~~ performance measures established in consultation with the advisory board ~~pursuant to subsection (b) of this section~~. The report should assess potential demand for the ~~program~~ Program over the succeeding three years. ~~Further, the agency of agriculture, food and markets~~

1 (2) The Agency of Agriculture, Food and Markets and the Vermont
2 ~~housing and conservation board~~ Housing and Conservation Board shall
3 describe in their annual budget submissions plans to develop adequate ~~state~~
4 State, federal, and private funds to carry out this initiative.

5 * * *

6 * * * Vermont Housing and Conservation Board * * *

7 Sec. 7. 10 V.S.A. § 321 is amended to read:

8 § 321. GENERAL POWERS AND DUTIES

9 (a) The Board shall have all the powers necessary and convenient to carry
10 out and effectuate the purposes and provisions of this chapter, including
11 ~~without limitation~~ those general powers provided to a business corporation by
12 Title 11A and including, ~~without limiting the generality of the foregoing,~~ the
13 power to:

14 (1) upon application from an eligible applicant in a form prescribed by
15 the Board, provide funding in the form of grants or loans for eligible activities;

16 (2) enter into cooperative agreements with private organizations or
17 individuals or with any agency or instrumentality of the United States or of this
18 State to carry out the purposes of this chapter;

19 (3) issue rules in accordance with 3 V.S.A. chapter 25 for the purpose of
20 administering the provisions of this chapter; and

1 (4) transfer funds to the Department of Housing and Community
2 Development to carry out the purposes of this chapter.

3 (b)(1) The Board shall seek out and fund ~~not for profit~~ nonprofit
4 organizations and municipalities that can assist any region of the State which
5 has high housing prices, high unemployment, and low per capita incomes in
6 obtaining grants and loans under this chapter for perpetually affordable
7 housing.

8 (2) The Board shall administer the “HOME” affordable housing
9 program which was enacted under Title II of the Cranston-Gonzalez National
10 Affordable Housing Act (Title II, P.L. 101-625, 42 U.S.C. 12701-12839). The
11 State of Vermont, as a participating jurisdiction designated by Department of
12 Housing and Urban Development, shall enter into a written memorandum of
13 understanding with the ~~board~~ Board, as subrecipient, authorizing the use of
14 HOME funds for eligible activities in accordance with applicable federal law
15 and regulations. HOME funds shall be used to implement and effectuate the
16 policies and purposes of this chapter related to affordable housing. The
17 memorandum of understanding shall include performance measures and
18 ~~outcomes~~ results that the Board will annually report on to the Vermont
19 Department of Housing and Community Development.

20 * * *

1 * * * Farm-to-Plate Investment Program * * *

2 Sec. 8. 10 V.S.A. § 330 is amended to read:

3 § 330. THE FARM-TO-PLATE INVESTMENT PROGRAM; CREATION;
4 GOALS; TASKS; METHODS

5 * * *

6 (c) Tasks.

7 * * *

8 (4) The ~~farm to plate investment program~~ Farm-to-Plate Investment
9 Program strategic plan shall also include recommendations regarding
10 measurable ~~outcomes~~ goals that shall be tracked over the ten-year life of the
11 ~~plan~~ Plan; methods for the ongoing collection of data necessary to track those
12 ~~outcomes~~ goals; plans for updating the ~~plan~~ Plan as needed; and appropriate
13 methods to track the ongoing economic contribution of the farm and food
14 sector to the Vermont economy.

15 * * *

16 * * * Workforce Education, Training, and Development * * *

17 Sec. 9. 10 V.S.A. § 540 is amended to read:

18 § 540. WORKFORCE EDUCATION AND TRAINING LEADER

19 The Commissioner of Labor shall be the leader of workforce education and
20 training in the State, and shall have the authority and responsibility for the

1 coordination of workforce education and training within State government,
2 including the following duties:

3 * * *

4 (7) Notwithstanding any provision of State law to the contrary, and to
5 the fullest extent allowed under federal law, ensure that in each State and
6 State-funded workforce education and training program, the program
7 administrator collects and reports data and ~~outcomes~~ results at the individual
8 level by Social Security Number or an equivalent.

9 Sec. 10. 10 V.S.A. § 542 is amended to read:

10 § 542. REGIONAL WORKFORCE EDUCATION AND TRAINING

11 (a) The Commissioner of Labor, in coordination with the Secretary of
12 Commerce and Community Development, and in consultation with the
13 Workforce Investment Board, is authorized to issue performance grants to one
14 or more persons to perform workforce education and training activities in a
15 region.

16 (b) Each grant shall specify the scope of the workforce education and
17 training activities to be performed and the geographic region to be served, and
18 shall include ~~outcomes and~~ performance measures and results to evaluate the
19 grantee's performance.

20 * * *

1 * * * Vermont Career Internship Program * * *

2 Sec. 11. 10 V.S.A. § 544 is amended to read:

3 § 544. VERMONT CAREER INTERNSHIP PROGRAM

4 (a)(1) The Department of Labor, in consultation with the Agency of
5 Education, shall develop and implement a statewide Vermont Career
6 Internship Program for Vermonters who are in high school or in college and
7 for those who are recent graduates of 24 months or less.

8 (2) The Department of Labor shall coordinate and provide funding to
9 public and private entities for internship programs that match Vermont
10 employers with students from public and private secondary schools, regional
11 technical centers, the Community High School of Vermont, colleges, and
12 recent graduates of 24 months or less.

13 (3) Funding awarded through the Vermont Career Internship Program
14 may be used to administer an internship program and to provide participants
15 with a stipend during the internship, based on need. Funds may be made only
16 to programs or projects that do all the following:

17 (A) do not replace or supplant existing positions;

18 (B) create real workplace expectations and consequences;

19 (C) provide a process that measures progress toward mastery of
20 skills, attitude, behavior, and sense of responsibility required for success in that
21 workplace;

1 (D) are designed to motivate and educate secondary and
2 postsecondary students and recent graduates through work-based learning
3 opportunities with Vermont employers that are likely to lead to real
4 employment;

5 (E) include mechanisms that promote employer involvement with
6 secondary and postsecondary students and curriculum and the delivery of
7 education at the participating schools; and

8 (F) offer participants a continuum of learning, experience, and
9 relationships with employers that will make it financially possible and
10 attractive for graduates to continue to work and live in Vermont.

11 (4) As used in this section, “internship” means a learning experience
12 working with an employer where the intern may, but does not necessarily,
13 receive academic credit, financial remuneration, a stipend, or any combination
14 of these.

15 (b) The Department of Labor, in collaboration with the Agencies of
16 Agriculture, Food and Markets and of Education, State-funded postsecondary
17 educational institutions, the Workforce Investment Board, and other State
18 agencies and departments that have workforce education and training and
19 training monies, shall:

20 * * *

1 (2) collect data and establish program goals and ~~quantifiable~~
2 performance measures that demonstrate program results for internship
3 programs funded through the Vermont Career Internship Program;

4 * * *

5 * * * Vermont Forestry and Forest Products Viability Program * * *

6 Sec. 12. 10 V.S.A. § 2721 is amended to read:

7 § 2721. VERMONT FORESTRY AND FOREST PRODUCTS VIABILITY
8 PROGRAM

9 (a) The Vermont ~~forestry and forest products viability program~~ Forestry
10 and Forest Products Viability Program is a voluntary program established at
11 the ~~department of forests, parks and recreation~~ Department of Forests, Parks
12 and Recreation to provide assistance to Vermont timber harvesters, foresters,
13 and forest products manufacturers to enhance the financial success and
14 long-term viability of the Vermont forest products industry. In administering
15 the ~~program~~ Program, the ~~commissioner~~ Commissioner shall:

16 * * *

17 (5) In consultation with the Vermont ~~housing and conservation board~~
18 Housing and Conservation Board, other ~~state~~ State agencies, foresters,
19 harvesters, and forest products manufacturers, establish:

20 * * *

1 (C) performance goals, ~~evaluative~~ performance measures that
2 demonstrate Program results, and other criteria to implement and evaluate the
3 effectiveness of the Forestry and Forest Products Viability Program.

4 * * *

5 (c) The Commissioner of Forests, Parks and Recreation shall report in
6 writing to the Senate Committee on Agriculture and the House Committee on
7 Agriculture and Forest Products and the Senate and House Committees on
8 Natural Resources and Energy on or before January 31 of each year on the
9 activities and performance of the forestry and forest products viability
10 program. The provisions of 2 V.S.A. § 20(d) (expiration of required reports)
11 shall not apply to the report to be made under this subsection. At a minimum,
12 the report shall include:

13 (1) an evaluation of the ~~program~~ Program utilizing the performance
14 goals and ~~evaluative~~ performance measures established pursuant to subdivision
15 (a)(5)(C) of this section;

16 * * *

17 * * * Prekindergarten Education * * *

18 Sec. 13. 16 V.S.A. § 829 is amended to read:

19 § 829. PREKINDERGARTEN EDUCATION

20 * * *

1 (e) Rules. The Secretary of Education and the Commissioner for Children
2 and Families shall jointly develop and agree to rules and present them to the
3 State Board for adoption under 3 V.S.A. chapter 25 as follows:

4 * * *

5 (10) To establish a system by which the Agency of Education and
6 Department for Children and Families shall jointly monitor and evaluate
7 prekindergarten education programs to promote optimal ~~outcomes~~ results for
8 children that support the relevant population-level outcomes set forth in
9 3 V.S.A. § 2311 and to collect data that will inform future decisions. The
10 Agency and Department shall be required to report annually to the General
11 Assembly in January. At a minimum, the system shall monitor and evaluate:

12 (A) programmatic details, including the number of children served,
13 the number of private and public programs operated, and the public financial
14 investment made to ensure access to quality prekindergarten education;

15 (B) the quality of public and private prekindergarten education
16 programs and efforts to ensure continuous quality improvements through
17 mentoring, training, technical assistance, and otherwise; and

18 (C) the ~~outcomes~~ results for children, including school readiness and
19 proficiency in numeracy and literacy.

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* * * Special Education * * *

Sec. 14. 16 V.S.A. § 2974 is amended to read:

§ 2974. SPECIAL EDUCATION PROGRAM; FISCAL REVIEW

(a) Annually, the Secretary shall report to the State Board regarding:

* * *

(3) ~~outcomes~~ results for special education students;

* * *

* * * Education Finance * * *

Sec. 15. 16 V.S.A. § 4011a is amended to read:

§ 4011a. EARLY COLLEGE PROGRAM; REPORT; APPROPRIATION

(a) Notwithstanding 2 V.S.A. § 20(d), any postsecondary institution receiving funds pursuant to subsection 4011(e) of this title shall report annually in January to the Senate and House Committees on Education regarding the level of participation in the institution's early college program, the success in achieving the stated goals of the program to enhance secondary students' educational experiences and prepare them for success in college and beyond, and the specific ~~outcomes~~ results for participating students relating to programmatic goals.

* * *

1 * * * Community Health and Wellness Grants * * *

2 Sec. 16. 18 V.S.A. § 104b is amended to read:

3 § 104b. COMMUNITY HEALTH AND WELLNESS GRANTS

4 (a) The ~~commissioner~~ Commissioner shall establish a program for
5 awarding competitive, substantial, multi-year grants to comprehensive
6 community health and wellness projects. Successful projects must:

7 * * *

8 (3) be goal and ~~outcome~~ result driven;

9 (4) use strategies that have been demonstrated to be effective in reaching
10 the desired ~~outcome~~ goal;

11 * * *

12 * * * Blueprint for Health * * *

13 Sec. 17. 18 V.S.A. § 702 is amended to read:

14 § 702. BLUEPRINT FOR HEALTH; STRATEGIC PLAN

15 * * *

16 (d) The Blueprint for Health shall include the following initiatives:

17 * * *

18 (5) The adoption and maintenance of clinical quality and performance
19 measures, aligned with but not limited to existing ~~outcome measures within~~
20 indicators related to outcomes set forth in 3 V.S.A. § 2311 that are relevant to
21 the ~~agency of human services~~ Agency of Human Services, to be reported by

1 health care professionals, providers, or health insurers and used to assess and
2 evaluate the impact of the Blueprint for ~~health~~ Health and cost outcomes. In
3 accordance with a schedule established by the Blueprint ~~executive committee~~
4 Executive Committee, all clinical quality and performance measures shall be
5 reviewed for consistency with those used by the Medicare program and
6 updated, if appropriate.

7 * * *

8 * * * Mental Health System of Care * * *

9 Sec. 18. 18 V.S.A. § 7253 is amended to read:

10 § 7253. CLINICAL RESOURCE MANAGEMENT AND OVERSIGHT

11 The Commissioner of Mental Health, in consultation with health care
12 providers as defined in section 9432 of this title, including designated
13 hospitals, designated agencies, individuals with mental conditions or
14 psychiatric disabilities, and other stakeholders, shall design and implement a
15 clinical resource management system that ensures the highest quality of care
16 and facilitates long-term, sustained recovery for individuals in the custody of
17 the Commissioner.

18 * * *

19 (2) For the purpose of maintaining the integrity and effectiveness of the
20 clinical resource management system, the ~~department of mental health~~
21 Department of Mental Health shall:

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(D) use quality ~~indicators~~ measures, manageable data requirements, and quality improvement processes to monitor, evaluate, and continually improve the ~~outcomes~~ results for individuals and the performance of the clinical resource management system;

* * *

Sec. 19. 18 V.S.A. § 7256 is amended to read:

§ 7256. REPORTING REQUIREMENTS

Notwithstanding 2 V.S.A. § 20(d), the Department of Mental Health shall report annually on or before January 15 to the Senate Committee on Health and Welfare and the House Committee on Human Services regarding the extent to which individuals with a mental health condition or psychiatric disability receive care in the most integrated and least restrictive setting available. The Department shall consider measures from a variety of sources, including the Joint Commission, the National Quality Forum, the Centers for Medicare and Medicaid Services, the National Institute of Mental Health, and the Substance Abuse and Mental Health Services Administration. The report shall address:

* * *

(4) individual recovery in terms of clinical, social, and legal ~~outcomes~~ results;

* * *

1 (7) ~~outcome~~ performance measures that demonstrate results and
2 other data on individuals for whom petitions for involuntary medication are
3 filed; and

4 * * *

5 Sec. 20. 18 V.S.A. § 9461 is amended to read:

6 § 9461. ~~QUALITY INDICATORS~~ MEASURES

7 (a) The ~~department of financial regulation~~ Department of Financial
8 Regulation shall develop performance quality ~~indicators~~ measures to evaluate
9 and ensure that health insurers, including managed care organizations that
10 contract with health insurers to administer the insurers' mental health benefits,
11 comply with the provisions of 8 V.S.A. § 4089b and related rules.

12 (b) The ~~departments of health and of mental health~~ Departments of Health
13 and of Mental Health shall develop clinical and performance quality measures
14 to evaluate and ensure that health care professionals and health care facilities
15 in Vermont provide high quality mental health and substance abuse treatment
16 services to their patients.

17 Sec. 21. 2014 Acts and Resolves No. 179, Sec. E.306.2 is amended to read:

18 Sec. E.306.2 SUBSTANCE ABUSE TREATMENT SERVICES

19 (a) Program ~~Objectives~~ Goals And Performance Measures:

20 (1) On or before September 15, 2014, the Chief of Health Care Reform,
21 the Secretary of Human Services, and the Commissioners of Health and of

1 Vermont Health Access in consultation with the Chief Performance Officer
2 shall submit to the Joint Fiscal Committee, the House and Senate Committees
3 on Appropriations, the House Committee on Human Services, and to the
4 Senate Committee on Health and Welfare the program ~~objectives~~ goals for the
5 State's substance abuse treatment services and three performance measures ~~to~~
6 that demonstrate program results and measure success in reaching those
7 program ~~objectives~~ goals.

8 (2) Thereafter, annually, on or before January 15, the Chief, Secretary,
9 and Commissioners shall report to those Committees on the service delivery
10 system's success in reaching the program ~~objectives~~ goals using the
11 performance measure data collected for those services.

12 * * *

13 (c) Transfer of Global Commitment Funds:

14 (1) Subsequent to meeting the requirements of subsection (a) of this
15 section, the Secretary of Administration and the Chief of Health Care Reform
16 are authorized to transfer Global Commitment funds from the Department of
17 Vermont Health Access (DVHA) to the Office of Alcohol and Drug Abuse
18 Programs for the Care Alliance for Opioid Addiction. A written notification
19 shall be submitted to the Joint Fiscal Committee for funds transferred under
20 this subdivision and shall include a description of the specific use of funds

1 within the Care Alliance for Opioid Addiction consistent with the ~~objectives~~
2 goals identified in subsection (a) of this section.

3 * * *

4 (d) Payment Methodology:

5 (1) On or before March 15, 2015, the Chief of Health Care Reform,
6 Secretary of Human Services, and Commissioners of Health and of Vermont
7 Health Access shall submit to the House and Senate Committees on
8 Appropriations, the House Committee on Human Services, and to the Senate
9 Committee on Health and Welfare a report on designing the payment
10 methodology for substance abuse and mental health services to achieve the
11 ~~objectives~~ goals in subsection (a) of this section. The report shall include the
12 benefits, drawbacks, and costs of:

- 13 (A) rate setting;
- 14 (B) capitated funding;
- 15 (C) performance-based contracts;
- 16 (D) cost-based reimbursement;
- 17 (E) capacity grants; and
- 18 (F) bundled payments.

1 * * * Hospital Community Reports * * *

2 Sec. 22. 18 V.S.A. § 9405b is amended to read:

3 § 9405b. HOSPITAL COMMUNITY REPORTS

4 (a) The Commissioner of Health, in consultation with representatives from
5 hospitals, other groups of health care professionals, and members of the public
6 representing patient interests, shall adopt rules establishing a standard format
7 for community reports, as well as the contents, which shall include:

8 (1) ~~measures~~ Measures of quality, including process and ~~outcome~~
9 performance measures, that are valid, reliable, and useful, including
10 comparisons to appropriate national benchmarks for high quality and
11 successful ~~outcomes~~; results.

12 (2) ~~measures~~ Measures of patient safety that are valid, reliable, and
13 useful, including comparisons to appropriate industry benchmarks for safety;

14 (3) ~~measures~~ Measures of hospital-acquired infections that are valid,
15 reliable, and useful, including comparisons to appropriate industry
16 benchmarks;

17 (4) ~~measures~~ Measures of the hospital's financial health, including
18 comparisons to appropriate national benchmarks for efficient operation and
19 fiscal health;

20 (5) ~~a~~ A summary of the hospital's budget, including revenue by source
21 and quantification of cost shifting to private payers;

1 (6) ~~measures~~ Data that ~~provide~~ provides valid, reliable, useful, and
2 efficient information for payers and the public for the comparison of charges
3 for higher volume health care services;

4 (7) ~~the~~ The hospital's process for achieving openness, inclusiveness, and
5 meaningful public participation in its strategic planning and decision-making;

6 (8) ~~the~~ The hospital's consumer complaint resolution process, including
7 identification of the hospital officer or employee responsible for its
8 implementation;

9 (9) ~~information~~ Information concerning recently completed or ongoing
10 quality improvement and patient safety projects;

11 (10) ~~a~~ A description of strategic initiatives discussed with or derived
12 from the identification of health care needs; the one-year and four-year capital
13 expenditure plans; and the depreciation schedule for existing facilities;

14 (11) ~~information~~ Information on membership and governing body
15 qualifications, a listing of the current governing body members, and means of
16 obtaining a schedule of meetings of the hospital's governing body, including
17 times scheduled for public participation; ~~and~~.

18 (12) ~~valid~~ Valid, reliable, and useful information on nurse staffing,
19 including comparisons to appropriate industry benchmarks for safety. This
20 information may include system-centered performance measures, such as skill
21 mix, nursing care hours per patient day, and other such system-centered

1 performance measures as reliable industry benchmarks become available in
2 the future.

3 * * *

4 (c) The community reports shall be provided to the Commissioner of
5 Health. The Commissioner of Health shall publish the reports on a public
6 website and shall develop and include a format for comparisons of hospitals
7 within the same categories of quality and financial ~~indicators~~ measures.

8 * * * Smoking Cessation * * *

9 Sec. 23. 18 V.S.A. § 9506 is amended to read:

10 § 9506. ALLOCATION SYSTEM

11 (a) In determining the allocation of funds available for the purposes of this
12 chapter, the Department and the Board shall consider all relevant factors,
13 including:

14 * * *

15 (4) the extent to which the ~~outcomes~~ goals of the project can be
16 measured by reductions in adult or youth smoking rates.

17 (b) The Department's and Board's allocation system shall include a
18 method, developed jointly, that evaluates the need for and impact and quality
19 of the activities proposed by eligible applicants, including, if appropriate,
20 measuring the ~~outcomes~~ results of the project through reductions in adult and
21 youth smoking rates.

1 Sec. 24. 18 V.S.A. § 9507 is amended to read:

2 § 9507. ANNUAL REPORT

3 (a) On or before January 15 of each year, the Board shall submit a report
4 concerning its activities under this chapter to the Governor and the General
5 Assembly. The report shall include, to the extent possible, the following:

6 (1) the results of the independent program evaluation, beginning with
7 the report filed on January 15, 2003, and then each year thereafter;

8 (2) a full financial report of the activities of the Departments of Health
9 and of Liquor Control, the Agency of Education, and the Board, including a
10 special accounting of all activities from July 1 through December 31 of the
11 year preceding the legislative session during which the report is submitted;

12 (3) a recommended budget for the Program; and

13 (4) an explanation of the ~~outcomes~~ results of approved programs,
14 measured through reductions in adult and youth smoking rates.

15 (b) [Repealed.]

16 * * * Transportation * * *

17 Sec. 25. 19 V.S.A. § 10g is amended to read:

18 § 10g. ANNUAL REPORT; TRANSPORTATION PROGRAM;

19 ADVANCEMENTS, CANCELLATIONS, AND DELAYS

20 (a) The Agency of Transportation shall annually present to the General

21 Assembly a multiyear Transportation Program covering the same number of

1 years as the Statewide Transportation Improvement Plan (STIP), consisting of
2 the recommended budget for all Agency activities for the ensuing fiscal year
3 and projected spending levels for all Agency activities for the following fiscal
4 years. The Program shall include a description and year-by-year breakdown of
5 recommended and projected funding of all projects proposed to be funded
6 within the time period of the STIP and, in addition, a description of all projects
7 ~~which~~ that are not recommended for funding in the first fiscal year of the
8 proposed Program but which are scheduled for construction during the time
9 period covered by the STIP. The Program shall be consistent with the
10 planning process established by 1988 Acts and Resolves No. 200, as codified
11 in 3 V.S.A. chapter 67 and 24 V.S.A. chapter 117, the statements of policy set
12 forth in sections 10b-10f of this title, and the long-range systems plan, corridor
13 studies, and project priorities developed through the capital planning process
14 under section 10i of this title.

15 * * *

16 (c) The Program proposed by the Agency shall include systemwide
17 ~~indicators~~ performance measures developed by the Agency to describe the
18 condition of the Vermont transportation network. The Program shall discuss
19 the background and utility of the ~~indicators~~ performance measures, track the
20 ~~indicators~~ performance measures over time, and, where appropriate,
21 recommend the setting of targets for the ~~indicators~~ performance measures.

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* * * State Law Enforcement * * *

Sec. 26. 20 V.S.A. § 1883 is amended to read:

§ 1883. STATE LAW ENFORCEMENT; MEMORANDUM OF
UNDERSTANDING

(a) The Commissioner of Public Safety shall develop and execute a memorandum of understanding with the Commissioners of Fish and Wildlife, of Motor Vehicles, and of Liquor Control and their respective directors of law enforcement. The memorandum of understanding shall be reviewed at least every two years and shall at a minimum address:

* * *

(2) Providing for an overall statewide law enforcement strategic plan supported by quarterly planning and implementation strategy sessions to improve efficiencies and coordination on an operational level and ensure interagency cooperation and collaboration of programs funded through grants. The strategic plan should identify clear goals and ~~measurable~~ performance ~~outcomes~~ measures that demonstrate results, as well as specific strategic plans for individual enforcement agencies.

* * *

1 * * * Tax Increment Financing Districts * * *

2 Sec. 27. 24 V.S.A. § 1901 is amended to read:

3 § 1901. INFORMATION REPORTING

4 Every municipality with an active tax increment financing district shall:

5 (1) Develop a system, segregated for the tax increment financing
6 district, to identify, collect, and maintain all data and information necessary to
7 fulfill the reporting requirements of this section, including performance
8 ~~indicators~~ measures.

9 * * *

10 (3) Annually:

11 * * *

12 (B) on or before January 15 of each year, on a form prescribed by the
13 Council, submit an annual report to the Vermont Economic Progress Council
14 and the Department of Taxes, including the information required by
15 subdivision (2) of this section if not already submitted during the year, all
16 information required by subdivision (A) of this subdivision (3), and the
17 information required by 32 V.S.A. § 5404a(i), including performance
18 ~~indicators~~ measures and any other information required by the Council or the
19 Department of Taxes.

1 Sec. 28. 32 V.S.A. § 5404a is amended to read:

2 § 5404a. TAX STABILIZATION AGREEMENTS; TAX INCREMENT

3 FINANCING DISTRICTS

4 * * *

5 (i) The Vermont Economic Progress Council and the Department of Taxes
6 shall make an annual report to the Senate Committees on Economic
7 Development, Housing and General Affairs and on Finance and the House
8 Committees on Commerce and Economic Development and on Ways and
9 Means of the General Assembly on or before April 1. The report shall include,
10 in regard to each existing tax increment financing district, the date of creation,
11 a profile of the district, a map of the district, the original taxable value, the
12 scope and value of projected and actual improvements and developments,
13 projected and actual incremental revenue amounts and division of the
14 increment revenue between district debt, the Education Fund, the special
15 account required by 24 V.S.A. § 1896 and the municipal General Fund,
16 projected and actual financing, and a set of performance ~~indicators~~ measures
17 developed by the Vermont Economic Progress Council, which shall include the
18 number of jobs created in the district, what sectors experienced job growth,
19 and the amount of infrastructure work performed by Vermont firms.

20 * * *

1 * * * Municipal and Regional Planning and Development * * *

2 Sec. 29. 24 V.S.A. § 4306 is amended to read:

3 § 4306. MUNICIPAL AND REGIONAL PLANNING FUND

4 * * *

5 (b)(1) Allocations for performance contract funding to regional planning
6 commissions shall be determined according to a formula to be adopted by rule
7 under 3 V.S.A. chapter 25 by the Department for the assistance of the regional
8 planning commissions. Disbursement of funding to regional planning
9 commissions shall be predicated upon meeting performance ~~outcomes~~ goals
10 and ~~measures~~ targets pursuant to the terms of the performance contract.

11 * * *

12 Sec. 30. 24 V.S.A. § 4341a is amended to read:

13 § 4341a. PERFORMANCE CONTRACTS FOR REGIONAL PLANNING
14 SERVICES

15 (a) The Secretary of Commerce and Community Development shall
16 negotiate and enter into performance contracts with regional planning
17 commissions, or with regional planning commissions and regional
18 development corporations in the case of a joint contract, to provide regional
19 planning services.

20 (b) A performance contract shall address how the regional planning
21 commission, or regional planning commission and regional development

1 corporation jointly, will improve ~~outcomes~~ results and achieve savings
2 compared with the current regional service delivery system, which may
3 include:

4 (1) a proposal without change in the makeup or change of the
5 area served;

6 (2) a joint proposal to provide different services under one contract with
7 one or more regional service providers;

8 (3) co-location with other local, regional, or State service providers;

9 (4) merger with one or more regional service providers;

10 (5) consolidation of administrative functions and additional operational
11 efficiencies within the region; or

12 (6) such other cost-saving mechanisms as may be available.

13 * * * Department of Public Service * * *

14 Sec. 31. 30 V.S.A. § 2 is amended to read:

15 § 2. DEPARTMENT OF PUBLIC SERVICE; POWERS

16 * * *

17 (e) The Commissioner of Public Service (the Commissioner) will work
18 with the Director of the Office of Economic Opportunity (the Director), the
19 Commissioner of Housing and Community Development, the Vermont
20 Housing and Conservation Board (VHCB), the Vermont Housing Finance
21 Agency (VHFA), the Vermont Community Action Partnership, and the

1 efficiency entity or entities appointed under subdivision 209(d)(2) of this title
2 and such other affected persons or entities as the Commissioner considers
3 relevant to improve the energy efficiency of both single- and multi-family
4 affordable housing units, including multi-family housing units previously
5 funded by VHCB and VHFA and subject to the Multifamily Energy Design
6 Standards adopted by the VHCB and VHFA. In consultation with the other
7 entities identified in this subsection, the Commissioner and the Director
8 together shall report twice to the House and Senate Committees on Natural
9 Resources and Energy, on or before January 31, 2015 and 2017, respectively,
10 on their joint efforts to improve energy savings of affordable housing units and
11 increase the number of units assisted, including their efforts to:

12 * * *

13 (4) measure the ~~outcomes~~ results and performance of energy
14 improvements;

15 * * *

16 * * * State Budget * * *

17 Sec. 32. 32 V.S.A. § 306a is amended to read:

18 § 306a. PURPOSE OF THE STATE BUDGET

19 (a) Purpose of the State budget. The State budget, consistent with
20 Chapter I, Article 7 of Vermont's Constitution, should "be instituted for the
21 common benefit, protection, and security of the people, nation, or

1 community . . .” The State budget should be designed to address the needs of
2 the people of Vermont in a way that advances human dignity and equity and in
3 a manner that supports the population-level outcomes set forth in 3 V.S.A.
4 § 2311.

5 (b) Spending and revenue policies will seek to promote economic
6 well-being among the people of Vermont, and foster a vibrant economy.
7 Integral to achieving the purpose of the State budget is continuous evaluation
8 of the ~~raising and spending~~ use of public funds by systems of outcome
9 measurement based on indicators that measure success in accomplishing the
10 purposes of the State budget.

11 (c) Spending and revenue policies will reflect the public policy goals
12 established in State law and recognize every person’s need for health, housing,
13 dignified work, education, food, social security, and a healthy environment.

14 (d) As consistent with State law and in conjunction with the federal
15 government, the budget will reflect support for economic development, public
16 safety, transportation, and other infrastructure needs.

17 (e) Revenue measures shall also be based on the principles of sustainability
18 and stability. The Administration shall develop budget and revenue proposals
19 as part of a transparent and accountable process with direct and meaningful
20 participation from Vermont residents.

1 Sec. 33. 32 V.S.A. § 307 is amended to read:

2 § 307. FORM OF BUDGET

3 * * *

4 (c) The budget shall also include a strategic plan for each State agency,
5 department, office, or other entity or program. A strategic plan shall include
6 the following:

7 (1) a statement of mission and goals that support the relevant
8 population-level outcomes set forth in 3 V.S.A. § 2311;

9 (2) a description of ~~indicators~~ program performance measures used to
10 ~~measure~~ demonstrate output and ~~outcome~~ results;

11 (3) identification of the groups of people served, including those having
12 service priorities or other service measures established by law, and estimates of
13 the changes in those groups expected during the term of the plan;

14 (4) an analysis of the use of resources to meet needs, including future
15 needs, an analysis of additional resources that may be necessary to meet future
16 needs;

17 (5) an analysis of expected changes in the services provided by that
18 agency because of changes in State or federal law;

19 (6) a description of the means and strategies for meeting needs of the
20 agency or program, including future needs and achieving the goals under
21 which the agency or program provides services;

1 (7) a description of the capital improvement needs of the agency during
2 the period covered by the plan;

3 (8) a prioritization, if appropriate, of the capital investment needs of the
4 agency or program during the period covered by the plan; and

5 (9) any other information that may be required.

6 * * *

7 * * * Veteran Tax Credits * * *

8 Sec. 34. 32 V.S.A. § 5930nn is amended to read:

9 § 5930nn. RECENTLY DEPLOYED VETERAN TAX CREDIT

10 * * *

11 (e) The Department of Labor, in coordination with the Department of
12 Taxes, the Agency of Commerce and Community Development, and the Office
13 of Veterans' Affairs, shall:

14 * * *

15 (4) adopt measurable goals, ~~outcomes~~ performance measures that
16 demonstrate results, and an audit strategy to assess the utilization and
17 performance of the credit authorized in this section; and

18 (5) ~~on or before January 15, 2012, submit a written report on its~~
19 ~~assessment of the credit to the House Committees on Commerce and Economic~~
20 ~~Development and on Ways and Means, and to the Senate Committees on~~
21 ~~Finance and on Economic Development, Housing and General Affairs;~~

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(b) On or before January 15, 2010 for the analysis of Reach First and on or before January 15, 2012, for the analysis of all programs, the Department shall analyze the effectiveness of the programs and shall consider the following ~~indicators~~ measures:

(1) For Reach First, the types of crises presented by applicants; the type and duration of case management necessary to respond to a crisis; and the impact of the services on the family, including the actual and perceived ~~outcomes~~ results and ~~material indicators~~ measures of stability.

(2) For Reach Up, the type and duration of case management provided; and the impact of the services on the family; the family's achievement of the goals in the family development plan; the types of employment engaged in by families; the duration of employment; and actual and perceived ~~outcomes~~ results and ~~material indicators~~ measures of stability and well-being.

(3) For Reach Ahead, the types of employment engaged in by families; the duration of employment; the type and duration of services necessary to maintain employment; the duration of time the family received food assistance and services in the program; and the impact of the services on the family, including the actual and perceived well-being of the family and ~~material indicators~~ measures of well-being.

* * *

1 * * * Department of Vermont Health Access * * *

2 Sec. 36. 33 V.S.A. § 2032 is amended to read:

3 § 2032. ROLE OF DEPARTMENT OF VERMONT HEALTH ACCESS

4 * * *

5 (e) The Department shall conduct comprehensive evaluations of the
6 Board's success in improving clinical and utilization ~~outcomes~~ results using
7 claims data and a survey of health care professional satisfaction. The
8 Department shall report annually by January 15 to the House Committee on
9 Health Care and the Senate Committee on Health and Welfare regarding the
10 results of the most recent evaluation or evaluations and a summary of the
11 Board's activities and recommendations since the last report. The provisions
12 of 2 V.S.A. § 20(d) (expiration of required reports) shall not apply to the report
13 to be made under this subsection.

14 * * *

15 * * * Building Bright Futures Council * * *

16 Sec. 37. 33 V.S.A. § 4603 is amended to read:

17 § 4603. POWERS AND DUTIES

18 The Council established by section 4602 of this title shall have the
19 following powers and duties necessary and appropriate to effectuating the
20 purposes of this chapter:

21 * * *

1 biennium on the Council's findings and recommendations, progress toward
2 achieving the population-level outcomes ~~consistent with No. 68 of the Acts of~~
3 ~~the 2009 Adj. Sess. (2010)~~ relevant to children set forth in 3 V.S.A. § 2311,
4 and recommendations for priorities for the biennium. The provisions of
5 2 V.S.A. § 20(d) (expiration of required reports) shall not apply to the report to
6 be made under this subdivision.

7 * * * Home Health Services * * *

8 Sec. 38. 33 V.S.A. § 6303 is amended to read:

9 § 6303. HOME HEALTH SERVICES; LOCAL PLANS; BOARD

10 COMPOSITION

11 (a) Consistent with the requirements of this section, the Commissioner of
12 Disabilities, Aging, and Independent Living shall adopt by rule minimum
13 program standards for the purpose of providing quality oversight of the home
14 health agencies authorized to provide home health services under this
15 subchapter. The minimum program standards shall include performance
16 standards, quality ~~indicators~~ measures, grievance and complaint procedures,
17 patient safety standards, consumer input mechanisms, accessibility standards,
18 medical necessity standards, and practices to ensure confidentiality of patient
19 records. The rules shall include also minimum program standards to ensure
20 home health agencies do not discriminate in the provision of services based on
21 income, funding source, geographic status, or severity of health needs and to

1 ensure the attainment or continuance of universal access to medically
2 necessary home health services.

3 * * *

4 Sec. 39. 33 V.S.A. § 6305 is amended to read:

5 § 6305. REVIEW OF ACCESS, COST, AND QUALITY ISSUES;

6 REMEDIATION PROCESS

7 * * *

8 (b) In a form and manner and at intervals prescribed by the Commissioner,
9 the Commissioner shall collect and analyze data regarding access to and the
10 cost and quality of home health services in Vermont. Such data shall include:
11 information on complaints, waiting lists, numbers of individuals ineligible for
12 services, numbers of individuals eligible for but not provided services,
13 numbers of patients served under and over ~~the age of 65~~ years of age, total
14 number of visits and hours provided to patients by each of the existing home
15 health agencies; the results of patient surveys conducted by the home health
16 agencies; data pertaining to federal and State surveys; scoring by any national
17 accrediting organization, charitable and subsidized programs and services for
18 uninsured or low income persons in their respective communities; copies of
19 audited financial statements and annual cost reports; and any other quality
20 ~~indicators~~ measures or data deemed relevant by the Commissioner to monitor

1 and evaluate access to and the cost and quality of home health services by the
2 designated home health agencies.

3 * * *

4 Sec. 40. REPEAL

5 The following are repealed:

6 (1) 2010 Acts and Resolves No. 146, Sec. H4 (Challenges for Change;
7 quarterly reporting and information); and

8 (2) 2014 Acts and Resolves No. 186, Secs. 7 (quarterly progress reports;
9 temporary suspension), 8 (repeal; annual report on population-level outcomes
10 and indicators), 9 (amending 3 V.S.A. § 2312 (performance accountability
11 liaisons to the General Assembly)), and 10(b) (effective dates for Secs. 8
12 and 9).

13 Sec. 41. EFFECTIVE DATE

14 This act shall take effect on July 1, 2015.