



**STATE OF VERMONT**  
**GENERAL ASSEMBLY**  
Committee of Conference on H.720

June 2, 2022

Executive Office of Governor Phil Scott  
109 State Street, Pavilion  
Montpelier, VT 05609

Dear Governor Scott:

The members of the committee of conference on H.720, an act relating to the system of care for individuals with developmental disabilities, are writing to inform you that Sec. 6 of the as passed by House and Senate version of the bill diverges from our legislative intent. The language of the committee of conference report receded from the Senate proposal of amendment, where we had intended to accede to the Senate proposal of amendment. Consequently, you are receiving the House-passed version of Sec. 6 instead of the Senate-passed version of Sec. 6. As the full body has voted to approve the committee of conference report, the error cannot be corrected at this point in time.

H.720 is critically import to Vermonters with developmental disabilities and their families. The members of the committee of conference do not want to see the protections and programmatic changes offered on behalf of individuals with developmental disabilities to be nullified due to the error in Sec. 6 of the bill. The requisite draft requests have already been submitted to replace the House version of Sec. 6 with the following Senate version of Sec. 6 as a demonstration of our commitment to rectify the error:

**Sec. 6. PAYMENT REFORM AND CONFLICT-FREE CASE**

**MANAGEMENT**

(a) At a minimum, the following shall be included in the payment reform process impacting individuals with developmental disabilities, their families, and designated and specialized service agencies:

(1) in addition to any standardized assessment utilized by the Department of Disabilities, Aging, and Independent Living, a process for consideration of additional

information relevant to the life circumstances of service recipients or applicants;

(2) in addition to any standardized rates or rate ranges developed by the Department, a process for consideration of budgets to reflect the individualized support needs of service recipients or applicants; and

(3) a process for evaluating the fiscal and service impact on individual service recipients and the designated and specialized service agencies.

(b)(1) Prior to implementing the federally required conflict-free case management system, the Department shall seek and consider input from a variety of stakeholders, including individuals with developmental disabilities, their families, designated and specialized service agencies, and other providers and advocates.

(2) As part of the changes necessary to come into federal compliance, consideration shall be given to performing initial clinical eligibility and service planning within the Department.

(c) On or before February 1, 2023, the Department shall present any proposed policy changes related to payment reform and conflict-free case management to the House Committee on Human Services and the Senate Committee on Health and Welfare and seek and consider input from the Committees.

Thank you for your continued support for members of the developmental disabilities community and your attention to this important piece of legislation.

Sincerely,

*/s/ Sen. Cheryl Mazzariello Hooker*

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SEN. CHERYL MAZZARIELLO  
HOOKER

*/s/ Rep. Theresa A. Wood*

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REP. THERESA A. WOOD

*/s/ Sen. Ruth Ellen Hardy*

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SEN. RUTH ELLEN HARDY

*/s/ Rep. Francis M. McFaun*

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REP. FRANCIS M. MCFAUN

*/s/ Sen. Joshua C. Terenzini*

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SEN. JOSHUA C. TERENZINI

*/s/ Rep. Daniel Noyes*

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REP. DANIEL NOYES

Cc: Rep. Jill Krowinski, Speaker of the House  
Sen. Rebecca A. Balint, President Pro Tempore of the Senate  
Rep. Ann D. Pugh, Chair, House Committee on Human Services  
Sen. Virginia V. Lyons, Chair, Senate Committee on Health and Welfare