

Senate Amendments to HB 5001

Chief Patron: Hanger

Item 0 #1s

Revenues

Revenues

Language

Language:

Page 1, strike lines 26 through 40 and insert:

	"First Year	Second Year	Total
Unreserved Balance, June 30, 2016	\$1,278,097,637	\$0	\$1,278,097,637
Additions to Balance	\$112,929,105	\$(346,679,260)	\$(233,750,155)
Official Revenue Estimates	\$18,560,962,400	\$19,328,182,934	\$37,889,145,334
Revenue Stabilization Fund	\$294,653,279	\$272,542,500	\$ 567,195,779
Transfers	\$650,847,811	\$625,284,929	\$1,276,132,740
Total General Fund Revenues Available for Appropriation	\$20,897,490,232	\$19,879,331,103	\$40,776,821,335"

Page 1, strike lines 42 through 47 and insert:

	"First Year	Second Year	Total
Balance June 30, 2016	\$4,795,976,243	\$0	\$4,795,976,243
Official Revenue Estimates	\$27,771,433,871	\$28,121,292,152	\$55,892,726,023
Lottery Proceeds Fund	\$599,982,144	\$596,659,574	\$1,196,641,718
Internal Service Fund	\$2,077,103,387	\$1,975,159,775	\$4,052,263,162
Bond Proceeds	\$384,882,000	\$412,884,132	\$797,766,132
Total Nongeneral Fund Revenues Available for Appropriations	\$35,629,377,645	\$31,105,995,633	\$66,735,373,278
TOTAL PROJECTED REVENUES	\$56,526,867,877	\$50,985,326,736	\$107,512,194,613"

Page 2, strike lines 1 through 10.

Explanation:

(This amendment adjusts the general and nongeneral fund revenues in House Bill 5001 to reflect the combined impacts of the remaining amendments to House Bill 5001.)

Chief Patron: Hanger

Item 6 #1s

Senate Amendments to HB 5001

Legislative Department	FY16-17	FY17-18
Division of Legislative Services	\$0	\$310,000 NGF

Language:

Page 4, line 9, strike "\$6,612,233" and insert "\$6,922,233".

Page 4, line 3, after "1." strike "Not set out." and insert:

"Legislative Research and Analysis (78400)	\$6,612,073 \$7,109,913	\$6,612,233
Bill Drafting and Preparation (78401)	\$6,612,073 \$7,109,913	\$6,612,233
 Fund Sources:		
General	\$6,592,039 \$6,842,039	\$6,592,199
Special	\$20,034 \$267,874	\$20,034

Authority: Title 30, Chapter 2.2, Code of Virginia.

A. Out of this appropriation shall be paid the annual salary of the Director, Division of Legislative Services, \$157,374 from July 1, 2016, to June 24, 2017 and \$157,374 from June 25, 2017, to June 30, 2018.

B. Notwithstanding the salary set out in paragraph A. of this item, the Committee on Joint Rules may establish a salary range for the Director, Division of Legislative Services.

C. The Division of Legislative Services shall continue to provide administrative support to include payroll processing, accounting, and travel expense processing at no charge to the Chesapeake Bay Commission, the Joint Commission on Health Care, the Virginia Commission on Youth, and the Virginia State Crime Commission.

D. Out of this appropriation, \$250,000 the first year from the general fund is provided to support the work of the Senate Joint Resolution 47 (2014) Joint Subcommittee to Study Mental Health Services in the Commonwealth in the 21st Century. The funding may be used to contract for expertise and assistance in its work to evaluate the community-based system of service delivery or other related topics as required by the work of the Joint Subcommittee. Any contractor hired shall evaluate the current system along with alternative delivery systems to provide the necessary information and assistance to the subcommittee in determining the most appropriate delivery system, or modifications to the current delivery system, that ensures access, quality, consistency, and accountability. Any remaining balance at year-end shall be carried forward to the subsequent fiscal year.

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E. Included in this item is \$247,840 in the first year and \$310,000 in the second year from dedicated special revenue to implement the recommendations of the Chesapeake Bay Restoration Fund Advisory Committee.

Explanation:

(This amendment appropriates the fiscal year 2018 dedicated special revenue generated from sales of the "Friends of the Chesapeake Bay" license plate to the Chesapeake Bay Restoration Fund for the recommendations of the Chesapeake Bay Restoration Fund Advisory Committee, and appropriates the estimated amount for fiscal year 2018. Because the Division of Legislative Services was not set out in House Bill 5001 as introduced, this minor change requires including all language contained in this item in Chapter 836 to be included in the amendment.)

Chief Patron: Hanger

Item 61 #1s

Executive Offices

FY16-17

FY17-18

Attorney General and Department of
Law

\$0

(\$500,000) NGF

Language:

Page 8, line 12, strike "\$3,540,386" and insert "\$3,040,386".

Explanation:

(This amendment eliminates the proposal included in House Bill 5001 as introduced to increase by \$500,000 from the nongeneral fund, from \$750,000 to \$1.25 million, the amount of cash from the revolving trust fund the OAG can use to support its operations. Increasing the amount of funding the OAG can use from the fund decreases the amount transferred to the general fund at the end of the fiscal year.)

Chief Patron: Hanger

Item 138 #1s

Education

FY16-17

FY17-18

Direct Aid to Public Education

\$0

(\$30,000) GF

Language:

Page 29, line 14, strike "\$27,796,445" and insert "\$27,766,445".

Page 30, line 13, strike "\$200,000" and insert "\$170,000".

Page 30, line 29, strike "\$27,796,445" and insert "\$27,766,445".

Page 36, line 8, strike "\$200,00" and insert "\$170,000".

Explanation:

Senate Amendments to HB 5001

(This amendment captures \$30,000 the second year from the general fund from the unspent balance in the STEM Competition Team Grants.)

Chief Patron: Hanger

Item 138 #2s

Education	FY16-17	FY17-18	
Direct Aid to Public Education	\$0	(\$50,000)	GF

Language:

Page 29, line 14, strike "\$27,796,445" and insert "\$27,746,445".

Page 30, line 14, strike "\$7,763,312" and insert "\$7,716,312".

Page 30, line 29, strike "\$27,796,445" and insert "\$27,746,445".

Page 33, line 42, strike the second occurrence "\$613,312" and insert "\$563,312".

Explanation:

(This amendment captures \$50,000 the second year from the general fund from the unspent balance in the planning grant allocation within the Targeted Extended School Year Grant program.)

Chief Patron: Hanger

Item 139 #1s

Education	FY16-17	FY17-18	
Direct Aid to Public Education	\$0	\$442,039	GF

Language:

Page 36, line 44, strike "\$6,728,174,733" and insert "\$6,728,616,772".

Page 38, line 9, strike "\$55,357,226" and insert "\$55,799,265".

Page 38, line 25, strike "\$111,375,310" and insert "\$111,817,349".

Page 38, line 44, strike "\$42,389,648" and insert "\$41,947,609".

Page 38, line 51, strike "\$121,269,427" and insert "\$121,711,466".

Page 51, line 37, strike "\$55,357,226" and insert "\$55,799,265".

Page 51, line 38, strike "\$42,389,648" and insert "\$41,947,609".

Page 53, line 35, strike "\$121,269,427" and insert "\$121,711,466".

Explanation:

(This technical amendment provides \$442,039 the second year from the general fund to reflect an update to the K-3 Class Size Reduction Program for the inclusion of two additional schools.)

Chief Patron: Hanger

Item 139 #2s

Senate Amendments to HB 5001

Education	FY16-17	FY17-18	
Direct Aid to Public Education	\$0	(\$10,000,003)	GF
	\$0	\$10,000,000	NGF

Language:

Page 36, line 44, strike "\$6,728,174,733" and insert "\$6,728,174,730".
Page 38, line 9, strike "\$55,357,226" and insert "\$45,357,223".
Page 38, line 25, strike "\$111,375,310" and insert "\$101,375,307".
Page 38, line 44, strike "\$42,389,648" and insert "\$52,389,651".
Page 39, line 26, strike "\$598,478,743" and insert "\$608,478,743".
Page 47, line 23, strike "\$598,478,743" and insert "\$608,478,743".
Page 51, line 37, strike "\$55,357,226" and insert "\$45,357,223".
Page 51, line 38, strike "\$42,389,648" and insert "\$52,389,651".

Explanation:

(This amendment adds \$10.0 million the second year to reflect increased Lottery revenues collected to date in fiscal year 2018 that are ahead of the forecast and offsets an equal amount from general fund. This amendment has a net zero funding impact to Direct Aid.)

Chief Patron: Hanger

Item 139 #3s

Education

Direct Aid to Public Education

Language

Language:

Page 52, line 31, strike "\$8,639,782" and insert "\$8,838,911".

Explanation:

(This technical language amendment updates the language description in the second year to match the allocation amount for the Regional Alternative Education Program.)

Chief Patron: Hanger

Item 139 #4s

Education

Direct Aid to Public Education

FY16-17

FY17-18

\$0

(\$51,336)

GF

Language:

Page 36, line 44, strike "\$6,728,174,733" and insert "\$6,728,123,397".
Page 38, line 5, strike "\$18,360,067" and insert "\$18,308,731".
Page 38, line 25, strike "\$111,375,310" and insert "\$111,323,974".

Senate Amendments to HB 5001

Explanation:

(This technical amendment captures \$51,336 the second year from the general fund to reflect a decrease in student enrollment for the Governor School initiative.)

Chief Patron: Hanger

Item 139 #5s

Education	FY16-17	FY17-18	
Direct Aid to Public Education	\$0	(\$99,291)	GF

Language:

Page 36, line 44, strike "\$6,728,174,733" and insert "\$6,728,075,442".

Page 38, line 9, strike "\$55,357,226" and insert "\$55,257,915".

Page 38, line 25, strike "\$111,375,310" and insert "\$111,275,999".

Page 38, line 42, strike "\$10,228,314" and insert "\$10,129,003".

Page 38, line 44, strike "\$42,389,648" and insert "\$42,488,959".

Page 51, line 37, strike "\$55,357,226" and insert "\$55,257,915".

Page 51, line 38, strike "\$42,389,648" and insert "\$42,488,959".

Page 65, line 6, strike "\$10,228,314" and insert "\$10,129,003".

Explanation:

(This amendment captures \$99,291 the second year from the general fund from the unspent remaining balance in Foster Care payments.)

Chief Patron: Hanger

Item 306 #1s

Health and Human Resources	FY16-17	FY17-18	
Department of Medical Assistance	\$0	(\$136,425)	GF
Services	\$0	(\$136,425)	NGF

Language:

Page 93, line 38, strike "\$9,990,616,122" and insert "\$9,990,343,272".

Page 122, after line 27, insert:

"AAAAA. Disproportionate Share Hospital payments shall not be reallocated to other eligible hospitals based on hospital non-participation in fiscal year 2018. The department shall have the authority to implement these changes effective upon the passage of this act and prior to the completion of any regulatory action to effect such change."

Explanation:

(This amendment captures \$136,425 in savings to the general fund and a like amount of matching federal Medicaid funds in fiscal year 2018 in Medicaid Disproportionate Share

Hospital (DSH) payments because an out of state hospital has chosen not to participate in the program. Language is added to clarify that these amounts will not be reallocated to other DSH-eligible hospitals in fiscal year 2018. Language provides the Department of Medical Assistance Services with the authority to make these changes upon passage of House Bill 5001.)

Chief Patron: Hanger

Item 306 #2s

Health and Human Resources

Department of Medical Assistance Services

Language

Language:

Page 110, strike line 57.

Page 111, strike lines 1 through 8, and insert:

"4.a. Notwithstanding § 30-347, Code of Virginia, or any other provision of law, no later than 45 days upon the passage of House Bill 5001, the Department of Medical Assistance Services shall have the authority to (1) amend the State Plan for Medical Assistance under Title XIX of the Social Security Act, and any waivers thereof, to implement coverage for newly eligible individuals pursuant to 42 U.S.C. § 1396d(y)(1)[2010] of the Patient Protection and Affordable Care Act and (2) begin the process of implementing a § 1115 demonstration project to transform the Medicaid program for newly eligible individuals pursuant to the provisions of 4.a.(1) and eligible individuals enrolled in the existing Medicaid program. No later than 150 days from the passage of House Bill 5001, DMAS shall submit the § 1115 demonstration waiver application to CMS for approval. If the State Plan amendments are affirmatively approved by CMS prior to the submission of the waiver, Medicaid coverage for newly eligible individuals may be implemented. If the State Plan amendment becomes effective without affirmative action by CMS, coverage may begin upon submission of the completed § 1115 demonstration waiver application, per CMS notification, but no later than January 1, 2019. If the demonstration waiver cannot be completed by 150 days, despite a good faith effort to complete the application, the department may request an extension from the Chairmen of the House Appropriations and Senate Finance Committees. The department shall provide updates on the progress of the State Plan amendments and demonstration waiver applications to the Chairmen of the House Appropriations and Senate Finance Committees, or their designees, upon request, and provide for participation in discussions with CMS staff. The department shall respond to all requests for information from CMS on the State Plan amendments and demonstration waiver applications in a timely manner.

b. At least 10 days prior to the submission of the application for the waiver of Title XIX of the Social Security Act, the department shall notify the Chairmen of the House Appropriations and Senate Finance Committees of such pending application and provide a copy of the application. If the department receives an official letter from either Chairman raising an objection about the waiver during the 10-day period, the department shall make all reasonable attempts to address the objection and modify the waiver(s). If the department receives no objection, then the

Senate Amendments to HB 5001

application may be submitted. Any waiver specifically authorized elsewhere in this item is not subject to this provision. Waiver renewals are not subject to the provisions of this paragraph.

c. The Department of Medical Assistance Services shall include provisions to make referrals to job training, education and job placement assistance for all unemployed, able-bodied adult enrollees as allowed under current federal law or regulations through the State Plan amendments, contracts, or other policy changes. DMAS shall also include provisions to foster personal responsibility and prepare newly eligible enrollees for participation in commercial health insurance plans to include use of private health plans, premium support for employer-sponsored insurance, health and wellness accounts, appropriate utilization of hospital emergency room services, healthy behavior incentives, and enhanced fraud prevention efforts, among others through the State Plan amendments, contracts, or other policy changes.

d. The demonstration project shall be designed to empower individuals to improve their health and well-being and gain employer sponsored coverage or other commercial health insurance coverage, while simultaneously ensuring the program's long-term fiscal sustainability. The demonstration project shall include the following elements in the design:

(i) two pathways for eligible individuals with incomes between 100 percent and 138 percent of the federal poverty level, including income disregards, to obtain health care coverage: enrollment in an existing Medicaid managed care plan, or premium assistance for the purchase of employer-sponsored health insurance coverage if cost effective. The plans will provide a comprehensive benefit package consistent with private market plans, compliant with all mandated essential health benefits, and inclusive of current Medicaid covered mental health and addiction recovery and treatment services. The demonstration shall include (1) the development of a health and wellness account for eligible individuals, comprised of participant contributions and state funds to be used to fund the health insurance premiums and to ensure funds are available for the enrollee to cover out-of-pocket expenses for the deductible, with the ability to roll over the funds from the account into succeeding years if not fully used. The monthly premium amount for the enrollee shall be set on a sliding scale based on monthly income, not to exceed two percent of monthly income, nor be less than \$1 per month; (2) provisions for demonstration coverage to begin on the first day of the month following receipt of the premium payment or enrollment due to treatment of an acute illness; (3) provisions for institution of a grace period for premium payment, followed by a waiting period before re-enrollment if the premium is not paid by the participant or if the participant does not maintain continuous coverage; and (4) provisions to recover premium payments owed to the Commonwealth through debt set-off collections;

(ii) provisions to enroll newly eligible individuals with incomes between 0 and 100 percent of the federal poverty level, including income disregards, in existing Medicaid managed care plans with existing Medicaid benefits or in employer-sponsored health insurance plans, if cost effective. Such newly eligible enrollees shall be subject to existing Medicaid cost sharing provisions;

(iii) cost-sharing for eligible enrollees with incomes between 100 percent and 138 percent of the

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federal poverty level, including income disregards, designed to promote healthy behaviors such as the avoidance of tobacco use, and to encourage personal responsibility and accountability related to the utilization of health care services such as the appropriate use of emergency room services. However, such individuals who also meet the exemptions listed in (iv) shall not be subject to premium and copayment requirements more stringent than existing Medicaid law or regulations. Enrollees who comply with provisions of the demonstration program, including healthy behavior provisions, may receive a decrease in their monthly premiums and copayments, not to exceed 50 percent.

(iv) the establishment of the Training, Education, Employment and Opportunity Program (TEEOP) for every able-bodied, working-age adult enrolled in the Medicaid program to enable enrollees to increase their health and well-being through community engagement leading to self-sufficiency. The TEEOP program shall not apply to: (1) children under the age of 18 or individuals under the age of 19 who are participating in secondary education; (2) individuals age 65 years and older; (3) individuals who qualify for medical assistance services due to blindness or disability, including individuals who receive services pursuant to a § 1915 waiver; (4) individuals residing in institutions; (5) individuals determined to be medically frail; (6) individuals diagnosed with serious mental illness; (7) pregnant and postpartum women; (8) former foster children under the age of 26; (9) individuals who are the primary caregiver for a dependent, including a dependent child or adult dependent with a disability; and (10) individuals who already meet the work requirements of the TANF or SNAP programs. The TEEOP shall comply with guidance from CMS regarding such programs and may include other exemptions that may be necessary to achieve the TEEOP's goals of community engagement and improved health outcomes that are approved by CMS.

The TEEOP shall include provisions for gradually escalating participation in training, education, employment and community engagement opportunities through the program as follows:

- a. beginning three months after enrollment, at least 20 hours per month;
- b. beginning six months after enrollment, at least 40 hours per month;
- c. beginning nine months after enrollment, at least 60 hours per month; and
- d. beginning 12 months after enrollment, at least 80 hours per month;

The TEEOP shall also include provisions for satisfaction of the requirement for participation in training, education, employment and community engagement opportunities through participation in job skills training; job search activities; education related to employment; general education, including participation in a program of preparation for the General Education Development (GED) certification examination or community college courses leading to industry certifications or a STEM-H related degree or credential; vocational education and training; subsidized or unsubsidized employment; community work experience; community service or public service that can reasonably improve work readiness; or caregiving services for a non-dependent relative or other person with a chronic, disabling health condition. The department may waive the requirement for participation in employment in areas of the Commonwealth with unemployment rates equal to or greater than 150 percent of the statewide

Senate Amendments to HB 5001

average; however, requirements related to training, education and other community engagement opportunities shall not be waived in any area of the Commonwealth.

The TEEOP shall work with Virginia Workforce Centers or One-Stops to provide services to Medicaid enrollees. Such services shall include career services for program enrollees, services to link enrollees with industry certification and credentialing programs, including the New Economy Workforce Credential Grant Program, and individualized case management services.

The TEEOP shall, to the extent allowed under federal law, utilize federal and state funding available through the Centers for Medicare and Medicaid Services, Temporary Assistance for Needy Families program, the Supplemental Nutrition Assistance Program, the Workforce Innovation and Opportunity Act, and other state and federal workforce development programs to support program enrollees.

Unless exempt, enrollees shall be ineligible to receive Medicaid benefits if, during any three months of the 12-month period beginning on the first day of enrollment, they fail to meet the TEEOP requirements and they will not be permitted to re-enroll until the end of such 12-month period, unless the failure to comply or report compliance was the result of a catastrophic event or circumstances beyond the beneficiary's control. However, enrollees shall be eligible to re-enroll in the program within such 12-month period upon demonstration of compliance with the TEEOP requirements.

(v) monitoring and oversight of the use of health care services to ensure appropriate utilization;

(vi) The Department of Medical Assistance Services shall develop a supportive employment and housing benefit targeted to high risk Medicaid beneficiaries with mental illness, substance use disorder, or other complex, chronic conditions who need intensive, ongoing support to obtain and maintain employment and stable housing.

e. The State Plan amendment and the demonstration waiver program shall include (i) systems for determining eligibility for participation in the program, (ii) provisions for disenrollment if federal funding is reduced or terminated, and (iii) provisions for monitoring, evaluating, and assessing the effectiveness of the waiver program in improving the health and wellness of program participants and furthering the objectives of the Medicaid program.

f. The department shall have the authority to promulgate emergency regulations to implement these changes within 280 days or less from the enactment date of House Bill 5001. The department shall have the authority to implement these changes prior to the completion of any regulatory process undertake in order to effect such changes."

Explanation:

(This amendment adds language to provide authority for the Department of Medical Assistance Services to seek approval from the Centers for Medicare and Medicaid (CMS) to enhance Medicaid coverage to certain low income individuals pursuant to the federal Patient Protection and Affordable Care Act (ACA) within 45 days of the effectiveness of this act. Language requires DMAS to seek federal approval for a State Plan amendment, while simultaneously

Senate Amendments to HB 5001

seeking approval for a Medicaid demonstration waiver to promote efficiency, accountability, personal responsibility, and competitive, value-based purchasing of health care to provide a model of health coverage for participants that is fiscally sustainable and cost effective. Language requires the Department of Medical Assistance Services to transform the Medicaid program for newly eligible individuals pursuant to the federal Patient Protection and Affordability Act (ACA) and the existing Medicaid program.

Language requires that DMAS submit the § 1115 demonstration application to CMS for approval no later than 150 days from the passage of this act. If the State Plan amendments are affirmatively approved by CMS prior to the submission of the waiver, Medicaid coverage for newly eligible individuals may be implemented; however, if the State Plan amendment becomes effective without affirmative action by CMS, coverage may begin upon submission of the completed § 1115 demonstration application, but no later than January 1, 2019. If the demonstration waiver cannot be completed by 150 days, despite a good faith effort to complete the application, the department may request an extension from the Chairmen of the House Appropriations and Senate Finance Committees. Language requires DMAS to provide updates on the progress of the State Plan amendments and waiver applications to the Chairmen of the House Appropriations and Senate Finance Committees upon request and provide for participation in discussions with CMS staff. The department is required to respond to questions from the federal Centers for Medicare and Medicaid on the proposed state plan amendments and demonstration waiver application in a timely manner. Further, the agency is required to notify and submit a copy of the demonstration waiver application at least 10 days prior to federal submission to the Chairmen of the House Appropriations and Senate Finance Committees. If an objection to the demonstration waiver application is made by either Chairman, the department shall make all reasonable attempts to address the objection(s) and modify the waiver.

Language requires DMAS to include several provisions through the State Plan amendments, contracts or policy changes such as, referrals to job training, education and job placement assistance for all unemployed, able-bodied adult enrollees. In addition, DMAS is required to include provisions to foster personal responsibility and prepare enrollees for participation in health insurance plans to include use of Medicaid private managed care health plans, premium support for employer-sponsored insurance, health and wellness accounts, appropriate utilization of hospital emergency room services, healthy behavior incentives, and enhanced fraud prevention efforts.

The demonstration waiver requires the development of a premium assistance program for individuals between 100% and 138% of the federal poverty level. It provides for a robust benefit package which includes mental health services and addiction recovery and treatment services. The premium assistance program would include the development of a health and wellness account for eligible individuals comprised of individual contributions and state funding, monthly individual contributions based on a sliding scale not to exceed two percent of monthly income, provisions for the date coverage begins, provisions for a grace period followed by a waiting period prior to re-enrollment if the premium is not paid, and provisions to recover premium payments owed through debt set-off collections.

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The waiver also requires cost sharing to encourage personal responsibility for individuals with incomes between 100% and 138% of the federal poverty level. However, individuals meeting one of nine exemptions to the Medicaid Training, Education, Employment, and Opportunity Program (TEEOP) would not be subject to cost sharing requirements more stringent than existing Medicaid law or regulations. Enrollees who comply with provisions of the demonstration program, including engaging in healthy behaviors, may receive a decrease in their monthly premiums and copayments, not to exceed 50 percent.

Individuals with incomes between 0 and 100% of the federal poverty level would be enrolled in existing Medicaid private managed care plans with existing Medicaid benefits, subject to existing Medicaid cost sharing requirements.

The language includes requirements that the demonstration waiver engage individuals enrolled in Medicaid in the TEEOP to enable them to increase their health and well-being through community engagement leading to self-sufficiency. Individuals meeting certain exemptions would not be subject to the TEEOP requirements, however, individuals who do not meet the TEEOP requirements three months out of a 12-month period beginning with the first day of enrollment would be disenrolled from the program and will not be permitted to re-enroll until the end of such 12-month period, unless the failure to comply or report compliance was the result of a catastrophic event or circumstances beyond the beneficiary's control. However, the individual may re-enroll in the program upon demonstration of compliance with TEEOP requirements.

Language also directs the agency to develop a supportive employment and housing benefit for certain high risk Medicaid beneficiaries who need intensive, ongoing support to obtain and maintain employment and stable housing.

Language is also added to require both the State Plan amendments and demonstration waiver application to include systems for determining eligibility for participation in the program, provisions for disenrollment if federal funding is reduced or terminated and an evaluation component for the project. Finally, language is added to authorize the agency to implement the provisions of the language prior to the completion of the regulatory process.)

Chief Patron: Hanger

Item 306 #3s

Health and Human Resources

FY16-17

FY17-18

Department of Medical Assistance
Services

\$0
\$0

(\$166,375) GF
\$166,375 NGF

Language:

Explanation:

(This amendment reduces the general fund by \$166,375 the second year and increases the Virginia Health Care Fund by a like amount from a repayment to the Department of Medical

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Assistance Services from a provider who received a prior year Disproportionate Share Hospital payment. Funds in the VHCF are used to offset the general fund cost of the Medicaid program.)

Chief Patron: Hanger

Item 310 #1s

Health and Human Resources

FY16-17

FY17-18

Department of Medical Assistance
Services

\$0
\$0

\$3,500,000 GF
\$3,500,000 NGF

Language:

Page 123, line 12, strike "\$232,756,469" and insert "\$239,756,469".

Page 128, after line 44, insert:

"W. Out of this appropriation, \$3,500,000 from the general fund and \$3,500,000 from nongeneral funds the second year is provided for the Department of Medical Assistance Services to obtain services to assist in the transformation of the Medicaid program for newly eligible individuals pursuant to 42 U.S.C. § 1396d(y)(1)[2010] of the Patient Protection and Affordable Care Act. Such services shall include, but not be limited to, assistance in the development and implementation of necessary § 1115 demonstration waiver applications including actuarial services, project management consultation, DMAS systems changes, and services necessary to operationalize reforms. The department shall ensure each vendor selected has had experience in designing or assisting in the development and implementation of similar activities. The department shall report on the vendors selected to the Chairmen of the House Appropriations and Senate Finance Committees within 15 days of making the selection. Unexpended funds for this procurement shall be carried forward into fiscal year 2019 for such purpose."

Explanation:

(This amendment provides \$3.5 million from the general fund and an equal amount of federal Medicaid matching funds to the Department of Medical Assistance Services to contract for services to assist in the transformation of the Medicaid program for newly eligible individuals pursuant to the Patient Protection and Affordable Care Act (ACA). Services include the development and implementation of the waiver application and other related activities designed to prepare the agency for federal approval to serve newly eligible individuals. Language requires the agency to ensure vendors have prior experience in designing or assisting in the development and implementation of similar activities waiver and allows for the agency to carryover the funds into fiscal year 2019 for such purpose.)

Chief Patron: Hanger

Item 345 #1s

Health and Human Resources

Department of Social Services

Language

Language:

Page 148, after line 11, insert:

"N. The Director, Department of Planning and Budget, shall unallot in the second year \$250,000 from this item which reflects unused balances in the Auxiliary Grant program."

Explanation:

(This amendment adds language to capture \$250,000 in balances the second year in the Auxiliary Grant program within the Department of Social Services.)

Chief Patron: Hanger

Item 346 #1s

Health and Human Resources

Department of Social Services

Language

Language:

Page 148, after line 11, insert:

"N. The Director, Department of Planning and Budget, shall unallot in the second year \$490,000 from this item which reflects unused balances in adoption subsidy payments."

Explanation:

(This amendment adds language to capture \$490,000 in balances in the second year in adoption subsidy payments by the Department of Social Services.)

Chief Patron: Hanger

Item 375 #1s

Natural Resources

Department of Game and Inland Fisheries

Language

Language:

Page 152, line 16, strike "\$18,650,000" and insert "\$17,050,000".

Explanation:

(This amendment removes a proposed increase of \$1,600,000 in the current year from general fund revenues that are transferred to the Department of Game and Inland Fisheries and corrects an error in an embedded number included in Chapter 836. A companion amendment to Item 3-1.01 reduces the proposed increase in the transfer by a like amount. The fiscal year will be almost complete by the time the "caboose bill" is adopted and funding levels revert to

Senate Amendments to HB 5001

\$16,850,000 in each year of the upcoming biennium.)

Chief Patron: Hanger

Item 442 #1s

Transportation

Department of Motor Vehicles

Language

Language:

Page 166, after line 34, insert:

"R. Notwithstanding any other provision of law, the Commissioner may divulge tax information collected pursuant to § 58.1-2291 et seq., Code of Virginia, to the executive director or designee of the Northern Virginia Transportation Commission, the Potomac and Rappahannock Transportation Commission, and the Hampton Roads Transportation Accountability Commission for their confidential use of such tax information as may be necessary to facilitate the collection of the taxes collected in the respective member jurisdictions. Any person to whom tax information is divulged pursuant to this section shall be subject to the prohibitions and penalties prescribed in § 58.1-3, Code of Virginia, as though that person were a tax official as defined in that section."

Explanation:

(This amendment directs DMV to provide all relevant information including price and volume of fuels sold in Hampton Roads and Northern Virginia to which the regional motor fuels tax is calculated to the transportation authorities in each region.)

Chief Patron: Hanger

Item 442 #2s

Transportation

FY16-17

FY17-18

Department of Motor Vehicles

0.00

-10.00 FTE

Language:

Page 166, at the end of line 24, insert:

"At least 10 days prior to any draw downs from this line of credit, the Secretaries of Finance and Transportation shall report to the Chairmen of the House Appropriations and Senate Finance Committees the amount of the proposed draw down and its intended usage."

Explanation:

(This amendment phases-in DMV's FTE position enhancements required for the implementation of the federal REAL ID Act and requires reporting to the General Assembly regarding the proposed usage of the funds. Authorization in House Bill 5001 still includes an additional 15.00

Senate Amendments to HB 5001

FTE positions in the current fiscal year. Additional authority is included in House Bill 5002 for actions taken after June 30, 2018.)

Chief Patron: Hanger

Item 442 #3s

Transportation

Department of Motor Vehicles

Language

Language:

Page 166, line 24, strike "\$20,700,000" and insert "\$10,500,000".

Explanation:

(This amendment is part of a series of amendments to reduce the proposed line of credit for implementation of REAL ID in order to phase-in implementation over multiple years.)

Chief Patron: Hanger

Item 456 #2s

Transportation

Department of Transportation

Language

Language:

Page 172, after line 8, insert:

"E. It is the intent of the General Assembly that the toll revenues, including any bond proceeds or concession payments backed by such toll revenues, derived from the express lanes on Interstate 64 between the interchange of Interstate 64 with Interstate 664 and the interchange of Interstate 64 with Interstate 564 be used to reduce the necessary contribution from the Hampton Roads Transportation Accountability Commission established pursuant Chapter 26 of Title 33.2, Code of Virginia, for a project to expand the capacity of Interstate 64 between the interchange of Interstate 64 with Interstate 664 and the interchange of Interstate 64 with Interstate 564."

Explanation:

(This amendment directs the Virginia Department of Transportation to dedicate any toll revenues, bond proceeds, or concession payments derived from the Hampton Roads express lanes to reducing the contributions of the Hampton Roads Transportation Accountability Commission towards interstate capacity expansion projects in such corridor.)

Chief Patron: Hanger

Item 456 #3s

Transportation

Department of Transportation

Language

Language:

Page 172, strike lines 21 and 22.

Page 172, line 25, strike "331,400,000" and insert "332,900,000".

Explanation:

(This amendment makes a technical correction to remove an inadvertant appropriation of \$1.5 million to VDOT's service area 60705, Financial Assistance for Local Transportation Project Management and instead appropriately placing the funds in program 60706, Distribution of Northern Virginia Transportation Authority Fund Revenues.)

Chief Patron: Hanger

Item 456 #4s

Transportation

Department of Transportation

Language

Language:

Page 172, line 17, strike "\$66,775,844" and insert "\$67,139,550".

Page 172, line 20, strike "\$15,230,168" and insert "\$14,866,462".

Page 173, after line 1, insert:

"E. Consistent with § 33.2-366, Code of Virginia, the Commonwealth Transportation Board, when establishing annual rates of payments to Counties that have elected to withdraw from the secondary highway system, shall adjust such rate annually with i) procedures established for adjusting payments to cities, and ii) lane mileage adjustments. It is the express intent of the General Assembly, that under no circumstance shall the addition of lane miles to one jurisdiction result in the direct or indirect reduction in the calculation of payment to any other jurisdiction receiving payment from funds appropriated for Financial Assistance for County Road Maintenance (60702)."

Explanation:

(This amendment clarifies the legislative intent of the Code of Virginia for the Commonwealth Transportation Board and the Virginia Department of Transportation when calculating annual rates of payment for counties that have elected to withdraw from the secondary highway system. An erroneous interpretation by the Board, at the recommendation of VDOT's Local Assistance Division, in June 2017, resulted in a one-time reduction in the calculation of maintenance payments to Henrico County due to an unanticipated increase in the lane miles in Arlington County.)

Chief Patron: Hanger

Item 476 #1s

Central Appropriations	FY16-17	FY17-18	
Central Appropriations	\$0	\$500,000	GF

Language:

Page 190, line 36, strike "\$15,648,265" and insert "\$16,148,265".

Page 190, line 38, strike the second "\$2,300,000" and insert: "2,800,000".

Page 195, after line 45, insert:

“R.1. Out of the general fund appropriation in this Item for the second year, \$500,000 is provided for the Commonwealth Center for Advanced Manufacturing for rent and operating support.

2. These funds are in addition to the Center's annual appropriation specified in Chapter 836, Item 125 (P) and may not be utilized for salary increases of any kind, including providing raises or bonuses, to current employees of the Commonwealth Center for Advanced Manufacturing, or incentives designed to attract potential future employees.

3. The Executive Director of the Commonwealth Center for Advanced Manufacturing shall certify that no raises or bonuses of any kind shall be paid to any current or potential employees of the Center until such a time as the Board and Executive Director have submitted to the Governor, Chairman of the House Appropriations Committee and Chairman of the Senate Finance Committee a viable and self-sustaining business plan for the Center's operations.

4. No bond proceeds for any reason, including those referenced in Item C-50 of this act, shall be released to the Commonwealth Center for Advanced Manufacturing until the aforementioned business plan in paragraph 3. above has been submitted by the Board and Executive Director.“

Explanation:

(This amendment provides an additional \$500,000 from the general fund in the second year for rent and operating costs for the Commonwealth Center for Advanced Manufacturing and is conditional upon accompanying budget language.)

Chief Patron: Hanger

Item 476 #2s

Central Appropriations

Central Appropriations

Language

Language:

Page 195, after line 45, insert:

"R. Any nonlegislative citizen member appointed by either the Speaker of the House, the Senate Committee on Rules or the Joint Rules Committee to any Authority, Board, Commission, Committee, or other deliberative body in the Commonwealth shall serve at the pleasure of such appointing authority. Any such member may be relieved of his appointment at any time, with or

without cause."

Explanation:

(This amendment is self-explanatory.)

Chief Patron: Hanger

Item 476 #3s

Central Appropriations

FY16-17

FY17-18

Central Appropriations

\$0

\$176,688 GF

Language:

Page 190, line 36, strike "\$15,648,265" and insert "\$15,824,953".

Page 195, after line 45, insert:

"R. Out of the general fund amounts included in this item, \$176,688 the second year shall be transferred to the Department of Taxation to enable the Department to hire 12 additional audit staff during fiscal year 2018. The Department shall be authorized to administratively increase their maximum employment level as needed for this initiative."

Explanation:

(This amendment provides \$176,688 from the general fund in fiscal year 2018 to allow the Department of Taxation to hire 12 additional audit staff beginning in fiscal year 2018. The introduced budget assumed additional revenues from hiring 8 new audit staff beginning in fiscal year 2019. An amendment in House Bill 5002 authorizes an additional 4 staff and assumes additional revenues from the 4 additional staff. This amendments authorizes the hiring of the 12 new staff during fiscal year 2018 to maximize the revenue collections in fiscal year 2019.)

Chief Patron: Hanger

Item 476 #4s

Central Appropriations

Central Appropriations

Language

Language:

Page 195, after line 45, insert:

"R. On or before June 30, 2018, the Committee on Joint Rules shall authorize the reversion to the general fund of \$526,952, representing savings generated by legislative agencies in the second year. The total savings amount includes estimated savings within the following legislative agencies:

Legislative Agency

Estimated Savings

Senate Amendments to HB 5001

Division of Legislative Services (107)	\$100,000
Joint Commission on Technology and Science (845)	\$101,192
Virginia Disability Commission (837)	\$18,701
State Water Commission (971)	\$11,859
Virginia Coal & Energy Commission (118)	\$21,618
Virginia Housing Commission (840)	\$14,459
Commission on Unemployment Compensation	\$16,066
Small Business Commission (862)	\$34,746
Joint Commission on Administrative Rules (865)	\$31,558
Autism Advisory Council (871)	\$5,409
Virginia Conflicts of Interest and Ethics Advisory Council (876)	\$85,000
Joint Commission on Transportation Accountability (875)	\$26,697
Comm, on Economic Opportunity for Virginians in Aspiring & Diverse Communities (877)	\$9,647
Joint Commission on Health Care (844)	\$35,000
The Virginia Commission on Youth (839)	\$15,000

Explanation:

(This amendment provides for the transfer to the general fund of estimated unexpended balances from legislative agencies totaling \$526,952 on or before June 30, 2018.)

Chief Patron: Hanger

Item 476 #5s

Central Appropriations

Central Appropriations

Language

Language:

Page 195, after line 45, insert:

"R. On or before June 30, 2018, the Director of the Department of Planning and Budget shall authorize the reversion to the general fund of \$146,890 in unexpended general fund year end balances from the State Corporation Commission."

Explanation:

(This amendment provides for the transfer to the general fund of estimated unexpended balances

Senate Amendments to HB 5001

from the SCC totaling \$146,890 on or before June 30, 2018.)

Chief Patron: Hanger

Item 476 #6s

Central Appropriations

Central Appropriations

Language

Language:

Page 195, after line 45, insert:

"R. On or before June 30, 2018, the Committee on Joint Rules shall authorize the reversion to the general fund of \$675,000 in unexpended year end balances from the Joint Legislative Audit and Review Commission."

Explanation:

(This amendment provides for the transfer to the general fund of estimated unexpended balances from JLARC totaling \$675,000 on or before June 30, 2018.)

Chief Patron: Hanger

Item C-14.50 #1s

Education: Higher Education

FY16-17

FY17-18

Old Dominion University

\$0

\$10,000,000 NGF

Language:

Page 208, line 26, strike "\$55,000,000" and insert "\$65,000,000".

Explanation:

(This amendment provides additional nongeneral fund authority for the football stadium project due to increased construction costs. Revenue for this supplement will be generated by increased fund raising and not borne by students through new or increased fees.)

Chief Patron: Hanger

Item C-19 #1s

Education: Higher Education

FY16-17

FY17-18

Virginia Commonwealth University

\$0

\$1,118,000 NGF

Language:

Page 209, line 3, strike "\$0" and insert "\$1,118,000".

Explanation:

(This amendment requests additional nongeneral fund revenue bond authority for the School of

Senate Amendments to HB 5001

Engineering Research Expansion.)

Chief Patron: Hanger

Item C-24.15 #1s

Education: Higher Education

FY16-17

FY17-18

Jamestown-Yorktown Foundation

\$0

\$3,140,000 NGF

Language:

Page 209, after line 16, insert:

"§ 2-2.10 JAMESTOWN-YORKTOWN FOUNDATION (425)

C-24.15 Improvements: Jamestown Settlement Pier

\$0

\$3,140,000

Fund Sources:

Bond Proceeds

\$0

\$3,140,000 "

Explanation:

(This amendment provides funding for improvements to the Jamestown Settlement Pier.)

Chief Patron: Hanger

Item C-52.45 #1s

Central Appropriations

Central Capital Outlay

Language

Language:

Page 212, after line 23, insert:

"I. The Virginia Alcoholic Beverage Control Authority and the Department of General Services (DGS) are authorized to execute an agreement for a capital project to acquire a new ABC warehouse and administrative offices pursuant to the competitive public solicitation process called for in Item C-52.45 of Chapter 836 of the 2017 Acts of Assembly. Terms of such agreement shall be cost effective and efficient to meet ABC's operational and business needs."

Explanation:

(This amendment provides the Department of Alcoholic Beverage Control (ABC) and the Department of General Services (DGS) with the authority to proceed with the new warehouse and administrative office project.)

Chief Patron: Hanger

Item C-52.75 #2s

Central Appropriations

FY16-17

FY17-18

Central Capital Outlay

Senate Amendments to HB 5001

Language:

Page 212, after line 26, insert:

"C-52.75 Improvements: WWRC Dining Hall and Activities Building, Phase II (17975) \$0 \$0

"The scope of the project previously authorized in Item C-39.40, Chapter 806, 2013 Acts of Assembly, "Woodrow Wilson Rehabilitation Center Renovate Dining Hall and Activities Building, Phase II" includes a complete renovation of the pool and locker room and lobby areas including replacement of the existing therapy pool with a new exercise pool and lap pool, new fire alarm and sprinkler in the gymnasium, pool, locker room, and lobby areas, and lighting upgrades to the gymnasium and auditorium."

Explanation:

(This is a technical amendment for the project scope for the Woodrow Wilson Rehabilitation Center Renovate Dining Hall and Activities Building, Phase II authorized in Item C-39.40, Chapter 806, 2013 Acts of Assembly to clarify that the intent of the original scope includes a complete renovation of the pool and locker room and lobby areas including replacement of the existing therapy pool with a new exercise pool and lap pool, new fire alarm and sprinkler in the gymnasium, pool, locker room, and lobby areas, and lighting upgrades to the gymnasium and auditorium.)

Chief Patron: Hanger Item 3-1.01 #1s

Transfers

Interfund Transfers Language

Language:

Page 218, line 1, unstrike "\$4,700,000".
Page 218, line 2, strike "\$6,300,000".

Explanation:

(This amendment eliminates a proposed increase in the transfer from the general fund to the Department of Game and Inland Fisheries in the current fiscal year, which will be almost complete by the time the bill is enacted.)

Chief Patron: Hanger Item 3-1.01 #2s

Transfers

Interfund Transfers Language

Language:

Senate Amendments to HB 5001

Page 217, line 12, strike "\$598,478,743" and insert "\$608,478,743".

Explanation:

(This language amendment updates the lottery revenue transfer to public education to reflect an increase of \$10.0 million in the second year.)

Chief Patron: Hanger

Item 3-1.01 #3s

Transfers

Interfund Transfers

Language

Language:

Page 214, line 41, strike "\$0" and insert "\$500,000".

Explanation:

(This amendment transfers \$500,000 in fiscal year 2018 from estimated special fund balances of the Commission on the Virginia Alcohol Safety Action Program to the general fund.)

Chief Patron: Hanger

Item 3-1.01 #4s

Transfers

Interfund Transfers

Language

Language:

Page 221, line 12, after "the first year", insert "and \$500,000 the second year".

Explanation:

(This amendment increases the transfer to the general fund from excess amounts in the Regulatory, Consumer Advocacy, Litigation, and Enforcement Revolving Trust Fund by \$500,000 the second year.)

Chief Patron: Hanger

Item 3-2.03 #1s

Working Capital Funds and Lines of Credit

Lines of Credit

Language

Language:

Page 229, line 9, strike "\$20,700,000" and insert "\$10,500,000".

Explanation:

(This amendment reduces the proposed line of credit for REAL ID in order to phase-in implementation over several years.)

Chief Patron: Hanger

Item 3-5.20 #2s

Adjustments and Modifications to Tax Collections

Provider Assessment

Language

Language:

Page 234, strike lines 10 through 28.

Explanation:

(This amendment eliminates language related to the provider assessment included in the introduced budget. The language is unnecessary as it would not take effect by expiration of this act. Language is included in House Bill 5002 which addresses this issue.)

Chief Patron: Hanger

Item 4-14 #1s

Effective Date

Language

Language:

Page 292, line 9, strike "or June".

Page 292, line 10, strike "30, 2018,".

Page 292, line 11, after "D." insert "1.".

Page 292, line 11, after "remaining fifty percent" insert:

"from the fiscal year 2017 surplus revenues".

Page 292, after line 13, insert:

"2. Notwithstanding the limits prescribed in § 2.2-1831.3, B, Code of Virginia, the Comptroller shall reflect 100 percent of the amounts remaining from the fiscal year 2018 surplus revenues as a commitment on the preliminary balance sheet entitled "Revenue Reserve" to be held solely for the purposes of mitigating any loss of general fund revenues or transfers in future biennia pursuant to the provisions of Chapter 827, 2018 Session of the General Assembly, and any future appropriation acts."

Explanation:

(This amendment increases the percentage of excess fiscal year 2018 general fund revenues to be committed to the Revenue Reserve Fund established pursuant to Chapter 827, 2018 Session of the General Assembly, from 50 percent to 100 percent of the amounts remaining after other required commitments and assignments.)

