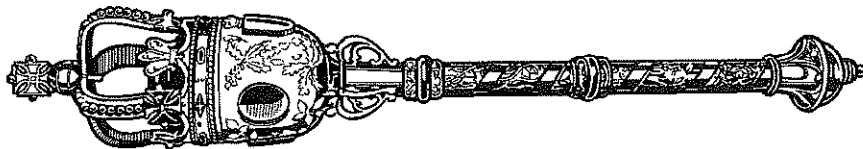


*Report of the
House Appropriations
Subcommittee*

on

Health & Human Resources



House Bill 1400

February 5, 2023

REPORT OF THE SUBCOMMITTEE
on
HEALTH & HUMAN RESOURCES

Mr. Chairman and Members of the Committee:

Last Session, you may recall that the General Assembly provided a record \$1.4 billion in additional general fund dollars to address the health and human resource needs of our citizens over the current biennium. As is typical in a "short" Session, we look at correcting omissions in the current biennial budget and focusing efforts on refining priorities that we established in prior Sessions. In this vein, the report of the Health and Human Resources Subcommittee focuses on making progress in three major areas: behavioral health and developmental services, long-term care services for low-income aged and disabled individuals, and shoring up the health care workforce to support the care and wellbeing of all our citizens. The report before you, Mr. Chairman, recommends investing an additional \$165.7 million on these efforts, which are contained in the amendments before you. I will briefly highlight these for the Committee.

As you know Mr. Chairman, Virginia is in the middle of a mental health crisis, and the Subcommittee recognized the need to continue our efforts to build a comprehensive mental health system for our citizens. The Governor gave us a great start by introducing his Right Help, Right Now plan to get Virginians the help they need and the amendments before you devote even more resources to this critical issue. We are recommending \$83.3 million to enhance and develop crisis stabilization units and crisis receiving centers to give individuals experiencing a mental health crisis a safe place to receive treatment without having to go to a hospital. The Subcommittee is also recommending \$20 million to double the amount of mobile crisis units in the state, so we have mental health professionals ready to go directly to the individual who is in crisis and connect them to the most appropriate resources. Not only will these initiatives help Virginians in crisis, but this also will reduce the burden on law enforcement since individuals placed under an emergency

custody order or temporary detention order can be dropped off at crisis stabilization units.

We know that our law enforcement officers are still going to need support as these units are constructed, so the Subcommittee is recommending \$1.0 million to support the Off-Duty Officer Program to provide more funding to contract with off-duty officers who can provide alternative custody or alternative transportation, as well as an additional \$4.0 million to assist sheriffs' office and jails with custody and transportation.

The Subcommittee also supports allocating \$20.3 million to develop comprehensive psychiatric emergency programs in hospitals to make sure individuals are receiving mental health treatment in the most appropriate setting. This will provide yet another access point for Virginians to receive mental health treatment, and it will also work towards relieving the pressures the state hospitals are facing due to so many people needing inpatient care. Mr. Chairman, the Subcommittee knows that our children also are facing unprecedented challenges with their mental health, especially after the toll of a pandemic and the subsequent isolation they faced. This is why we are recommending an additional \$8.4 million that is dedicated solely to expanding children's behavioral health services throughout the entire state. Of course, it is important to note that none of these recommendations will be effective if we don't take care of Virginia's behavioral healthcare workforce, which is why we are recommending \$45.5 million to go to salary increases to staff at our Community Services Boards as well as our state mental health facilities. These recommendations are a critical step that builds on our ongoing efforts to address the mental health crisis facing many Virginians.

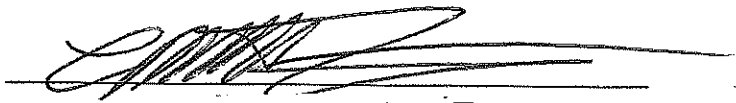
Additionally, Mr. Chairman, the Subcommittee report includes \$172.7 million in total funds to improve long-term care for vulnerable aged and disabled Virginians. We are recommending almost \$74 million to continue efforts to improve care in Virginia's nursing homes through our policy of basing payments on value. Nursing homes will have to earn a greater portion of their payments by improving performance in areas such as nursing hours, hospital admissions, outpatient Emergency

Department visits, and other care requirements. In addition, the Subcommittee recommends providing \$88.8 million in total funds to increase personal care rates by five percent for both agency directed and consumer directed attendants. These services are critical to helping aged and disabled individuals to remain in their homes and out of institutional care.

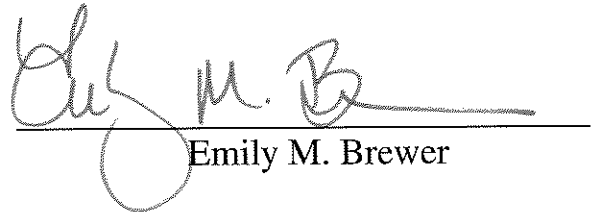
Finally, Mr. Chairman, I am pleased to report that the Subcommittee's recommendations include retaining and building on the Governor's significant effort to address the health workforce crisis we are now facing. The Subcommittee is recommending a total of \$46 million for a variety of health workforce incentive programs to attract, retain, and support nurses as they enter or progress in their careers. Funding will help attract more nurse preceptors that are so critical to increasing the nursing workforce. Of this amount, \$7.5 million is targeted at increasing the supply of psychiatric nurse practitioners and RNs, and other psychiatric behavioral health professionals through loan repayment programs.

The Subcommittee's report is contained within the attachment before you. Committee staff will review the report in more detail at this time, and I hope it will be the Committee's pleasure to adopt the report.

Respectfully Submitted by the House Appropriations Subcommittee on Health & Human Resources:



C. Matthew Fariss, Chair



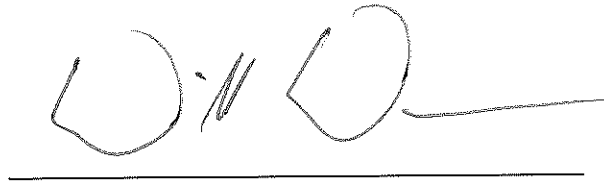
Emily M. Brewer



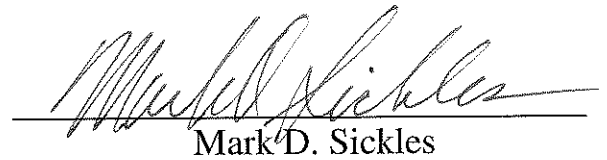
M. Keith Hodges



Carrie E. Coyner



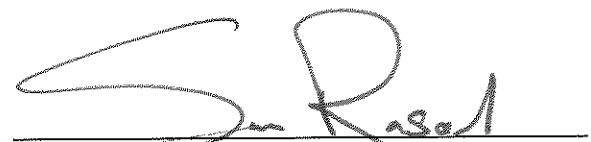
William C. Wampler, III



Mark D. Sickles



Betsy B. Carr



Sam Rasoul

**HB 1400
Health and Human Resources Amendments**

**2022-24 Biennium
GF NGF**

**2022-24
Biennium
FTEs**

Secretary of Health and Human Resources		
Transfer Funding for Language Access Program	\$5,000,000	
Transfer Fentanyl Campaign to OAA		(\$5,000,000)
Children's Services Act		
Modify Private Day School Rate Setting	Language	
Department of Health		
Earn to Learn Program Nursing Education Acceleration Program	(\$5,418,976)	
Health Workforce Program Staff	\$418,976	4.00
Fully Fund Office of the Chief Medical Examiner Staff Salary Adjustments	\$1,492,846	
Autopsies of Decedents in DOC Custody (HB 1827)	\$277,930	
Transfer Statewide Fentanyl Response Strategy to OAA		(\$7,000,000)
Hospital Price Transparency Requirements (HB 2435)	\$124,337	3.00
Advisory Council on Sickle Cell Disease (HB 2086)	\$42,173	
Hopewell Health Intervention Program	\$1,300,000	
ALS Association	\$250,000	
Free Clinic Telehealth Pilot Program	\$250,000	
Samaritan House	\$500,000	
Adler Inpatient Hospice Center	\$250,000	
Virginia First-Year Nurse Residency Grant Program	\$1,500,000	
Remove VDH's Administrative Functions for OAA		(\$400,000)
Department of Medical Assistance Services		
Increase Rates for Consumer Directed Service Facilitation	\$242,813	\$353,575
Locally-owned Nursing Facility Fee	\$11,654,251	(\$12,481,025)
Increase Medicaid Nursing Facility Value-based Purchasing Program Funding	\$31,148,676	\$31,148,676
Medicaid Works Eligibility	\$292,064	\$315,445
Parity of Mental Health and Substance Use Disorder Rates	\$437,836	\$1,348,655
Adult Day Health Care Rates	\$178,771	\$211,421
Coverage of Complex Rehab. Technology for Medicaid Nursing Facility Members (HB 1512)	\$1,272,060	\$1,335,690
Private Hospital Medicaid Supplemental Payment Program	Language	3.00
Children's Hospital of The King's Daughters	\$5,153,878	\$5,896,122
Collaborative Care Management Services for Substance Use Treatment	\$43,177	\$383,834
Adjust Virginia Health Care Fund Appropriation for Managed Care Repayments	(\$10,000,000)	\$10,000,000
Adjust Virginia Health Care Fund Appropriation for Fiscal Impact of HB 1417	\$12,100,000	(\$12,100,000)
Merging Caps on DD Waiver Services (HB 1963)	\$549,756	\$597,222
Medicaid Impact of Auxiliary Grant Rate Increase	\$2,487,240	\$2,552,760
Account for Changes in the Federal Match Rate Pursuant to Changes in Federal Law	(\$99,166,879)	(\$555,332,566)
Adjust Medicaid Spending to Reflect Implementation Delays in Services	(\$7,577,559)	(\$7,577,559)
Medicaid Central Processing Unit	\$3,324,031	\$12,495,412
Positions & Funding for DD Waiver Program Administration	\$180,000	\$180,000
Address Federal Changes Affecting Nursing Facility Reimbursement	Language	
Increase Rates for Peer Mentoring Waiver Services	\$6,903	\$10,053
EPSDT Therapeutic Group Homes Rate Increase	\$401,322	\$436,116
Modify Workgroup on Medicaid Managed Care	Language	
Review of Equalizing Facility and Community Based Care Medicaid Spenddown	Language	
Department of Behavioral Health and Developmental Services		
Create Social Media Campaign for Suicide Prevention	\$181,250	1.00
DBHDS to Review CSB Reporting Requirements	Language	
CSB Performance Report	Language	
Move School-Based Mental Health Pilots to DOE	(\$15,000,000)	
Transfer Positions and Funding for DD Waiver Financial Management to DMAS	(\$180,000)	(2.00)

HB 1400
Health and Human Resources Amendments

2022-24 Biennium
GF NGF

2022-24
Biennium
FTEs

Department of Behavioral Health and Developmental Services

Comprehensive Psychiatric Emergency Programs Training	\$250,000	
Create Additional Crisis Stabilization Units	\$25,000,000	
Reporting Requirements for Mental Health Group Homes	Language	
Funding for Alternative Transportation/Custody	Language	
Chesapeake Regional Hospital	\$6,000,000	
Off-Duty Officer Program	Language	
Transfer Additional REVIVE Kits Funding to OAA		(\$2,832,796)
Provide Additional Salary Adjustment for CSB Staff	\$36,535,694	
Mental Health for Veterans	\$2,000,000	
Children's Behavioral Health Services	\$8,400,000	

Department for Aging and Rehabilitative Services

Expand Community Brain Injury Case Management Services	\$570,000	
Supplemental Funding for Area Agencies on Aging	\$700,000	
Increase Public Guardianship Slots	\$380,000	

Department of Social Services

Redirect Funding for Child Welfare Improvements	\$0	
Buchanan Co. DSS Admin Costs for Disaster Relief	\$200,000	
Buchanan Co. and Tazewell Co. DSS Admin Costs for Disaster Relief	\$200,000	
Increase Personal Needs Allowance for Auxiliary Grant Recipients	\$1,200,000	
Increase Auxiliary Grant Rate	\$3,679,645	
Capture Balances in Auxiliary Grant Program	Language	
Adjust FMAP in Child Welfare Program	(\$8,250,000)	\$8,250,000
Local DSS Legal Representation for Appeals (HB 1550)	\$110,537	
Driver's License Program for Foster Care Youth	\$250,000	
Accomacke County - Eastern Shore AAA/Community Action Agency	\$250,000	
Funding for Child Advocacy Centers		\$1,200,000
VA Community Action Partnership EITC Assistance		\$300,000
TANF for Lighthouse Community Center		\$90,000
Adjust Funding for SNAP Over Issuance Repayment	(\$3,070,626)	

Opioid Abatement Authority

Opioid Abatement Authority		\$14,832,796
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Central Accounts

Transfer Funds for Language Access to Secretary of Health & Human Resources	(\$5,000,000)	
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Amendments to HB 1400, As Introduced

Item 283 #1h

Health and Human Resources	FY22-23	FY23-24	
Secretary of Health and Human Resources	\$2,500,000	\$2,500,000	GF

Language:

Page 325, line 3, strike "\$1,653,270" and insert "\$4,153,270".

Page 325, line 4, strike "\$7,153,270" and insert "\$9,653,270".

Page 328, after line 22, insert:

"M. Out of this appropriation \$2,500,000 the first year and \$2,500,000 the second year from the general fund to be provided to state agencies to facilitate and improve language access."

Explanation:

(This amendment transfers funding and language contained in Central Appropriations to the Office of the Secretary of Health and Human Resources related to efforts to facilitate and improve language access. A companion amendment eliminates the funding and language in Central Appropriations.)

Item 283 #2h

Health and Human Resources	FY22-23	FY23-24	
Secretary of Health and Human Resources	\$0	(\$5,000,000)	NGF

Language:

Page 325, line 4, strike "\$7,153,270" and insert "\$2,153,270".

Page 328, strike lines 18 through 22.

Explanation:

(This amendment transfers the \$5.0 million the second year from the nongeneral fund and the language describing the fentanyl public awareness campaign from the Secretary's Office to the Opioid Abatement Authority. There is a corresponding amendment in the Opioid Abatement Authority providing the funding for this purpose.)

Item 285 #1h

Health and Human Resources	
Children's Services Act	Language

Language:

Amendments to HB 1400, As Introduced

Page 332, line 35, after "B.", strike the remainder of the line.

Page 332, strike lines 36 through 41 and insert:

"Out of this appropriation, up to \$100,000 from the general fun the second year shall be provided for the Office of Children's Services (OCS) to provide technical assistance for localities with private day placements above the statewide average. OCS shall work with the Virginia Department of Education's Office of Special Education Services to conduct a review of private day placement decisions in those localities with higher than average placements and make recommendations to the local education agency. OCS shall report their progress to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by November 1, 2023 and June 30, 2024."

Explanation:

(This amendment removes the requirement that the Office of Children's Services implement statewide rates for special education private day services effective July 1, 2023 and redirects the existing second year funding for the Office of Children's Services to provide technical assistance to localities with private day placements above the statewide average.)

		Item 287 #1h	
Health and Human Resources	FY22-23	FY23-24	
Department of Health	\$0	(\$5,418,976)	GF

Language:

Page 334, line 14, strike "\$55,360,000" and insert "\$49,941,024".

Page 336, line 6, after "program", insert:
and for contracting with private institutions".

Page 336, line 7, after "Grants", insert "and contracts".

Explanation:

(This amendment reduces \$5.4 million from the general fund the second year for the Earn to Learn Nursing Education Acceleration program, leaving almost \$25 million for the implementation of this new health care workforce program. The amendment also adds language to allow for the program to be implemented through contracts with private higher education institutions, as well as public ones. The program will offer competitive grants to colleges and universities that partner with health systems to offer nursing students the opportunity to earn a competitive wage while also earning credit for clinical hours toward degree requirements. The goal of the program is to address the health care workforce shortage by expanding the number of trained nurses in Virginia.)

Item 287 #2h

Amendments to HB 1400, As Introduced

Health and Human Resources	FY22-23	FY23-24	
Department of Health	\$0	\$418,976	GF
	0.00	4.00	FTE

Language:

Page 334, line 14, strike "\$55,360,000" and insert "\$55,778,976".

Explanation:

(This amendment adds \$418,976 the second year from the general fund and four positions in the Virginia Department of Health (VDH) to manage all of the state-funded Healthcare Incentive Workforce programs administered by VDH. These four additional positions will ensure that the Health Workforce Unit has the staff to successfully launch and administer both existing and new programs geared towards addressing the healthcare workforce shortage and providing increased access to primary care, dental, and mental health services throughout the Commonwealth.)

Item 289 #1h

Health and Human Resources	FY22-23	FY23-24	
Department of Health	\$0	\$1,492,846	GF

Language:

Page 337, line 30, strike "\$19,246,111" and insert "\$20,738,957".

Page 337, after line 33, insert:

"Out of the amounts included in this appropriation, \$2,984,796 from the general fund in the second year is provided for salary adjustments within the Office of the Chief Medical Examiner to address retention and recruitment issues."

Explanation:

(This amendment adds \$1.5 million the second year from the general fund to fully fund salary adjustments in the Office of the Chief Medical Examiner. The introduced budget provided about one-half of the need in fiscal year 2024. This would bring the funding up to almost \$3.0 million. Currently, the office is experiencing a high level of vacancy and turnover due to the competitive salaries offered by other states for these positions.)

Item 289 #3h

Health and Human Resources	FY22-23	FY23-24	
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Amendments to HB 1400, As Introduced

Department of Health	\$0	\$277,930	GF
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Language:

Page 337, line 30, strike "\$19,246,111" and insert "\$19,524,041".

Explanation:

(This amendment provides \$277,930 the second year from the general fund for the fiscal impact of House Bill 1827, which requires autopsies of decedents in the custody of the Department of Corrections.)

Item 291 #1h

Health and Human Resources	FY22-23	FY23-24	
Department of Health	\$0	(\$7,000,000)	NGF

Language:

Page 338, line 10, strike "\$403,807,156" and insert "\$396,807,156".
Page 340, strike lines 10 through 13.

Explanation:

(This amendment transfers \$7.0 million the second year from the nongeneral fund and the language describing the statewide fentanyl response strategy from the Department of Health to the Opioid Abatement Authority. There is a corresponding amendment in the Opioid Abatement Authority providing the funding for this purpose.)

Item 292 #2h

Health and Human Resources	FY22-23	FY23-24	
Department of Health	\$0	\$124,337	GF
	0.00	1.00	FTE

Language:

Page 340, line 16, strike "\$23,166,547" and insert "\$23,290,884".

Explanation:

(This amendment provides \$476,661 from the general fund the second year and three positions at the Virginia Department of Health (VHD) for the fiscal impact of House Bill 2435, which provides VDH with the authority to impose a plan of correction on hospitals that fail to comply with hospital price transparency requirements.)

Amendments to HB 1400, As Introduced

Item 293 #1h

Health and Human Resources	FY22-23	FY23-24	
Department of Health	\$0	\$42,173	GF

Language:

Page 341, line 36, strike "\$164,139,331" and insert "\$164,181,504".

Explanation:

(This amendment adds \$42,173 the second year from the general fund for the fiscal impact of House Bill 2086 which establishes the Advisory Council on Sickle Cell Disease in the Virginia Department of Health.)

Item 293 #2h

Health and Human Resources	FY22-23	FY23-24	
Department of Health	\$0	\$1,300,000	GF

Language:

Page 341, line 36, strike "\$164,139,331" and insert "\$165,439,331".

Page 342, after line 31, insert:

"H. Out of this appropriation, \$1,300,000 the second year from the general fund shall be provided to establish a cardiovascular disease and hypertension intervention program to be piloted in the School-Based Health Center at Hopewell High School in partnership with Virginia Commonwealth University Health System's Pauley Heart Center."

Explanation:

(This amendment provides \$1.3 million the second year from the general fund for a cardiovascular disease and hypertension intervention program to be piloted in the School-Based Health Center at Hopewell High School. The program shall include education and awareness for students and families about hypertension and blood pressure screening, diagnostic equipment to identify high-risk patients, and case management and community outreach. This will be a partnership with Virginia Commonwealth University Health System's Pauley Heart Center.)

Item 295 #1h

Health and Human Resources	FY22-23	FY23-24	
Department of Health	\$0	\$250,000	GF

Language:

Amendments to HB 1400, As Introduced

Page 345, line 41, strike "\$25,015,423" and insert "\$25,265,423".

Page 350, after line 19, insert:

"Z. Out of this appropriation, \$200,000 from the general fund the second year shall be provided to the Amyotrophic Lateral Schlerosis (ALS) Association for services to individuals living with ALS and their families."

Explanation:

(This amendment adds \$200,000 from the general fund the second year for the ALS Association for services to individuals with amyotrophic lateral sclerosis (ALS) and their families. ALS is a fatal, progressive, neurodegenerative disease with no known cure or effective treatment options.)

	Item 295 #2h	
Health and Human Resources	FY22-23	FY23-24
Department of Health	\$0	\$250,000 GF

Language:

Page 345, line 41, strike "\$25,015,423" and insert "\$25,265,423".

Page 347, after line 34, insert:

"4. Out of this appropriation, \$250,000 the second year from the general fund shall be provided to the Virginia Department of Health to contract with the Virginia Association of Free and Charitable Clinics (VAFCC) and the Virginia Telehealth Network (VTN) for a pilot program to (i) support the integration of behavioral health safety planning and intervention into all clinical services to address the patient's sub-acute behavioral health needs, (ii) train free clinic volunteer and paid staff, and (iii) assist with community mapping and the establishment of referral agreements to enhance connections with local and regional resources for crisis intervention and telehealth services. The contract shall require the VAFCC and VTN to report on the number of design and results of the pilot program to the department and the Chairs of the House Appropriations Committee and Senate Finance and Appropriations Committee annually by December 1."

Explanation:

(This amendment provides \$250,000 from the general fund the second year for a pilot program between the Association of Free and Charitable Clinics and the Virginia Telehealth Network to support the integration of behavioral health safety planning and intervention into clinical health services. Language requires an annual report to the Chairs of the money committees and the Virginia Department of Health.)

Item 295 #3h

Amendments to HB 1400, As Introduced

Health and Human Resources	FY22-23	FY23-24	
Department of Health	\$0	\$500,000	GF

Language:

Page 345, line 41, strike "\$25,015,423" and insert "\$25,515,423".

Page 350, after line 19, insert:

"Z. Out of this appropriation, \$500,000 from the general fund the second year shall be provided to Samaritan House to support services to victims of violence and homeless families in the Hampton Roads region."

Explanation:

(This amendment provides \$500,000 from the general fund the second year for Samaritan House to support emergency and permanent housing, support services and community outreach to victims of violence and homeless families in the Hampton Roads region.)

Item 295 #4h

Health and Human Resources	FY22-23	FY23-24	
Department of Health	\$0	\$250,000	GF

Language:

Page 345, line 40, strike "\$25,015,423" and insert "\$25,265,423".

Page 350, after line 19, insert:

"Z. Out of this appropriation, \$250,000 the second year from the general fund shall be provided to Capital Care Health to continue providing inpatient hospice and palliative care at the Adler Inpatient Hospice Center in Aldie, Virginia."

Explanation:

(This amendment provides \$250,000 the second year from the general fund for Capital Care Health to continue providing inpatient hospice and palliative care at the Adler Inpatient Hospice Center in Aldie, Virginia)

Item 295 #5h

Health and Human Resources	FY22-23	FY23-24	
Department of Health	\$0	\$1,500,000	GF

Language:

Page 345, line 40, strike "\$25,015,423" and insert "\$26,515,423".

Page 350, after line 19, insert:

Amendments to HB 1400, As Introduced

"Z. Out of this appropriation, \$1,500,000 the second year from the general fund shall be provided to the Virginia Hospital Research and Education Foundation (VHREF) to establish the Virginia First-Year Nurse Residency Collaborative to support health care providers in increasing the retention of first-year registered nurses. The VHREF shall provide health systems with an evidence-based program to support first-year nurses in their transition-to-practice. VHREF shall provide a data-driven curriculum to help hospitals establish or maintain first-year nurse residency programs. This program will include expert technical assistance, evaluation measures, and collaborative learning modules for hospital programs. The Virginia Department of Health may establish further guidelines as needed."

Explanation:

(This amendment provides \$1.5 million the second year from the general fund to the Virginia Department of Health (VDH) to establish the Virginia First-Year Nurse Residency Collaborative to support health care providers in increasing the retention of first-year registered nurses. VDH would partner with, and provide \$1.45 million in funding to, the Virginia Hospital Research and Education Foundation (VHREF) to provide health systems with an evidence-based program to support first-year nurses in their transition-to-practice. VHREF will provide a data-driven curriculum to help hospitals establish or maintain first-year nurse residency programs. This program will include expert technical assistance, evaluation measures, and collaborative learning modules for hospital programs. The Department may establish further guidelines as needed.)

Item 299 #1h

Health and Human Resources

FY22-23

FY23-24

Department of Health

(\$200,000)

(\$200,000) NGF

Language:

Page 351, line 37, strike "\$31,595,283" and insert "\$31,395,283".

Page 351, line 38, strike "\$29,259,201" and insert "\$29,059,201".

Page 352, strikes lines 46 through 48.

Explanation:

(This amendment removes \$200,000 both the first and the second year from the nongeneral fund and removes the Department of Health Central Office's responsibility to perform administrative functions for the Opioid Abatement Authority (OAA). The OAA is setting up a Memorandum of Understanding with the Department of Behavioral Health and Developmental Services (DBHDS) for DBHDS to perform these functions instead.)

Item 304 #40h

Amendments to HB 1400, As Introduced

Health and Human Resources	FY22-23	FY23-24	
Department of Medical Assistance Services	\$0	\$242,813	GF
	\$0	\$353,575	NGF

Language:

Page 355, line 40, strike "\$22,919,178,986" and insert "\$22,919,775,374".

Page 384, after line 31, insert:

"YYYY. Effective July 1, 2023, The Department of Medical Assistance Services shall have the authority to update the rates for services based on the most recent rebasing estimates as follows: (i) Consumer Directed (CD) Management Training shall be increase to \$78.55 per hour in Northern Virginia and \$70.51 per hour in the rest of the state; (ii) CD initial Comprehensive Visit shall be increased to \$314.20 per visit in Northern Virginia and \$282.04 in the rest of the state; (iii) CD routine visit shall be increased to \$98.19 per visit in Northern Virginia and \$88.14 per visit in the rest of the state; CD Reassessment Visit shall be increased to \$157.10 per visit in Northern Virginia and \$141.02 per visit in the rest of the state; and (iv) CD Employee Management Training/Consumer Training shall be maintained at \$260.63 per visit in Northern Virginia and \$200.49 per visit in the rest of the state. The department shall have the authority to implement these changes prior to the completion of any regulatory process to effect such change."

Explanation:

(This amendment adds \$242,813 from the general fund and \$353,575 from nongeneral funds the second year to increase rates for Medicaid consumer directed service facilitation training and visits to reflect recommendations contained in the most recent report on rebasing of developmental disability Medicaid waiver services. While most of the rates were updated as of July 1, 2022, rates for service facilitation did not get updated. A service facilitator is a Medicaid-enrolled provider who is responsible for supporting the individual enrolled in Medicaid waivers and the family/caregiver by ensuring the development and monitoring of the Consumer-Directed Services Individual Service Plan, providing employee management training, and completing ongoing review activities as required by DMAS for consumer-directed companion, personal assistance, and respite services.)

Item 304 #41h

Health and Human Resources	FY22-23	FY23-24	
Department of Medical Assistance Services	\$0	\$11,654,251	GF
	\$0	(\$12,481,025)	NGF

Language:

Page 355, line 40, strike "\$22,919,178,986" and insert "\$22,918,352,212".

Page 384, after line 31, insert:

Amendments to HB 1400, As Introduced

"YYYY. The Department of Medicaid Assistance Services shall have the authority to draw down federal funds to cover unreimbursed Medicaid costs for inpatient services provided by nonstate government-owned nursing facilities as certified by the provider through cost reports not to exceed three percent of the net supplemental Medicaid payment each nursing home is entitled. The department shall have the authority to implement this reimbursement change prior to completion of any regulatory process in order to effect such change. To the extent federal approval requires alternative approaches to achieve the same general results, the department shall have the authority to follow the federal guidance effecting this change."

Explanation:

(This amendment adds \$11.7 million from the general fund and reduces \$12.5 million in nongeneral funds by capping the funds that the Department of Medical Assistance Services (DMAS) retains related to the intergovernmental transfer of funds by which Medicaid provides supplemental payments for five local government owned and operated nursing facilities. DMAS uses a formula to calculate the retained funds that has resulted in decreases in the amount of the supplemental payments received by the nursing homes. Any funds in excess of the costs to administer the program are deposited into the Virginia Health Care Fund and used to defray the general fund cost to operate the Medicaid program. Capping the amount that DMAS may retain from these intergovernmental transfers will allow DMAS to continue to receive the \$400,000 in costs it needs to operate the program, but will allow the nursing homes to receive the benefit of the supplemental payments.)

Item 304 #42h

Health and Human Resources	FY22-23	FY23-24	
Department of Medical Assistance Services	\$0	\$31,148,676	GF
	\$0	\$31,148,676	NGF

Language:

Page 355, line 40, strike "\$22,919,178,986" and insert "\$22,981,476,338".

Page 379, line 19 insert:

"d. Out of this appropriation, \$31,148,676 from the general fund and \$31,148,676 from nongeneral funds the second year shall be provided to increase nursing facility value-based payments pursuant to paragraph OOO.2.b. in this item."

Explanation:

(This amendment increases funding for nursing homes through the Nursing Facility Value Based Program by \$31.1 million from the general fund and \$31.1 million from matching federal Medicaid funds funding in fiscal year 2024. The program provides enhanced funding for facilities that meet or exceed performance and/or improvement thresholds such as adequate staffing and avoidance of negative care events.)

Amendments to HB 1400, As Introduced

Item 304 #43h

Health and Human Resources	FY22-23	FY23-24	
Department of Medical Assistance	\$0	\$292,064	GF
Services	\$0	\$315,445	NGF

Language:

Page 355, line 40, strike "\$22,919,178,986" and insert "\$22,919,786,495".

Page 384, after line 31, insert:

"YYYY. The Department of Medical Assistance Services shall amend the Developmental Disability waivers for the Community Living, the Family and Individual Support, and the Building Independence DD waivers to allow for the Ticket to Work and Work Incentives Improvement Act as an allowable category for the waivers and to amend the Medicaid Works program to expand the initial enrollment from the current 138 percent of the poverty level to 200 percent of the poverty level."

Explanation:

(This amendment adds \$454,326 from the general fund and \$493,717 from nongeneral funds the second year to amend the Medicaid Developmental Disability Community Living, the Family and Individual Support, and the Building Independence waivers to allow for the Ticket to Work and Work Incentives Improvement Act as an allowable category for the waivers and to amend the Medicaid Works program to expand the initial enrollment from the current 138 percent of the federal poverty level to 200 percent. This will enable individuals on the waiver to work without being at risk of losing Medicaid benefits.)

Item 304 #44h

Health and Human Resources	FY22-23	FY23-24	
Department of Medical Assistance	\$0	\$437,836	GF
Services	\$0	\$1,348,655	NGF

Language:

Page 355, line 40, strike "\$22,919,178,986" and insert "\$22,920,965,477".

Page 384, after line 31, insert:

"YYYY. The Department of Medical Assistance Services shall increase the rates for mental health partial hospitalization from a per diem rate of \$250.62 to \$500.00 and shall increase the rate for mental health intensive outpatient programs from a per diem of \$159.20 to \$250.00. The department shall have the authority to implement this reimbursement change effective July 1, 2023, and prior to the completion of any regulatory process undertaken in order to effect such change."

Explanation:

Amendments to HB 1400, As Introduced

(This amendment adds \$437,836 from the general fund and \$1.3 million in the nongeneral fund and language directing the Department of Medical Assistance Services to establish reimbursement parity between certain substance use disorder and mental health services.)

Item 304 #45h

Health and Human Resources	FY22-23	FY23-24	
Department of Medical Assistance Services	\$0	\$178,771	GF
	\$0	\$211,421	NGF

Language:

Page 355, line 40, strike "\$22,919,178,986" and insert "\$22,919,569,178".

Page 384, after line 31, insert:

"YYYY. Effective, July 1, 2023, the Department of Medical Assistance Services shall increase reimbursement rates for adult day health services provided through Medicaid home- and community-based waiver programs by 24 percent. The department shall have the authority to implement this reimbursement change effective July 1, 2023, and prior to the completion of any regulatory process undertaken in order to effect such change."

Explanation:

(This amendment adds \$178,771 from the general fund and \$211,421 from the nongeneral fund to increase adult day health care rates by 24 percent bringing the rate from \$64.17 to \$78.977 per day for the rest of the state and \$69.30 to \$85.93 in Northern Virginia. This would help address increases in minimum wages, shortage of caregivers, and inflationary increases in operational costs. Adult day health care is much less expensive than alternative care in a nursing facility for which these clients qualify.)

Item 304 #46h

Health and Human Resources	FY22-23	FY23-24	
Department of Medical Assistance Services	\$0	\$1,272,060	GF
	\$0	\$1,335,690	NGF

Language:

Page 355, line 40, strike "\$22,919,178,986" and insert "\$22,921,786,736".

Explanation:

(This amendment provides \$1.3 million from the general fund and \$1.3 million in the nongeneral fund the second year for the fiscal impact of House Bill 1512, which provides for

Amendments to HB 1400, As Introduced

the initial purchase or replacement of Complex Rehabilitative Technology manual and power wheelchair bases and related accessories for Medicaid patients residing in nursing facilities.)

Item 304 #47h

Health and Human Resources	FY22-23	FY23-24
Department of Medical Assistance Services	0.00	3.00 FTE

Language:

Page 369, after line 39, insert:

"c. The department shall have the authority to implement these reimbursement changes effective July 1, 2023, and consistent with the effective date in the State Plan amendment or the managed care contracts approved by the Centers for Medicare and Medicaid Services (CMS) and prior to completion of any regulatory process in order to effect such changes. No payment shall be made without approval from CMS. As part of the Interagency Agreements the department shall require the public entities to attest to compliance with applicable CMS criteria. The department shall also require any private hospital and related health systems receiving payments under this item to attest to compliance with applicable CMS criteria. Upon notification by the Department of any deferral or disallowance issued by CMS regarding the supplemental payment arrangement, the hospital provider will return the entire balance of the supplemental payment to the Department within 30 days of notification. If the hospital does not return the entire balance of the supplemental payment to the Department within the specified timeframe, a judgement rate of interest set forth in Title 6.2-302 will be applied to the entire balance, regardless of whatever portion has been repaid. In addition, the non-federal share of the agency's administrative costs directly related to administration of the programs authorized in this paragraph, including staff and contractors, shall be funded by participating public entities.

d. The purposes to which the additional payments authorized via this item shall be applied include: (i) sustaining and enhancing access to outpatient care for Medicaid recipients; (ii) stabilizing and supporting critical healthcare workforce needs; and (iii) advancing the department's overall quality improvement goals. The department, with the assistance of the participating organizations, shall report to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by December 1 of each year on the impact of this initiative."

Explanation:

(This amendment directs the Department of Medical Assistance Services to implement a Private Hospital Medicaid Supplemental Payment Program on July 1, 2023. It also provides three positions at the agency for administration of the program.)

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Item 304 #48h

Health and Human Resources	FY22-23	FY23-24	
Department of Medical Assistance Services	\$0	\$5,153,878	GF
	\$0	\$5,896,122	NGF

Language:

Page 355, line 40, strike "\$22,919,178,986" and insert "\$22,930,228,986".

Page 384, after line 31, insert:

"YYYY. The Department of Medical Assistance Services shall implement managed care directed payments for physician services for practice plans affiliated with a freestanding children's hospital with more than 50 percent Medicaid utilization in fiscal year 2009 for \$11,000,000 million annually but not to exceed the average commercial rate. The department shall have the authority to implement this reimbursement change effective July 1, 2023, and prior to the completion of any regulatory process undertaken in order to effect such changes. The agency shall implement this by determining at the beginning of each year the percent of Medicaid that will result in estimated payments of \$11,000,000 annually."

Explanation:

(This amendment provides \$5.2 million from the general fund and \$5.9 million nongeneral fund the second year to authorize the Department of Medical Assistance Services to make physician supplemental payments for managed care patients of Children's Hospital of The King's Daughters (CHKD). These payments help cover the cost of caring for thousands of children facing life-threatening illnesses, traumatic injuries and chronic conditions as well as those who need access to routine well-child care regardless of their families' ability to pay for services. Additionally, physician supplemental payments would help CHKD address critical workforce development needs as the region's only teaching hospital for pediatrics. These payments would also support operational expenses incurred by CHKD associated with their pediatric mental health expansion.)

Item 304 #49h

Health and Human Resources	FY22-23	FY23-24	
Department of Medical Assistance Services	\$0	\$43,177	GF
	\$0	\$383,834	NGF

Language:

Page 355, line 40, strike "\$22,919,178,986" and insert "\$22,919,605,997".

Page 384, after line 31, insert:

"YYYY. Effective July 1, 2023, the Department of Medical Assistance Services shall have the authority to amend the State Plan under Title XIX of the Social Security Act to provide

Amendments to HB 1400, As Introduced

reimbursement for the provision of behavioral health services that are classified by a Current Procedural Terminology code as collaborative care management services."

Explanation:

(This amendment provides \$43,177 from the general fund and \$383,834 from nongeneral funds the second year to provide Medicaid reimbursement for collaborative care services to treat mental health conditions and substance use disorders.)

Item 304 #50h

Health and Human Resources	FY22-23	FY23-24	
Department of Medical Assistance Services	(\$10,000,000)	\$0	GF
	\$10,000,000	\$0	NGF

Language:

Explanation:

(This amendment reflects additional revenue to the Virginia Health Care Fund of \$10.0 million the first year from managed care organization (MCO) repayments resulting from not meeting the medical loss ratio (MLR) requirement that applies to Medicaid MCOs. The impact of the COVID-19 pandemic on health care utilization has resulted in increased profits and difficulty in meeting the MLR requirement for MCOs and therefore results in repayments to the Commonwealth. These repayments are deposited in the Health Care Fund, which is used as state match for Medicaid. Therefore, the increase in revenue results in a corresponding reduction in general fund appropriation for Medicaid.)

Item 304 #51h

Health and Human Resources	FY22-23	FY23-24	
Department of Medical Assistance Services	\$0	\$12,100,000	GF
	\$0	(\$12,100,000)	NGF

Language:

Explanation:

(This amendment reflects a reduction in revenue to the Virginia Health Care Fund of \$12.1 million the second year from the fiscal impact of House Bill 1417, which modifies the statutory tax rate imposed on certain tobacco products. These taxes are deposited in the Health Care Fund, which is used as state match for Medicaid. Therefore, a decrease in revenue results in a corresponding increase in general fund appropriation for Medicaid.)

Amendments to HB 1400, As Introduced

Item 304 #55h

Health and Human Resources	FY22-23	FY23-24	
Department of Medical Assistance	\$0	\$549,756	GF
Services	\$0	\$597,222	NGF

Language:

Page 355, line 40, strike "\$22,919,178,986" and insert "\$22,920,325,964".

Explanation:

(This amendment adds \$549,756 from the general fund and \$597,222 in matching federal Medicaid funding the second year for the fiscal impact of House Bill 1693, which combines the maximum annual allowable amount for assistive technology and electronic home-based support services for an individual receiving Medicaid Developmental Disability waiver services to provide for greater flexibility to provide a total of \$10,000 available to an eligible individual for assistive technology and electronic home-based support services each year.)

Item 304 #56h

Health and Human Resources	FY22-23	FY23-24	
Department of Medical Assistance	\$0	\$2,487,240	GF
Services	\$0	\$2,552,760	NGF

Language:

Page 355, line 40, strike "\$22,919,178,986" and insert "\$22,924,218,986".

Explanation:

(This amendment adds \$2.5 million from the general fund and \$2.5 million from matching federal Medicaid funds the second year for the Medicaid impact of providing an increase in the Auxiliary Grant rate for low-income individuals residing in assisted living facilities. Recipients of an Auxiliary Grant are automatically eligible for Medicaid coverage. A companion amendment increases the Auxiliary Grant rate in Item 344 by \$100 per month, resulting in an expected increase in the number of individuals that may become eligible for an Auxiliary Grant.)

Item 304 #57h

Health and Human Resources	FY22-23	FY23-24	
Department of Medical Assistance	\$30,808,394	(\$129,975,273)	GF
Services	(\$31,889,475)	(\$523,443,091)	NGF

Amendments to HB 1400, As Introduced

Language:

Page 355, line 40, strike "\$20,956,823,768" and insert "\$20,955,742,687".
Page 355, line 40, strike "\$22,919,178,986" and insert "\$22,265,760,622".

Explanation:

(This amendment adds \$30.8 million from the general fund the first year and reduces \$31.9 million from the nongeneral fund the first year and reduces \$130.0 million from the general fund and \$523.4 million from nongeneral funds the second year to reflect changes in the federal match rate due to provisions in the federal Consolidated Appropriations Act of 2023 which decouples the Medicaid continuous enrollment provision from the federal Public Health Emergency (PHE) and terminates this provision on March 31, 2023. Starting April 1, 2023, states can resume Medicaid disenrollments and will be eligible for phase-down of the enhanced FMAP (6.2 percentage points through March 2023; 5 percentage points through June 2023; 2.5 percentage points through September 2023 and 1.5 percentage points through December 2023) if they comply with certain rules. States cannot restrict eligibility standards, methodologies, and procedures and states cannot increase premiums as required in FFCRA. Further, states must also comply with federal rules about conducting renewals. Lastly, states are required to maintain up to date contact information, and attempt to contact enrollees prior to disenrollment.)

Item 304 #58h

Health and Human Resources	FY22-23	FY23-24	
Department of Medical Assistance	\$0	(\$7,577,559)	GF
Services	\$0	(\$7,577,559)	NGF

Language:

Page 355, line 40, strike "\$22,919,178,986" and insert "\$22,904,023,868".

Explanation:

(This amendment reduces \$7.6 million the second year from the general fund and a like amount of federal matching Medicaid funds to account for implementation delays in utilization of Medicaid services.)

Item 304 #59h

Health and Human Resources	FY22-23	FY23-24	
Department of Medical Assistance	\$0	\$3,324,031	GF
Services	\$0	\$12,495,412	NGF

Language:

Page 355, line 40, strike "\$22,919,178,986" and insert "\$22,934,998,429".

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Explanation:

(This amendment adds \$3.3 million the second year from the general fund and \$12.5 million in nongeneral funds to support associated costs with a contract to support local agencies during the unwinding of Medicaid continuous coverage requirements.)

		Item 304 #60h	
Health and Human Resources	FY22-23	FY23-24	
Department of Medical Assistance Services	\$0	\$180,000	GF
	\$0	\$180,000	NGF
	0.00	2.00	FTE

Language:

Page 355, line 40, strike "\$22,919,178,986" and insert "\$22,919,538,986".

Explanation:

(This amendment transfers \$180,000 the second year from the general fund to be matched by \$180,000 in federal Medicaid funds and two positions from the Department of Behavioral Health and Developmental Services for administration of the Developmental Disability Waiver programs at the Department of Medical Assistance Services.)

		Item 304 #61h
Health and Human Resources		Language
Department of Medical Assistance Services		

Language:

Page 384, after line 31, insert:
"YYYY. Effective October 1, 2023 and notwithstanding laws and regulations related thereto, the Department of Medical Assistance Services (DMAS), after consultation with relevant stakeholders, shall have authority to modify procedures related to Medicaid nursing facility reimbursement under the Resource Utilization Group (RUG) methodology to account for changes specifically necessitated by the Centers for Medicare and Medicaid Services (CMS) termination of support for RUGs-based systems, whenever, and to the extent, that occurs. Any modified procedures shall be implemented under the principle of individual facility budget neutrality as compared to current policy, and shall be temporary as DMAS works on a long-term plan to either maintain the RUG-based system or adopt a methodology based on the CMS Patient Driven Payment Model (PDPM). DMAS shall develop the long-term plan in consultation with relevant stakeholders and submit that plan, to include timelines and authorizing language, on or before December 1, 2023, to the Governor, and the Chairmen of the

Amendments to HB 1400, As Introduced

House Appropriations Committee and the Senate Finance and Appropriations Committee for consideration during the 2024 Regular Session. DMAS shall have authority to implement any temporary changes necessary under this item in anticipation of federal approval and prior to the completion of the regulatory process."

Explanation:

(This amendment adds language authorizing the Department of Medical Assistance Services to make needed changes to the reimbursement methodology for nursing facilities on a temporary basis in anticipation of the Centers for Medicare and Medicaid discontinued use of Resource Utilization Groups as a system for grouping nursing home residents according to their clinical and functional status. The RUG-based system is used in determining payments to nursing facilities based on patient care and resource needs as identified in a facility's minimum data set published by the U.S. Department of Health and Human Services. The Centers for Medicare and Medicaid are replacing the RUG system with the Patient Driven Payment Model, which is more reflective of clinically relevant factors affecting a patient's care rather than volume based services as used under the RUG system. Language requires any temporary changes to be budget neutral and directs the agency to develop a long-term plan by December 1, 2023 for consideration during the 2024 Regular Session of the General Assembly.)

Item 304 #62h

Health and Human Resources	FY22-23	FY23-24	
Department of Medical Assistance Services	\$0	\$6,903	GF
	\$0	\$10,053	NGF

Language:

Page 355, line 40, strike "\$22,919,178,986" and insert "\$22,919,195,942".

Page 384, after line 31, insert:

"YYYY. The Department of Medical Assistance Services shall increase the rates for peer mentoring consistent with the more recent rate study by Burns and Associates. This reimbursement change shall be effective July 1, 2023."

Explanation:

(This amendment provides \$6,903 from the general fund and \$10,053 from nongeneral funds the second year to increase the rate for Peer Mentoring waiver services in fiscal year 2024, in accordance with the 2021 Burns & Associates rate report. The amendment assumes a growth in the number of individuals served.)

Item 304 #65h

Health and Human Resources	FY22-23	FY23-24	
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Amendments to HB 1400, As Introduced

Department of Medical Assistance Services	\$200,661 \$218,058	\$200,661 \$218,058	GF NGF
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Language:

Page 355, line 40, strike "\$20,956,823,768" and insert "\$20,957,242,487".

Page 355, line 40, strike "\$22,919,178,986" and insert "\$22,919,597,705".

Page 383, line 44, after "change.", insert:

"The department shall include any and all Early Periodic Screening Diagnosis and Treatment (EPSDT) Therapeutic Group Homes in such rate increase effective July 1, 2022, regardless of the number of providers and whether or not such facilities were previously included in the list of eligible procedure and revenue codes provided in the Medicaid Bulletin to Providers of Home and Community Based Services Waivers (HCBS) and EPSDT services participating in Virginia Medical Assistance Programs and Medicaid Managed Care Organizations (MCOs) dated October 16, 2021. The department shall have the authority to implement these changes prior to completion of any regulatory process undertaken in order to effect such change."

Explanation:

(This amendment provides \$200,661 from the general fund and \$218,085 from nongeneral funds each year to increase reimbursement for Early Periodic Screening Diagnosis and Treatment (EPSDT) therapeutic Group Homes that were excluded from the 12.5 percent rate increase, despite qualifying for such increase in 2021 and 2022. EPSDT therapeutic group homes provide services for 70 children in Virginia.)

Item 308 #1h

Health and Human Resources

Department of Medical Assistance Services

Language

Language:

Page 392, strike lines 54 and 55.

Page 393, strike lines 1 through 9 and insert:

"EE. The Department of Medical Assistance Services (DMAS) shall convene a workgroup to examine the impact of including all children's residential services, such as psychiatric residential treatment services and children's group home services in the Medicaid managed care program. This workgroup shall examine potential cost, program, and system of care impacts, including how local funding and the federally required independent assessment process for these services must be accounted for in managed care. This workgroup shall be comprised of relevant stakeholders including representatives from the public and private provider community, the Office of Children's Services, Department of Social Services, Department of Behavioral Health and Developmental Services, Department of Planning and Budget, and staff of the House Appropriations and Senate Finance and Appropriations Committees. DMAS shall report on workgroup activities to the Governor and Chairmen of the House Appropriations and Senate

Amendments to HB 1400, As Introduced

Finance and Appropriations Committees by December 1, 2023."

Explanation:

(This amendment modifies language in the introduced budget which establishes a workgroup to examine the impact of including certain children's psychiatric residential treatment services in the Medicaid managed care program. It adds children's residential services and children's group home services as additional services to be examined for including in the Medicaid managed care program. Language also is modified to include representatives of the public and private provider community as members of the workgroup.)

Item 308 #15h

Health and Human Resources

Department of Medical Assistance Services

Language

Language:

Page 393, after line 33, insert:

"II. The Department of Medical Assistance Services shall review the potential cost savings of equalizing nursing home and community based care spenddown rules and submit the findings to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by December 1, 2023."

Explanation:

(This amendment directs the Department of Medical Assistance Services to review the potential cost savings related to equalizing nursing home and community based care Medicaid spenddown amounts and report its findings by December 1, 2023.)

Item 311 #1h

Health and Human Resources

FY22-23

FY23-24

Department of Behavioral Health and
Developmental Services

\$0
0.00

\$181,250 GF
1.00 FTE

Language:

Page 395, line 20, strike "\$163,049,824" and insert "\$163,231,074".

Page 401, after line 1, insert:

"NN. Out of this appropriation, \$181,250 the second year from the general fund is provided to create a social media campaign for suicide prevention directed at teens."

Explanation:

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(This amendment provides \$181,250 the second year from the general fund to create a social media campaign for suicide prevention targeting teens and one position to manage the campaign. With teen consult, the campaign will message mental health and emotional intelligence message directly to teenagers.)

Item 311 #2h

Health and Human Resources

Department of Behavioral Health and Developmental Services

Language

Language:

Page 401, after line 1, insert:

"NN. The Department of Behavioral Health and Developmental Services (DBHDS) shall (i) identify all current DBHDS requirements related to documentation and reporting of community service boards (CSB) behavioral health services, (ii) identify which of these requirements currently apply to work by CSB direct care staff, (iii) identify any DBHDS requirements of direct care staff that are duplicative of or conflict with other DBHDS requirements, (iv) eliminate any requirements that are not essential to ensuring consumers receive effective and timely services or are duplicative or conflicting, and (v) report to the State Board of Behavioral Health and Developmental Services and the Behavioral Health Commission on progress made toward eliminating administrative requirements that are not essential, duplicative, or are conflicting."

Explanation:

(This amendment is self-explanatory.)

Item 311 #3h

Health and Human Resources

Department of Behavioral Health and Developmental Services

Language

Language:

Page 401, after line 1, insert:

"NN. The Department of Behavioral Health and Developmental Services shall report annually on (i) Community Service Boards (CSB) performance in improving the functioning levels of its consumers based on composite and individual item scores from the DLA-20 assessment, or result from another comparable assessment, by CSB, (ii) changes in CSB performance in improving consumer functioning levels over time, by CSB, and (iii) the use of functional assessment data by the Department of Behavioral Health and Developmental Services to improve CSB performance to the State Board of Behavioral Health and Developmental Services and the Behavioral Commission."

Amendments to HB 1400, As Introduced

Explanation:

(This amendment requires the Department of Behavioral Health and Developmental Services to report annually on CSB performance to ensure the Department is monitoring performance and consumer outcomes and appropriately intervening if needed.)

		Item 311 #4h	
Health and Human Resources	FY22-23	FY23-24	
Department of Behavioral Health and Developmental Services	\$0	(\$15,000,000)	GF

Language:

Page 395, line 20, strike "\$163,049,824" and insert "\$148,049,824".

Page 400, strike lines 4 through 15.

Page 400, after line 3, insert:

"HH. Out of this appropriation, \$2,500,000 the first year from the general fund is provided for (i) the Department of Behavioral Health and Developmental Services and partners to provide technical assistance to school divisions seeking guidance on integrating mental health services; and (ii) grants to school divisions to contract for community-based mental health services for students from public or private community-based providers. The department shall require the programs to report back to the department on the success factors for integrating behavioral health in education settings and identify funding recommendations and resources needed to continue these efforts. The department shall report such information annually to the Behavioral Health Commission by September 1."

Explanation:

(This amendment transfers \$15.0 million the second year from the general fund designated for school-based mental health programs from the Department of Behavioral Health and Developmental Services to the Department of Education (DOE). The amendment retains funding and language for the original pilot projects. There is a corresponding amendment in DOE to receive the \$15.0 million to provide technical assistance and grants to school divisions integrating mental health services.)

		Item 311 #5h	
Health and Human Resources	FY22-23	FY23-24	
Department of Behavioral Health and Developmental Services	\$0 0.00	(\$180,000) -2.00	GF FTE

Language:

Amendments to HB 1400, As Introduced

Page 395, line 20, strike "\$163,049,824" and insert "\$162,869,824".

Explanation:

(This amendment transfers \$180,000 the second year from the general fund and two positions from the Department of Behavioral Health and Developmental Services to the Department of Medical Assistance Services (DMAS) to support the workload associated with the transfer of financial management and oversight of the Developmental Disability waivers, as required by Chapter 2, 2021 Special Session I. A companion amendment in Item 308 provides the funding and positions for this activity.)

	Item 311 #6h	
Health and Human Resources	FY22-23	FY23-24
Department of Behavioral Health and Developmental Services	\$0	\$250,000 GF

Language:

Page 395, line 20, strike "\$163,049,824" and insert "\$163,299,824".

Page 400, line 51, after "MM." insert "1."

Page 400, line 51, strike "\$20,000,000" and insert "\$20,250,000".

Page 401, line 1, after "Virginia." insert:

"The Department of Behavioral Health and Developmental Services shall report quarterly on projects awarded with details on each project and its projected impact on the state behavioral health hospital census. The report shall be submitted to the Chairs of House Appropriations and Senate Finance and Appropriations Committees no later than 30 days after each quarter ends.

2. Out of the amount in MM. 1., \$250,000 the second year is provided to the Carilion comprehensive psychiatric emergency program to provide technical assistance to the new psychiatric emergency programs, including assisting in coordination with regional community service boards.

3. While considering project proposals for the comprehensive psychiatric emergency programs or similar models of psychiatric care in emergency departments, the Department of Behavioral Health and Developmental Services shall consider the placement of the program and if it would serve a priority area in Virginia where (i) the population has a large percentage of emergency custody orders and temporary detention orders, (ii) the area is not within an hour's drive from the closet crisis receiving center or crisis stabilization unit, and (iii) the area is underserved in regards to mental health treatment."

Explanation:

(This amendment adds \$250,000 the second year from the general fund to the Carilion comprehensive psychiatric emergency program to provide technical assistance to the new

Amendments to HB 1400, As Introduced

psychiatric emergency programs across the state. This amendment also directs the Department of Behavioral Health and Developmental Services to report on the projects and their impact on the state behavioral health hospital census and to consider the location of the proposed psychiatric emergency programs so they serve priority areas in the state.)

Item 312 #1h

Health and Human Resources	FY22-23	FY23-24	
Department of Behavioral Health and Developmental Services	\$0	\$25,000,000	GF

Language:

Page 401, line 4, strike "\$167,062,449" and insert "\$192,062,449".

Page 404, line 39, strike "57,500,000" and insert "82,500,000".

Page 404, after line 38, insert:

"3. Of the amounts in W.1, \$25,000,000 the second year is designated to create additional crisis stabilization units in addition to the new units proposed in the Right Help, Right Now plan.

4. The Department of Behavioral Health and Developmental Services shall determine the placement of new crisis receiving centers and crisis stabilization units based on priority areas in Virginia where (i) the population has a large percentage of emergency custody orders and temporary detention orders, (ii) the area is not within an hour's drive from the closest crisis receiving center or crisis stabilization unit, and (iii) the area is underserved in regards to mental health treatment."

Explanation:

(This amendment provides \$25.0 million the second year from the general fund to create additional crisis stabilization units in addition to those proposed in the Right Help, Right Now plan. This amendment also directs the Department of Behavioral Health and Developmental Services to place the new crisis stabilization units in priority areas in the state.)

Item 312 #2h

Health and Human Resources

Department of Behavioral Health and Developmental Services	Language
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Language:

Page 404, line 45, after "Virginia." insert:

"The Department shall report quarterly on projects awarded with details on each project and its projected impact on the state's extraordinary barriers list. The report shall be submitted to the Chairs of House Appropriations and Senate Finance and Appropriations Committees no later

than 30 days after each quarter ends."

Explanation:

(This amendment adds a requirement that the Department of Behavioral Health and Developmental Services report on the projects for supervised residential care funded through Item 312 to the Chairs of House Appropriations and Senate Finance and Appropriations Committees.)

Item 312 #3h

Health and Human Resources

Department of Behavioral Health and Developmental Services

Language

Language:

Page 401, strike lines 52 through 55.

Page 402, strike lines 1 through 11.

Page 401, after line 51, insert:

"D. 1. Out of this appropriation, \$6,429,216 the first year and \$7,429,216 the second year from the general fund shall be provided to the Department of Behavioral and Developmental Services to provide alternative transportation for adults and children under a temporary detention order. The department shall report to the Governor and Chairs of the House Appropriations and Senate Finance and Appropriations Committees on the effectiveness and outcomes of the program funding by October 1 each year."

Page 402, after line 22, insert:

"F. Out of this appropriation, \$2,000,000 the first year and \$3,359,416 the second year from the general fund is provided for a program of alternative custody for individuals under a temporary detention order who are awaiting transport to an inpatient bed. The Department of Behavioral Health and Developmental Services, in consultation with local law enforcement, community services boards, and other stakeholders as appropriate, shall implement a plan to provide alternative custody options for individuals under temporary detention orders to reduce the length of time law enforcement resources are involved and improve patient outcomes."

Explanation:

(This amendment delineates the funding for alternative transportation and alternative custody. The introduced budget combined the funding for alternative transportation and alternative custody, providing less transparency on the use of this funding.)

Item 312 #4h

Health and Human Resources

FY22-23

FY23-24

Amendments to HB 1400, As Introduced

Department of Behavioral Health and
Developmental Services

\$0

\$6,000,000 GF

Language:

Page 401, line 4, strike "\$167,062,449" and insert "\$173,062,449".

Page 404, line 16, after "U.", insert "1."

Page 404, after line 27, insert:

"2. Out of this appropriation, \$6,000,000 the second year from the general fund shall be provided to Chesapeake Regional Hospital for psychiatric inpatient services and a psychiatric emergency care program. Of this amount, \$3,000,000 is designated for psychiatric inpatient services and \$3,000,000 is designated for the development of a psychiatric emergency care program. Funding for the psychiatric emergency care program shall be contingent on matching funds from public and/or private sources."

Explanation:

(This amendment provides \$6.0 million the second year from the general fund to Chesapeake Regional Hospital to support their psychiatric inpatient services and development of a psychiatric emergency care programs, of which \$3.0 million is for support of the operation of new beds in their inpatient psychiatric unit and \$3.0 million is designated for the psychiatric emergency care program. Language requires funding for the emergency care program to be matched by public and/or private sources.)

Item 312 #5h

Health and Human Resources

Department of Behavioral Health and Developmental Services

Language

Language:

Page 402, line 18, after "D.1.", insert:

"The Department of Behavioral Health and Developmental Services shall first use available nongeneral funds to contract with local law enforcement agencies to utilize the off-duty officer program. The Department of Planning and Budget shall unallot general fund dollars provided in this paragraph upon when the nongeneral fund have been fully expended."

Explanation:

(This amendment directs the Department of Behavioral Health and Developmental Services (DBHDS) to use nongeneral fund to contract with local law enforcement agencies to utilize the off-duty officer program to provide transportation services or assume custody of an individual under a temporary detention order who is awaiting admission to a facility or for whom a bed has not yet been identified. Once DBHDS has exhausted all appropriate nongeneral fund dollars for the off-duty officer program, the Department of Planning and Budget shall unallot the general fund appropriation.)

Amendments to HB 1400, As Introduced

Item 312 #6h

Health and Human Resources	FY22-23	FY23-24	
Department of Behavioral Health and Developmental Services	(\$1,416,398)	(\$1,416,398)	NGF

Language:

- Page 401, line 4, strike "\$84,657,829" and insert "\$83,241,431".
- Page 401, line 4, strike "\$167,062,449" and insert "\$165,646,051".
- Page 402, line 35, after "fund" strike the remainder of the line.
- Page 402, line 36, strike "funds".
- Page 402, strike lines 38 and 39.

Explanation:

(This amendment transfers \$1.4 million in both the first and second year from the nongeneral fund and the language describing the purchase of additional REVIVE kits from the Department of Behavioral Health and Developmental Services to the Opioid Abatement Authority. There is a corresponding amendment in the Opioid Abatement Authority providing the funding for this purpose.)

Item 313 #1h

Health and Human Resources	FY22-23	FY23-24	
Grants to Localities	\$0	\$36,535,694	GF

Language:

- Page 405, line 10, strike "\$655,486,687" and insert "\$692,022,381".
- Page 411, after line 12, insert:
"RR. Out of this appropriation, \$36,535,694 from the general fund in the second year is provided for additional salary adjustments to all staff at the Community Service Boards."

Explanation:

(This amendment provides \$36.5 million GF in FY 2024 for salary adjustments for CSB staff. The funding equates to approximately five percent of total CSB payroll.)

Item 313 #2h

Health and Human Resources	FY22-23	FY23-24	
Grants to Localities	\$0	\$2,000,000	GF

Amendments to HB 1400, As Introduced

Language:

Page 405, line 10, strike "\$655,486,687" and insert "\$657,486,687".

Page 411, after line 12, insert:

"RR. Out of this appropriation, \$2,000,000 the second year from the general fund is designated to provide matching grants to the National Center for Healthy Veterans and Up Center in Virginia Beach to provide behavioral health care to veterans in Virginia."

Explanation:

(This amendment is self-explanatory.)

	Item 313 #3h	
Health and Human Resources	FY22-23	FY23-24
Grants to Localities	\$0	\$8,400,000 GF

Language:

Page 405, line 10, strike "\$655,486,687" and insert "\$663,886,687".

Page 407, line 18, strike the second "\$8,400,000" and insert "\$16,800,000".

Page 407, line 20, strike "response".

Page 407, line 20, strike "mental health and behavioral disorders" and insert: "behavioral needs"

Page 407, line 22, strike "shall" and insert "may".

Page 407, line 23, strike "response".

Page 407, line 24, strike "such as general" and insert "."

Page 407, strike lines 25 and 26.

Page 407, line 27, strike "health disorders."

Page 407, line 28, strike "response".

Page 407, line 28, strike ", including mobile crisis teams" and insert "."

Page 407, strike line 29.

Page 407, strike line 30, and insert "The".

Explanation:

(This amendment adds \$8.4 million the second year from the general fund in additional support for children's behavioral health services, bringing the fiscal year 2024 total to \$16.8 million. This amendment also revises language to allow flexible uses of funds to build service capacity focused on specialized needs of children and youth.)

	Item 330 #1h	
Health and Human Resources	FY22-23	FY23-24

Amendments to HB 1400, As Introduced

Department for Aging and Rehabilitative Services	\$0	\$570,000	GF
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Language:

Page 416, line 26, strike "\$106,052,645" and insert "\$106,622,645".
Page 418, line 4, strike the second "7,746,719" and insert "8,316,719".
Page 418, line 17, strike the second "\$720,000" and insert: "\$1,290,000".

Explanation:

(This amendment provides \$570,000 from the general fund the second year to expand community based brain injury case management services to unserved or underserved areas of Virginia.)

		Item 331 #1h	
Health and Human Resources	FY22-23	FY23-24	
Department for Aging and Rehabilitative Services	\$0	\$700,000	GF

Language:

Page 418, line 51, strike "\$39,539,449" and insert "\$40,239,449".

Explanation:

(This amendment adds \$700,000 from the general fund the second year for one-time supplemental funding to offset losses to local Area Agencies on Aging (AAAs) due to the impact of 2020 census changes on the distribution formula for federal Older Americans Act funding. This would ensure that 11 AAAs would not experience funding losses due to the impact of census changes on funding distribution.)

		Item 331 #2h	
Health and Human Resources	FY22-23	FY23-24	
Department for Aging and Rehabilitative Services	\$0	\$380,000	GF

Language:

Page 418, line 51, strike "\$39,539,449" and insert "\$39,919,449".
Page 419, line 12, strike "\$3,785,000" and insert "\$4,035,000".
Page 419, line 15, strike "757" and insert "807".

Amendments to HB 1400, As Introduced

Explanation:

(This amendment adds \$380,000 from the general fund the second year to expand the Virginia Public Guardian and Conservator Program to serve 50 additional individuals in need of guardianship services and add one position for a policy analyst.)

	Item 340 #1h	
Health and Human Resources	FY22-23	FY23-24
Department of Social Services	(\$4,100,000)	\$4,100,000 GF

Language:

Page 424, line 21, strike "\$56,238,201" and insert "\$52,138,201".

Page 424, line 21, strike "\$50,458,490" and insert "\$54,558,490".

Page 426, strike lines 1 through 15 and insert:

"K. Out of this appropriation, \$2,100,000 from the general fund the second year shall be provided to support the child welfare workforce including: (i) trauma-informed training for local departments of social services and state staff; (ii) public-private partnerships to support child welfare prevention initiatives, (iii) continued efforts to improve capacity to serve children in Foster Care at risk of displacement; (iv) provision of a peer support line for local departments of social services and state staff to support retention of child welfare staff; and (v) additional infrastructure and procurement positions to support the implementation of efforts to build child welfare service capacity.

L. Out of this appropriation, \$750,000 from the general fund the second year shall be provided to support enhanced information technology to support child welfare staff in the field.

M. Out of this appropriation, \$1,250,000 from the general fund the second year shall be provided to increase and enhance support for kinship caregivers in child welfare cases."

Explanation:

(This amendment moves \$4.1 million from the general fund the first year to the second year to redirect funding that was provided in Chapter 2, 2022 Special Session 1 for child welfare improvements. This funding is not expected to be spent in fiscal year 2023 and language is modified to enhance child welfare efforts, modernize information technology for child welfare workers and increase and enhance support for kinship caregivers in child welfare cases.)

	Item 342 #1h	
Health and Human Resources	FY22-23	FY23-24
Department of Social Services	\$200,000	\$0 GF

Amendments to HB 1400, As Introduced

Language:

Page 428, line 28, strike "\$567,158,815" and insert "\$567,358,815".

Page 429, after line 30, insert:

"J. Out of this appropriation, \$200,000 the first year from the general fund shall be provided to the Buchanan County Department of Social Services for administrative costs associated with providing flood relief to the residents of Buchanan County Virginia as provided for in Item 114, paragraph K."

Explanation:

(This amendment provides \$200,000 the first year from the general fund to the Buchanan County Department of Social Services for administrative costs associated with providing flood relief to the residents of Buchanan County, Virginia as provided for in Item 114, paragraph K.)

	Item 342 #2h	
Health and Human Resources	FY22-23	FY23-24
Department of Social Services	\$0	\$200,000 GF

Language:

Page 428, line 28, strike "\$574,016,277" and insert "\$574,216,277".

Page 429, after line 30, insert:

"J. Out of this appropriation, \$200,000 the second year from the general fund shall be provided to the Buchanan County and Tazewell County Departments of Social Services for administrative costs associated with providing flood relief to the residents of Buchanan County and Tazewell County, as provided for in Item 114, paragraph K and paragraph O."

Explanation:

(This amendment provides \$200,000 the first year from the general fund to the Buchanan County and Tazewell County Departments of Social Services for administrative costs associated with providing flood relief to the residents of Buchanan County and Tazewell County, as provided for in Item 114, paragraph K and paragraph O.)

	Item 344 #1h	
Health and Human Resources	FY22-23	FY23-24
Department of Social Services	\$0	\$1,200,000 GF

Language:

Page 430, line 25, strike "\$48,227,762" and insert "\$49,427,762".

Page 430, after line 44, insert:

Amendments to HB 1400, As Introduced

"3. Effective January 1, 2023, the monthly personal care allowance for Auxiliary Grant recipients shall be \$115 per month, unless modified as indicated below. The personal care allowance for auxiliary grant recipients shall increase annually by the same percentage as the federal government cost of living increases for Supplemental Security Income."

Page 430, line 45, strike "3" and insert "4".

Explanation:

(This amendment adds \$1.2 million from the general fund the second year to increase the monthly personal care allowance for Auxiliary Grant recipients from \$82 per month to \$115 per month. The personal needs allowance has been generally flat since 2009. The recipient may use their personal needs allowance to cover medical supplies, medical co-pays, laundry services offered by their provider, and other expenses.)

Item 344 #2h

	FY22-23	FY23-24	
Health and Human Resources			
Department of Social Services	\$0	\$3,679,645	GF

Language:

Page 430, line 25, strike "\$48,227,762" and insert "\$51,907,407".

Page 430, after line 41, insert:

"2. Effective July 1, 2023, the the Department of Social Services, in collaboration with the Department for Aging and Rehabilitative Services, is authorized to base approved licensed assisted living facility rates for individual facilities on an occupancy rate of 85 percent of licensed capacity, not to exceed a maximum rate of \$1,832 per month, which rate is also applied to approved adult foster care homes, unless modified as indicated below. The department may add a 15 percent differential to the maximum amount for licensed assisted living facilities and adult foster care homes in Planning District Eight."

Page 430, line 42, strike "2" and insert "3".

Page 430, line 45, strike "3" and insert "4".

Explanation:

(This amendment adds \$3.7 million from the general fund the second year to increase the Auxiliary Grant Rate for assisted living facilities by \$150 per month from \$1,682 to \$1,838 per month. The state provides 80 percent of the funding for this program while the localities provide 20 percent. The local share is estimated to be \$2.2 million per year.)

Item 344 #3h

Health and Human Resources

Amendments to HB 1400, As Introduced

Department of Social Services

Language

Language:

Page 431, after line 30, insert:

"H. The Director, Department of Planning and Budget, shall, on or before June 30, 2023, unallot \$3,000,000 from the general fund in this item, which reflects unused balances in the auxiliary grants program."

Explanation:

(This amendment captures \$3.0 million in balances from the general fund in fiscal year 2023 which reflects a projected balance in the auxiliary grants program.)

Item 345 #1h

Health and Human Resources	FY22-23	FY23-24	
Department of Social Services	(\$4,500,000)	(\$3,750,000)	GF
	\$4,500,000	\$3,750,000	NGF

Language:

Explanation:

(This amendment reduces general fund spending by \$4.5 million the first year and \$3.8 million the second year and adds a commensurate amount of the federal matching funds each year for adoption assistance, foster care and the KinGAP programs due to changes in the enhanced federal medical assistance percentage (FMAP) pursuant to the federal Public Health Emergency and the federal Consolidated Appropriations Act of 2023.)

Item 345 #3h

Health and Human Resources	FY22-23	FY23-24	
Department of Social Services	\$0	\$110,537	GF

Language:

Page 431, line 32, strike "\$302,452,674" and insert "\$302,563,211".

Explanation:

(This amendment adds \$110,537 from the general fund the second year for the fiscal impact of House Bill 1550, which would result in additional legal fees for local Departments of Social Services for circuit court appeals in certain cases of child abuse and neglect.)

Item 345 #4h

Amendments to HB 1400, As Introduced

Health and Human Resources	FY22-23	FY23-24
Department of Social Services	\$0	\$250,000 GF

Language:

Page 431, line 32, strike "\$302,452,674" and insert "\$302,702,674".

Page 434, after line 42, insert:

"U. Out of this appropriation, \$250,000 the second year from the general fund shall be provided to support the development and implementation of a statewide driver's licensing program to support foster care youth in obtaining a driver's license. Funding shall be made available to local departments of social services to reimburse foster care providers for increases to their existing motor vehicle insurance premiums that occur because a foster care youth in their care has been added to their insurance policy. The program may also reimburse foster care providers for additional coverage that provides liability protection should a foster care youth get into or cause a catastrophic accident. Additionally, funding shall be made available to foster care youth in Virginia's Fostering Futures Program to assist in covering the cost of obtaining motor vehicle insurance. The Department shall develop reimbursement policies for foster care providers and foster care youth. The Department shall coordinate and administer the driver's licensing program based on best practices from similar programs in other states, to include developing educational or training materials that educate foster parents, private providers, and foster youth about (i) liability issues, insurance laws, and common insurance practices (to include laws about renewal and cancellation, how long an accident can affect premiums, how to establish that a foster youth is no longer living in the residence, and other applicable topics); (ii) DMV requirements to obtain a learner's permit and driver's license; (iii) what funding and resources are available to assist in this process, to include, paying school lab fees for "Behind the Wheel" or paying a private driving education company; and (iv) why getting a driver's license on time is important for normalcy and a successful transition to adulthood. The Department shall provide information on how many foster care youth were supported by this program and any recommendations to improve the program to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees annually on December 1."

Explanation:

(This amendment provides \$250,000 from the general fund the second year to support the development and implementation of a statewide driver's licensing program to support foster care youth in obtaining a driver's license. Evidence indicates that youth who leave foster care without their driver's licenses are less likely to make a successful transition to adulthood.)

Item 347 #1h

Health and Human Resources	FY22-23	FY23-24
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Amendments to HB 1400, As Introduced

Department of Social Services	\$0	\$250,000	GF
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Language:

Page 435, line 8, strike "\$62,900,789" and insert "\$63,150,789".

Page 439, after line 52, insert:

"DD. Out of this appropriation \$25,000 the second year from the general fund shall be provided to the County of Northampton for the Eastern Shore Area Agency on Aging/Community Action Agency for a roof replacement for its administrative entrance and offices."

Explanation:

(This amendment adds \$250,000 from the general fund the second year to Northampton County for a roof replacement for the Eastern Shore Area Agency on Aging/Community Action Agencies.)

Item 347 #2h

Health and Human Resources	FY22-23	FY23-24
Department of Social Services	\$0	\$1,200,000 NGF

Language:

Page 435, line 8, strike "\$62,900,789" and insert "\$64,100,789".

Page 436, line 29, after "H." insert "1."

Page 436, line 30, strike the second "\$2,136,500" and insert "\$2,586,500".

Page 436, after line 47, insert:

"2. In addition to the amounts provided in H.1., \$750,000 the second year from the TANF block grant shall be used to provide for expanded CAC capacity to offer contracted services to children and families in areas where a CAC is not currently available within an hour's drive. These funds shall be utilized to open new locations, either standalone centers or satellite locations and provide at a minimum one full-time forensic interviewer; one full-time child/family advocate; one full-time director; and one part-time administrator."

Explanation:

(This amendment adds \$450,000 from the federal Temporary Assistance to Needy Families (TANF) block grant to support existing Child Advocacy Centers (CACs), which are facing a 10 percent reduction in funding from the federal Victims of Crime Act. The amendment also adds \$750,000 from the TANF block grant the second year to establish new centers, either standalone or satellite centers to meet the needs of children not currently served. Currently CACs serve almost 6,000 children and families and cover 82 percent of the state. The new funding will assist in providing statewide coverage so that every child and famiy would have a CAC within a one-hour drive.)

Amendments to HB 1400, As Introduced

Item 347 #3h

Health and Human Resources	FY22-23	FY23-24
Department of Social Services	\$0	\$300,000 NGF

Language:

Page 435, line 8, strike "\$62,900,789" and insert "\$63,200,789".

Page 439, line 49, strike the second "\$200,000" and insert "\$450,000".

Explanation:

(This amendment adds \$300,000 the second year from the federal Temporary Assistance to Needy Families block grant for the Virginia Community Action Partnership contract to manage the statewide "Virginia CASH Campaign," the state supported Volunteer Income Tax Assistance program providing outreach, education and tax preparation services for Virginians who may be eligible for both the federal and new state Earned Income Tax Credit (EITC). The local and regional programs are successful at coordinating volunteers to provide access to this vital service, but the current funding level has not been increased since 2010 and programs are struggling to maintain staff and provide assistance for the recently enacted state partially refundable earned income tax credit. The proposed amendment would increase annual funding \$185,725 to a total of \$485,725.)

Item 347 #4h

Health and Human Resources	FY22-23	FY23-24
Department of Social Services	\$0	\$90,000 NGF

Language:

Page 435, line 8, strike "\$62,900,789" and insert "\$62,990,789".

Page 439, line 12, strike the second "\$100,000" and insert "\$190,000".

Explanation:

(This amendment adds \$90,000 from the federal Temporary Assistance to Needy Families (TANF) block grant the second year for the Lighthouse Community Center, which provides housing assistance or other eligible services for individuals transitioning out of the criminal justice system and domestic violence situations. This brings the total appropriation for this organization to \$190,000 the second year.)

Item 350 #1h

Amendments to HB 1400, As Introduced

Health and Human Resources	FY22-23	FY23-24	
Department of Social Services	(\$6,105,940)	\$3,035,314	GF

Language:

Page 441, line 26, strike "\$140,956,364" and insert "\$134,850,424".

Page 441, line 26, strike "\$141,920,058" and insert "\$144,955,372".

Explanation:

(This amendment eliminates \$6.1 million from the general fund the first year and adds \$3.0 million from the general fund the second year to more accurately reflect the settlement with the federal government on the repayment of an over issuance of Supplemental Nutrition Assistance Program (SNAP) payments from the fall of 2021. The introduced budget assumed repayment of \$6.1 million in fiscal year 2023. Since that time, a settlement has been reached to (i) repay a portion of the total amount owed, (ii) reinvest a portion of the amount owed in activities to strengthen the accuracy of SNAP payments, and (iii) forgive a portion of the amount owed.)

Item 362.50 #1h

Health and Human Resources	FY22-23	FY23-24	
Opioid Abatement Authority	\$1,416,398	\$13,416,398	NGF

Language:

Page 448, line 16, strike "\$0" and insert "\$1,416,398".

Page 448, line 16, strike "\$3,500,000" and insert "\$16,916,398".

Page 448, after line 27, insert:

"3. a. The Opioid Abatement Authority shall include as an addendum to its annual executive summary required pursuant to § 2.2-2373, Code of Virginia, an update on prior fiscal year activity related to the Commonwealth Opioid Abatement and Remediation Fund (the Fund), established in paragraph H. of Item 63 of this act. Specifically, the addendum shall include an account of any deposits, designations, and expenditures made, along with corresponding performance measures, and other applicable data and information related to the use of Fund settlement proceeds by state agencies.

b. Out of the appropriations provided in this Item, \$1,416,398 the first year and \$13,416,398 the second year from nongeneral funds is for disbursement from the Commonwealth Opioid Abatement and Remediation Fund, as established in paragraph H. of Item 63 of this act for purposes identified as follows:

1) \$5,000,000 the second year to the Secretary of Health and Human Resources for use to conduct a campaign aimed at reducing the number of incidents of fentanyl poisoning among youth. Funding may also be used for a landscape analysis, surveys, research, design, and the purchase of media.

Amendments to HB 1400, As Introduced

2) \$1,416,398 in the first year and \$1,416,398 in the second year to the Department of Behavioral Health and Developmental Services to increase the supply of naloxone available for distribution to community partners.

3) \$7,000,000 the second year to the Department of Health to support costs associated with a statewide fentanyl response strategy."

Explanation:

(This amendment provides nongeneral fund appropriation in each year to designate uses of monies deposited to the Commonwealth Opioid Abatement and Remediation Fund (the Fund). These monies, resulting from settlements, judgements, verdicts, and other court orders relating to consumer protection claims regarding the manufacturing, marketing, distribution, or sale of opioids are to be used for opioid abatement and remediation. Specifically, this portion of settlement monies represent those directed for state appropriation and not subject to allocation by the Opioid Abatement Authority. This amendment also directs the Authority to provide as an addendum to its requisite annual executive summary, an accounting of all activity related to monies deposited, appropriated, and expended from the Fund.)

Amendments to HB 1400, As Introduced

Item 485 #5h

Central Appropriations

FY22-23

FY23-24

Central Appropriations

(\$2,500,000)

(\$2,500,000) GF

Language:

Page 576, line 19, strike "\$15,050,000" and insert "\$12,550,000".

Page 576, line 20, strike "\$26,448,901" and insert "\$23,948,901".

Page 578, strike lines 31 through 33.

Page 578, line 37, strike "J.1." and insert "I.1."

Page 578, line 47, strike "K." and insert "J."

Page 578, line 51, strike "L." and insert "K."

Page 579, line 11, strike "M." and insert "L."

Page 579, line 16, strike "N." and insert "M."

Page 579, line 19, strike "O." and insert "N."

Page 579, line 25, strike "P.1." and insert "O.1."

Page 579, line 51, strike "Q.1." and insert "P.1."

Explanation:

(This amendment transfers funding and language contained in Central Appropriations to the Office of the Secretary of Health and Human Resources related to efforts to facilitate and improve language access. A companion amendment provides the funding and language in Item 293, Office of the Secretary of Health and Human Resources.)
