

*Joint  
Conference Committee  
Report on*

*House Bill 29*

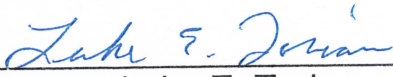
*2020 Session*

March 9, 2020

**We, the conferees, appointed by the respective bodies to consider and report the disagreeing vote on House Bill 29 report as follows:**

- A. We recommend that the House and Senate amendments be rejected.**
- B. We recommend that House Bill 29, as introduced, be amended as follows to resolve the matters under disagreement.**

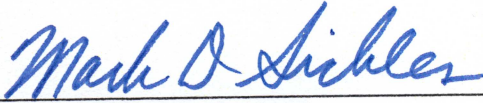
Respectfully submitted,




Luke E. Torian



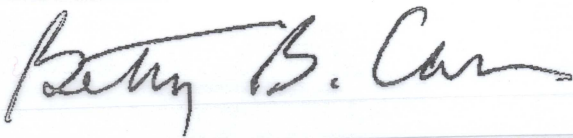
Janet D. Howell



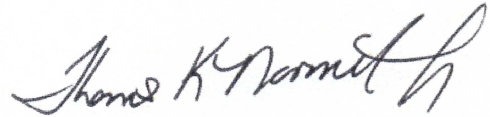
Mark D. Sickles



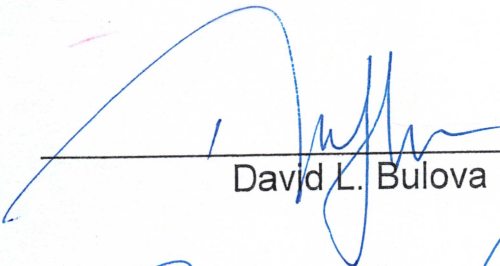
Richard L. Saslaw



Betsy B. Carr



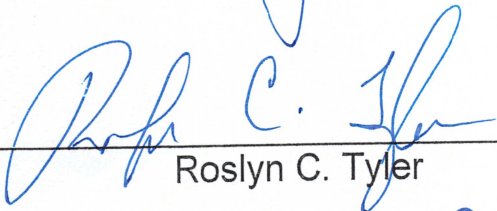
Thomas K. Norment, Jr.



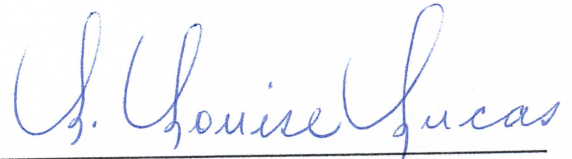
David L. Bulova



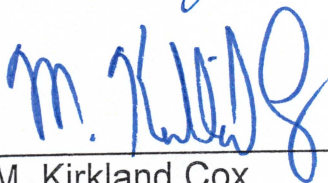
Emmett W. Hanger, Jr.



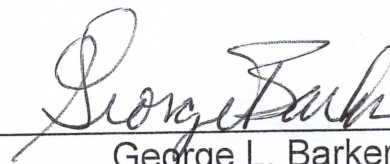
Roslyn C. Tyler



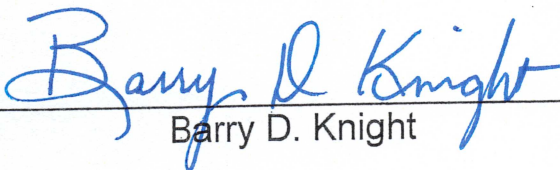
L. Louise Lucas




M. Kirkland Cox



George L. Barker



Barry D. Knight



R. Greigh Deeds

**House Conferees**

**Senate Conferees**

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Item 0 #1c

**Revenues**

Revenues

Language

**Language:**

Page 1, strike lines 30 through 42 and insert:

	"First Year	Second Year	Total
Unreserved Balance, June 30, 2018	1,229,941,000	1,930,619,607	3,160,560,607
Additions to Balance	(723,275,506)	(1,291,692,573)	(2,014,968,079)
Official Revenue Estimates	20,528,667,750	21,972,000,000	42,500,667,750
Revenue Stabilization Fund	-	-	-
Transfers	639,095,037	689,019,441	1,328,114,478
Total General Fund Resources Available for Appropriation	21,674,428,281	23,299,946,475	44,974,374,756".

Page 1 strike lines 45 through 47 and insert:

	"First Year	Second Year	Total
Balance June 30, 2018	6,342,196,144	-	6,342,196,144
Official Revenue Estimates	31,403,525,053	36,178,116,162	67,581,641,215
Lottery Proceeds Fund	632,398,647	613,449,864	1,245,848,511
Internal Service Fund	2,099,646,770	2,070,676,464	4,170,323,234
Bond Proceeds	1,112,897,936	1,319,737,172	2,432,635,108
Total Nongeneral Fund Revenues			
Available for Appropriations	41,590,664,550	40,181,979,662	81,772,644,212
<b>TOTAL PROJECTED REVENUES</b>	<b>63,265,092,831</b>	<b>63,481,926,137</b>	<b>126,747,018,968".</b>

Page 2 strike lines 1 through 13

**Explanation:**

(This amendment reflects the net total of general and nongeneral fund revenue, transfer and balance adjustments encompassed in the Conference Report for House Bill 29.)

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Item 4 #1c

<b>Legislative Department</b>	<b>FY18-19</b>	<b>FY19-20</b>	
Division of Capitol Police	\$0	\$635,000	GF

**Language:**

Page 4, line 6, strike "\$10,580,214" and insert "\$11,215,214".

**Explanation:**

(This amendment provides an additional \$635,000 in the second year from the general fund related to increased security costs during the 2020 General Assembly session. This will be an ongoing expense in fiscal year 2021 and fiscal year 2022.)

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Item 6 #1c

<b>Legislative Department</b>	<b>FY18-19</b>	<b>FY19-20</b>	
Division of Legislative Services	\$0	\$213,428	NGF

**Language:**

Page 4, line 8, strike "\$6,884,115" and insert "\$7,097,543".

Page 4, line 8, insert:

"E. Included in this item is \$263,642 in the first year and \$213,428 in the second year from dedicated special revenue to implement the recommendations of the Chesapeake Bay Restoration Fund Advisory Committee."

**Explanation:**

(This amendment appropriates \$213,428 in the second year in dedicated special revenue generated in fiscal year 2019 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. It is the intent of the General Assembly to set out this item upon enrolling.)

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Item 51 #1c

<b>Executive Offices</b>	<b>FY18-19</b>	<b>FY19-20</b>	
Office of the Governor	\$0	(\$33,706)	GF
	0.00	-4.00	FTE

**Language:**

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Page 12, line 3, strike "\$4,345,601" and insert "\$4,311,895".

**Explanation:**

(This amendment transfers staffing for the Executive Mansion back to the Department of General Services.)

	Item 58 #1c	
<b>Executive Offices</b>	<b>FY18-19</b>	<b>FY19-20</b>
Attorney General and Department of Law	\$0	\$250,000 NGF

**Language:**

Page 12, line 10, strike "\$3,486,677" and insert "\$3,736,677".

Page 12, line 10, after "58." strike "Not set out." and insert:

“Regulation of Business Practices (55200)	\$3,486,677	<del>\$3,486,677</del> \$3,736,677
Regulatory and Consumer Advocacy (55201)	\$3,486,677	<del>\$3,486,677</del> \$3,986,677
Fund Sources:		
General	\$2,067,020	\$2,067,020
Special	\$1,419,657	<del>\$1,419,657</del> \$1,419,657

Authority: Title 2.2, Chapter 5, Code of Virginia.

Included in this item is \$750,000 the first year and ~~\$750,000~~ \$1,000,000 the second year from special funds for the Regulatory, Consumer Advocacy, Litigation, and Enforcement Revolving Trust Fund as established in Item 48 of Chapter 966 of the Acts of Assembly 1994 and amended herein. The Department of Law is authorized to deposit to the fund any fees, civil penalties, costs, recoveries, or other moneys which from time to time may become available as a result of regulatory and consumer advocacy litigation, litigation in which the Office of the Attorney General participates, or civil enforcement efforts including, but not limited to, those brought pursuant to Article 1 (§ 3.2-4200 et seq.) and Article 3 (§ 3.2-4204 et seq.) of Chapter 42 of Title 3.2 of the Code of Virginia. The Department of Law is also authorized to deposit to the fund any attorneys' fees which from time to time may be obtained. Any deposit to, and interest earnings on, the fund shall be retained in the fund, provided, however, that any amounts contained in the fund that exceed ~~\$750,000~~ \$1,250,000 on the final day of the fiscal year shall be deposited to the credit of the general fund. In addition to the uses of the fund permitted by Item 48 of Chapter 966 of the Acts of Assembly of 1994, the fund may be used to pay costs

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associated with enforcement efforts pursuant to Article 1 (§ 3.2-4200 et seq.) and Article 3 (§ 3.2-4204 et seq.) of Chapter 42 of Title 3.2 of the Code of Virginia, costs associated with litigation initiated by the Office of the Attorney General, and costs associated with civil commitment procedures pursuant to Chapter 9 of Title 37.2 of the Code of Virginia.”

**Explanation:**

(This amendment increases funding in the Regulatory, Consumer Advocacy, Litigation, and Enforcement Revolving Trust Fund in the Office of the Attorney General up to \$1,000,000 in fiscal year 2020, and increases the authorized carry forward to \$1.25 million. A companion amendment in House Bill 30 increases the appropriation up to \$1.25 million starting in fiscal year 2021.)

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	Item 80 #1c		
<b>Administration</b>	<b>FY18-19</b>	<b>FY19-20</b>	
Department of General Services	\$0 0.00	\$33,706 4.00	GF FTE

**Language:**

Page 13, line 17, strike "\$4,835,525" and insert "\$4,869,231".

Page 13, line 17, strike "Not set out." and insert:

"Authority: Title 2.2, Chapter 11 and Chapter 24, Article 1, Code of Virginia.

A. The Department of General Services (DGS) shall conduct a review of current Virginia law and best practices as it relates to the statute of limitations on state contracts for construction services and its fiscal implications, consistent with recommendations made by the Joint Legislative Audit and Review Commission (JLARC) in its June 2016 "Development and Management of State Contracts" report. DGS shall conduct this review in consultation with state and local government public bodies, the Office of the Attorney General, and representatives from the private sector construction community, to include contractors, insurers, and legal representatives. DGS shall report its findings and recommendations to the Chairmen of the House Appropriations and Senate Finance Committees, and the Governor by December 31, 2019. JLARC shall provide oversight of, and assistance as needed to, DGS pursuant to the review and completion of the report.

B. Out of the amounts in this item, \$33,706 in the second year from the general fund is provided to support the personnel costs of the Governor's Executive Mansion staff."

**Explanation:**

(This amendment transfers the management of the Executive Mansion staff back to DGS. This is a net neutral transfer.)

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Item 83 #1c

**Administration**

Department of Elections

Language

**Language:**

Page 18, strike lines 5 through 14.

Page 18, after line 22, insert:

"K. It is the intent of the General Assembly that the Department of Elections release a Request for Information in fiscal year 2020 related to the replacement of the Virginia Election and Registration Information System (VERIS). The Department shall provide an update to the Chairs of House Appropriations Committee and the Senate Finance and Appropriations Committee on the options and potential costs for replacing VERIS on or before October 1, 2020."

**Explanation:**

(This amendment removes language making the replacement of VERIS contingent upon a review by the Virginia Information Technologies Agency, and directs the Department of Elections to release an RFI for the system's replacement.)

Item 83 #2c

**Administration**

**FY18-19**

**FY19-20**

Department of Elections

\$0

\$10,175,711 NGF

**Language:**

Page 17, line 16, strike "\$15,966,865" and insert "\$26,142,576".

Page 18, strike lines 5 through 14.

Page 18, after line 22, insert:

"K.1. It is the intent of the General Assembly that federal awards from the Help America Vote Act of 2002 (HAVA) under P.L. 116-93 be used to replace the Virginia Election and Registration Information System (VERIS) by July 1, 2022. Out of the amounts included in this item, \$10,175,711 in the second year from nongeneral fund HAVA grants is provided to the Department of Elections.

2. The State Comptroller shall not release the general and non general funds appropriated in this paragraph until the Department of Elections has submitted a plan outlining the use of funds to the Elections Assistance Commission (EAC), on or before May 1, 2020. The Department shall also submit this plan to the Director of the Department of Planning and Budget, and the Chairs of the House Appropriations Committee and the Senate Finance and Appropriations Committee on or before May 1, 2020.

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3. The Department of Elections, may consider utilizing HAVA funding to assist localities in complying with election security standards established by Chapter 426 of the Acts of Assembly of 2019, if the cost estimates from the Request for Information (RFI) for the replacement of the Virginia Election Registration Information System (VERIS) are less than the total amounts appropriated in this item."

**Explanation:**

(This amendment outlines the intent of the 2020 General Assembly that the Commonwealth's recent award of funds from the Help America Vote Act of 2020 shall be used to replace VERIS.)

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		Item 126 #1c	
<b>Commerce and Trade</b>	<b>FY18-19</b>	<b>FY19-20</b>	
Virginia Tourism Authority	\$0	\$100,000	GF

**Language:**

Page 27, line 2, strike "\$21,235,424" and insert "\$21,335,424".

Page 27, line 2, insert:

"O. Out of the amounts in this item, \$100,000 the second year from the general fund is provided to the City of Portsmouth to support a marketing and promotional awareness campaign for the 40th anniversary of the Children's Museum of Virginia."

**Explanation:**

(This amendment provides \$100,000 the second year from the general fund to support a marketing and promotional awareness campaign for the 40th anniversary of the Children's Museum of Virginia. The campaign will be launched during the summer of 2020 and extend through the end of the year to leverage the museum's brand, build brand equity and enhance promotional offerings to a regional and national audience. It is the intent of the General Assembly to set out this item upon enrolling.)

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		Item 135 #1c	
<b>Education</b>	<b>FY18-19</b>	<b>FY19-20</b>	
Direct Aid to Public Education	\$0	\$1,000,000	GF

**Language:**

Page 30, line 17, strike "\$32,965,708" and insert "\$33,965,708".

Page 30 after line 28, insert:

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"American Civil War Museum \$0 \$1,000,000".

Page 39, after line 29, insert:

"LL. Out of this appropriation, \$1,000,000 the second year from the general fund is provided to the American Civil War Museum to support the advancement of experiential learning opportunities for K-12 students. These funds are intended to support high-quality, off-site learning experiences for students to engage in educational content, aligned to Virginia's Standards of Learning, related to the history of the American Civil War."

**Explanation:**

(This amendment provides \$1.0 million from the general fund the second year to the American Civil War Museum to support field trips aligned with SOL content on the American Civil War.)

---

Item 135 #2c

<b>Education</b>	<b>FY18-19</b>	<b>FY19-20</b>	
Direct Aid to Public Education	\$0	\$1,200,000	GF

**Language:**

Page 30, line 17, strike "\$32,965,708" and insert "\$34,165,708".

Page 30, after line 28, insert:

"Black History Museum and Cultural Center of Virginia \$0 \$1,200,000".

Page 39, after line 29, insert:

"LL. Out of this appropriation, \$1,200,000 the second year from the general fund is provided to the Black History Museum and Cultural Center of Virginia to support the advancement of experiential learning opportunities for K-12 students. These funds are intended to support high-quality, off-site learning experiences and traveling exhibitions for students to engage in educational content, aligned to Virginia's Standards of Learning, related to African American History."

**Explanation:**

(This amendment provides \$1.2 million from the general fund the second year to the Black History Museum and Cultural Center of Virginia to support field trips and traveling exhibitions aligned to SOL content on African American History.)

---

Item 136 #1c

<b>Education</b>	<b>FY18-19</b>	<b>FY19-20</b>	
Direct Aid to Public Education	\$0	\$6,939,363	GF

**Language:**

Page 39, line 31, strike "\$7,267,535,524" and insert "\$7,274,474,887".

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Page 40, line 12, strike "\$3,303,283,961" and insert "\$3,294,521,798".

Page 40, line 15, strike "\$1,499,200,000" and insert "\$1,514,900,000".

**Explanation:**

(This amendment provides an additional \$6.9 million from the general fund the second year based on updating the sales tax distribution estimate for fiscal year 2020.)

---

Item 136 #2c

<b>Education</b>	<b>FY18-19</b>	<b>FY19-20</b>	
Direct Aid to Public Education	\$0	(\$26,000)	NGF

**Language:**

Page 39, line 31, strike "\$7,267,535,524" and insert "\$7,267,509,524".

Page 42, line 10, strike "\$56,290,400" and insert "\$56,264,400".

Page 58, line 36, strike "\$56,290,400" and insert "\$56,264,400".

Page 58, line 44, strike "\$56,290,400" and insert "\$56,264,400".

**Explanation:**

(This amendment reduces the VPSA Educational Technology Grant program by \$26,000 from the nongeneral fund the second year as a program currently receiving a grant plans to disband in fiscal year 2021.)

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Item 227 #1c

**Education: Higher Education**

Virginia State University

Language

**Language:**

Page 82, line 1, insert:

"K. Of the \$234,000 appropriated for agriculture education positions, the university has the ability as of January 1, 2020 to utilize some of the funding for developing key aspects of the agriculture education program."

**Explanation:**

(This amendment provides flexibility in the use of funding for agriculture education positions.)

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Item 234 #1c

**Education: Other**

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Jamestown-Yorktown Foundation

Language

**Language:**

Page 82, line 8, insert:

"E. Out of this appropriation, \$50,000 the second year from the general fund is provided to complete the three-part statue installation at the Williamsburg James City County Courthouse that was begun in 2008, with Native American leader Chief Powhatan, Captain Gosnold in 2016, and the final statue will commemorate Africans brought to the colony; and \$25,000 the second year from the general fund is provided to the African American Cultural Center of Virginia Beach for the Hampton Roads African American Evolution Performance Series."

**Explanation:**

(This amendment specifies in language the purposes for which funding was provided in fiscal year 2020 in Chapter 854, 2019 Session. It is the intent of the General Assembly to set out this item upon enrolling.)

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	Item 266 #1c		
<b>Finance</b>	<b>FY18-19</b>	<b>FY19-20</b>	
Department of Accounts Transfer Payments	\$0	(\$73,757,699)	GF

**Language:**

Page 86, line 10, strike "\$493,603,374" and insert "\$419,845,675".  
Page 86, line 17, strike "\$493,603,374" and insert "\$419,845,675".

**Explanation:**

(This amendment corrects the amount appropriated for a voluntary deposit to the Revenue Reserve Fund. A companion amendment to the enactment clause (Item 0) reflects a revision in the depiction of June 30, 2019 committed balances on the balance sheet in the Commonwealth's Comprehensive Annual Financial Report (CAFR), which results in a reduction in resources available for the voluntary deposit.)

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	Item 266 #2c		
<b>Finance</b>	<b>FY18-19</b>	<b>FY19-20</b>	
Department of Accounts Transfer Payments	\$0	\$182,000,000	GF

**Language:**

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Page 86, line 10, strike "\$493,603,374" and insert "\$675,603,374".

Page 86, line 17, strike "\$493,603,374" and insert "\$715,603,374".

Page 86, line 19, after "Code of Virginia" strike the remainder of line.

Page 86, strike lines 19 and 20 and insert:

". Any mandatory deposit to the Revenue Stabilization Fund resulting from revenue growth in fiscal year 2020 may be funded from the amounts appropriated to the Revenue Reserve in this paragraph if fiscal year 2020 uncommitted, excess year-end revenues are insufficient for such purpose."

**Explanation:**

(This amendment adds \$182,000,000 to the amount appropriated for a voluntary deposit to the Revenue Reserve Fund in fiscal year 2020. Language states that the funds are being set aside in the Reserve Fund but may be transferred to the Revenue Stabilization Fund (Rainy Day Fund) if the deposit requirement is triggered.)

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Item 281 #1c

**Health and Human Resources**

Secretary of Health and Human Resources

Language

**Language:**

Page 96, strike lines 19 through 29.

**Explanation:**

(This amendment removes the language in House Bill 29 that expires on June 30, 2020, related to a workgroup on adding Medicaid coverage of doula services. A companion amendment in House Bill 30, which takes effect July 1, 2020, establishes the workgroup. This will provide the workgroup an adequate period of time to to adequately consider the requirements of the language and report back any recommendations.)

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Item 297 #1c

**Health and Human Resources**

**FY18-19**

**FY19-20**

Department of Health

\$0

(\$50,000) GF

**Language:**

Page 102, line 1, strike "\$24,428,665" and insert "\$24,378,665".

Page 102, line 1, strike "Not set out." and insert:

"Administrative and Support Services (49900)

\$24,339,399

\$28,540,899

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	\$24,292,399	\$24,378,665
General Management and Direction (49901)	\$9,322,919	\$11,722,919 \$9,947,218
Information Technology Services (49902)	\$8,187,609 \$8,140,609	\$9,989,109 \$5,740,609
Accounting and Budgeting Services (49903)	\$3,267,953	\$3,267,953
Human Resources Services (49914)	\$2,113,124	\$2,113,124
Procurement and Distribution Services (49918)	\$1,447,794	\$1,447,794 \$1,534,060
Fund Sources:		
General	\$15,670,199 \$15,623,199	\$19,871,699 \$15,709,465 \$13,983,764
Special	\$3,973,821	\$3,973,821
Federal Trust	\$4,695,379	\$4,695,379

Authority: §§ 3.2-5206 through 3.2-5216, 32.1-11.3 through 32.1-23, 35.1-1 through 35.1-7, and 35.1-9 through 35.1-28, Code of Virginia.

A. The State Comptroller is hereby authorized to provide a line of credit of up to \$200,000 to the Department of Health to cover the actual costs of expanding the availability of vital records through the Department of Motor Vehicles, to be repaid from administrative processing fees provided under Code of Virginia, § 32.1-273 until such time as the line of credit is repaid.

B. Out of this appropriation, \$150,000 the first year and \$150,000 the second year from the general fund shall be provided for agency costs related to onboarding to ConnectVirginia, transition costs to convert the agency's node on ConnectVirginia to the state agency node, and provide support to other state agencies in their onboarding efforts.

C. The Virginia Department of Health is authorized to develop a plan to allocate a reduction of \$150,000 the first year and \$150,000 the second year from the general fund across programs within the department to reflect administrative savings. The Department of Planning and Budget is authorized to make the necessary budget execution adjustments to transfer the funds between programs to implement the plan.

D.1. Out of this appropriation, \$370,000 from the general fund and \$3,330,000 from nongeneral funds is provided for the Virginia Department of Health to implement the requirements of House Bill 2209 and Senate Bill 1561 (2017 Session). The department shall contract or amend an existing contract with a non-profit entity as necessary in order to do so. The department shall require its contractor to establish a separate and distinct Emergency Department Care Coordination Advisory Council (ED Council) to whom responsibility for implementing this

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program shall be delegated under the department's supervision. The contractor may utilize an existing governance, legal and trust framework in order to fulfill the requirements of House Bill 2209 and Senate Bill 1561 and to expedite the implementation of the program.

2. The ED Council, under the department's governance and direction shall: (i) specify the necessary functionalities to meet the needs of all key stakeholders; (ii) develop and oversee a competitive selection process for a vendor or vendors that will provide a single, statewide technology solution to fulfill the required functionalities and advance the goals of the initiative; and (iii) select and oversee the implementation of successful information technologies, with implementation no later than June 30, 2018. The ED Council shall include three representatives from the Commonwealth appointed by the Secretary, including the department, the Department of Medical Assistance Services, and the Department of Health Professions; three representatives from hospitals and health systems, nominated by the Virginia Hospital and Healthcare Association; three health plan representatives, nominated by the Virginia Association of Health Plans; and six physician representatives, nominated by the Medical Society of Virginia with representation from the Virginia College of Emergency Physicians, the Virginia Academy of Family Physicians and the Virginia Chapter, American Academy of Pediatrics.

3. The department shall coordinate with the Department of Medical Assistance Services to seek federal Health Information Technology for Economic and Clinical Health (HITECH) Act matching funds. The department shall coordinate with the Department of Medical Assistance Services to seek any additional eligible federal matching funds supporting provider electronic health record implementation and integration in order to implement the program. The department may use up to \$100,000 for administrative costs.

4. The implementation of this initiative is contingent upon the receipt of federal HITECH Act funds, and neither the department nor its contractor shall be obligated to implement the program without HITECH Act matching funds. The appropriation in this paragraph is contingent upon the receipt of federal HITECH Act funds.

5. Effective July 1, 2017 or upon program implementation, all hospitals operating emergency departments in the Commonwealth and all Medicaid Managed Care contracted health plans shall participate in the program. Effective June 30, 2018, all hospital operating emergency departments in the Commonwealth, all Medicaid Managed Care contracted health plans, the State Employee Health Plan, all Medicare plans operating in the Commonwealth, and all commercial plans operating in the Commonwealth, excluding ERISA plans, shall participate in the program. The department, in coordination with the Department of Medical Assistance Services, shall determine the amount of federal funds available to support program operations in the second year. Accordingly, the department, in coordination with the Department of Medical Assistance Services and the ED Council, shall recommend, by December 15, 2017, a funding structure for program operations in fiscal year 2019 that apportions program costs across the Commonwealth, participating hospitals, and participating health plans.

6. The department, in coordination with the ED Council, shall report annually beginning November 1, 2017 to the Secretary of Health and Human Resources and the Chairmen of the

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House Appropriations and the Senate Finance Committees on progress, including, but not limited to: (i) the participation rate of hospitals and health systems, physicians and subscribing health plans; (ii) strategies for sustaining the program and methods to continue to improve care coordination; and (iii) the impact on health care utilization and quality goals such as reducing the frequency of visits by high-volume Emergency Department utilizers and avoiding duplication of prescriptions, imaging, testing or other health care services.

E. The Virginia Department of Health shall assess the feasibility of developing a home visiting Pay for Success pilot program. The department shall develop a workgroup comprised of Virginia home visiting organizations and early childhood education organizations in examining this issue. The department shall determine if the recent provisions of the federal Bipartisan Budget Act of 2018 allow for the department to access federal funding to develop a pilot Pay for Success program for home visiting. The department shall report on the feasibility analysis, the availability of federal funding and the steps necessary to proceed with a pilot program, if feasible, to the Chairmen of the House Appropriations and Senate Finance Committees by December 1, 2018.

~~F. The Virginia Department of Health shall modify the Emergency Room Care Coordination Program to track individuals who present in the emergency room under an Emergency Custody Order (ECO). The program shall identify the legal disposition of individuals being evaluated for psychiatric hospitalization as Temporary Detention Order at the hospital, Temporary Detention Order at another Hospital, Voluntary Admission at the Hospital, or Voluntary Admission at Other Hospital, or released to the community. The department shall report the data monthly on its website by hospital and provide an annual report to the General Assembly for each fiscal year, no later than September 1, after the the end of the fiscal year."~~

**Explanation:**

(This amendment sets out Item 297 of the introduced budget and reduces the appropriation by \$50,000 the second year from the general fund to remove funding provided in 2019 Session for modifying the Emergency Department Care Coordination System to track Temporary Detention Orders. After review, it was determined this system was not the solution to address the issue.)

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	Item 297 #2c	
<b>Health and Human Resources</b>	<b>FY18-19</b>	<b>FY19-20</b>
Department of Health	\$0	(\$1,775,701) GF

**Language:**

Page 102, line 1, strike "\$24,428,665" and insert "\$22,652,964".

Page 102, line 1, strike "Not set out.", and insert:

"Administrative and Support Services (49900)	\$24,339,399	\$28,540,899
	\$24,292,399	\$22,652,964

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General Management and Direction (49901)	\$9,322,919	<del>\$11,722,919</del> \$9,947,218
Information Technology Services (49902)	<del>\$8,187,609</del> \$8,140,609	\$9,989,109 \$5,790,609
Accounting and Budgeting Services (49903)	\$3,267,953	\$3,267,953
Human Resources Services (49914)	\$2,113,124	\$2,113,124
Procurement and Distribution Services (49918)	\$1,447,794	<del>\$1,447,794</del> \$1,534,060

Fund Sources:

General	<del>\$15,670,199</del> \$15,623,199	\$19,871,699 <del>\$15,759,465</del> \$13,983,764
Special	\$3,973,821	\$3,973,821
Federal Trust	\$4,695,379	\$4,695,379

Authority: §§ 3.2-5206 through 3.2-5216, 32.1-11.3 through 32.1-23, 35.1-1 through 35.1-7, and 35.1-9 through 35.1-28, Code of Virginia.

A. The State Comptroller is hereby authorized to provide a line of credit of up to \$200,000 to the Department of Health to cover the actual costs of expanding the availability of vital records through the Department of Motor Vehicles, to be repaid from administrative processing fees provided under Code of Virginia, § 32.1-273 until such time as the line of credit is repaid.

B. Out of this appropriation, \$150,000 the first year and \$150,000 the second year from the general fund shall be provided for agency costs related to onboarding to ConnectVirginia, transition costs to convert the agency's node on ConnectVirginia to the state agency node, and provide support to other state agencies in their onboarding efforts.

C. The Virginia Department of Health is authorized to develop a plan to allocate a reduction of \$150,000 the first year and \$150,000 the second year from the general fund across programs within the department to reflect administrative savings. The Department of Planning and Budget is authorized to make the necessary budget execution adjustments to transfer the funds between programs to implement the plan.

D.1. Out of this appropriation, \$370,000 from the general fund and \$3,330,000 from nongeneral funds is provided for the Virginia Department of Health to implement the requirements of House Bill 2209 and Senate Bill 1561 (2017 Session). The department shall contract or amend an existing contract with a non-profit entity as necessary in order to do so. The department shall require its contractor to establish a separate and distinct Emergency Department Care Coordination Advisory Council (ED Council) to whom responsibility for implementing this program shall be delegated under the department's supervision. The contractor may utilize an existing governance, legal and trust framework in order to fulfill the requirements of House Bill

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2209 and Senate Bill 1561 and to expedite the implementation of the program.

2. The ED Council, under the department's governance and direction shall: (i) specify the necessary functionalities to meet the needs of all key stakeholders; (ii) develop and oversee a competitive selection process for a vendor or vendors that will provide a single, statewide technology solution to fulfill the required functionalities and advance the goals of the initiative; and (iii) select and oversee the implementation of successful information technologies, with implementation no later than June 30, 2018. The ED Council shall include three representatives from the Commonwealth appointed by the Secretary, including the department, the Department of Medical Assistance Services, and the Department of Health Professions; three representatives from hospitals and health systems, nominated by the Virginia Hospital and Healthcare Association; three health plan representatives, nominated by the Virginia Association of Health Plans; and six physician representatives, nominated by the Medical Society of Virginia with representation from the Virginia College of Emergency Physicians, the Virginia Academy of Family Physicians and the Virginia Chapter, American Academy of Pediatrics.

3. The department shall coordinate with the Department of Medical Assistance Services to seek federal Health Information Technology for Economic and Clinical Health (HITECH) Act matching funds. The department shall coordinate with the Department of Medical Assistance Services to seek any additional eligible federal matching funds supporting provider electronic health record implementation and integration in order to implement the program. The department may use up to \$100,000 for administrative costs.

4. The implementation of this initiative is contingent upon the receipt of federal HITECH Act funds, and neither the department nor its contractor shall be obligated to implement the program without HITECH Act matching funds. The appropriation in this paragraph is contingent upon the receipt of federal HITECH Act funds.

5. Effective July 1, 2017 or upon program implementation, all hospitals operating emergency departments in the Commonwealth and all Medicaid Managed Care contracted health plans shall participate in the program. Effective June 30, 2018, all hospital operating emergency departments in the Commonwealth, all Medicaid Managed Care contracted health plans, the State Employee Health Plan, all Medicare plans operating in the Commonwealth, and all commercial plans operating in the Commonwealth, excluding ERISA plans, shall participate in the program. The department, in coordination with the Department of Medical Assistance Services, shall determine the amount of federal funds available to support program operations in the second year. Accordingly, the department, in coordination with the Department of Medical Assistance Services and the ED Council, shall recommend, by December 15, 2017, a funding structure for program operations in fiscal year 2019 that apportions program costs across the Commonwealth, participating hospitals, and participating health plans.

6. The department, in coordination with the ED Council, shall report annually beginning November 1, 2017 to the Secretary of Health and Human Resources and the Chairmen of the House Appropriations and the Senate Finance Committees on progress, including, but not limited to: (i) the participation rate of hospitals and health systems, physicians and subscribing

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health plans; (ii) strategies for sustaining the program and methods to continue to improve care coordination; and (iii) the impact on health care utilization and quality goals such as reducing the frequency of visits by high-volume Emergency Department utilizers and avoiding duplication of prescriptions, imaging, testing or other health care services.

E. The Virginia Department of Health shall assess the feasibility of developing a home visiting Pay for Success pilot program. The department shall develop a workgroup comprised of Virginia home visiting organizations and early childhood education organizations in examining this issue. The department shall determine if the recent provisions of the federal Bipartisan Budget Act of 2018 allow for the department to access federal funding to develop a pilot Pay for Success program for home visiting. The department shall report on the feasibility analysis, the availability of federal funding and the steps necessary to proceed with a pilot program, if feasible, to the Chairmen of the House Appropriations and Senate Finance Committees by December 1, 2018.

F. The Virginia Department of Health shall modify the Emergency Room Care Coordination Program to track individuals who present in the emergency room under an Emergency Custody Order (ECO). The program shall identify the legal disposition of individuals being evaluated for psychiatric hospitalization as Temporary Detention Order at the hospital, Temporary Detention Order at another Hospital, Voluntary Admission at the Hospital, or Voluntary Admission at Other Hospital, or released to the community. The department shall report the data monthly on its website by hospital and provide an annual report to the General Assembly for each fiscal year, no later than September 1, after the the end of the fiscal year.

*G. Out of the amounts in this Item, the department shall use \$1,775,701 from indirect cost recoveries the second year to supplant general fund amounts for General Management and Direction."*

**Explanation:**

(This amendment sets out Item 297 which was not set out in the introduced budget. The amendment includes a new paragraph G, which supplants \$1.8 million the second year from the general fund with nongeneral funds from agency indirect cost recoveries.)

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		Item 303 #1c	
<b>Health and Human Resources</b>	<b>FY18-19</b>	<b>FY19-20</b>	
Department of Medical Assistance	\$0	(\$3,435,651)	GF
Services	\$0	(\$3,435,651)	NGF

**Language:**

Page 103, line 5, strike "\$14,347,029,162" and insert "\$14,340,157,860".  
Page 103, line 12, strike "\$9,359,035,588" and insert "\$9,352,164,286".

**Explanation:**

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(This amendment accounts for the Department of Medical Assistance Services adopting lower managed care rates for the Commonwealth Coordinated Care (CCC) Plus program (effective January 1, 2020) than those assumed in the November 1, 2019 official Medicaid forecast.)

Item 303 #2c

<b>Health and Human Resources</b>	<b>FY18-19</b>	<b>FY19-20</b>	
Department of Medical Assistance Services	\$0	(\$2,500,000)	GF
	\$0	(\$2,500,000)	NGF

**Language:**

Page 103, line 5, strike "\$14,347,029,162" and insert "\$14,342,029,162".

**Explanation:**

(This amendment reduces the general fund by \$2.5 million the second year and a like amount of matching federal Medicaid funds to reflect Medicaid expenditure projections for the remainder of fiscal year 2020.)

Item 307 #1c

<b>Health and Human Resources</b>	
Department of Medical Assistance Services	Language

**Language:**

Page 132, strike line 20, and insert:

"Administrative and Support Services (49900)	\$282,112,859	<del>\$281,299,207</del>
	\$276,209,635	<del>\$288,267,024</del>
General Management and Direction (49901)	\$271,558,406	\$270,744,754
	\$265,655,182	\$277,712,571
Administrative Support for the Family Access to Medical Insurance Security Plan (49932)	\$10,554,453	\$10,554,453
<b>Fund Sources:</b>		
General	\$75,722,124	\$77,451,857
	\$63,468,138	\$66,081,185
Special	\$2,305,332	\$2,334,320
Dedicated Special Revenue	\$11,620,070	\$18,553,043
Federal Trust	\$204,085,403	\$201,513,030
	\$198,816,095	\$201,298,476

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Authority: Title 32.1, Chapters 9 and 10, Code of Virginia; P.L. 89-97, as amended, Titles XIX and XXI, Social Security Act, Federal Code.

A.1. By November 1 of each year, the Department of Planning and Budget, in cooperation with the Department of Medical Assistance Services, shall prepare and submit a forecast of Medicaid expenditures, upon which the Governor's budget recommendations will be based, for the current and subsequent two years to the Chairmen of the House Appropriations and Senate Finance Committees. In addition to the expenditure forecast, the Department of Medical Assistance Services shall provide a breakout that shows forecasted expenditures by caseload/utilization, inflation, and policy changes. An enrollment forecast for the same forecast period shall also be submitted with the expenditure forecast.

2. The forecast shall be based upon current state and federal laws and regulations. The forecast shall only include expenditures for medical services in Program 45600 and shall exclude administrative expenditures. Rebasing and inflation estimates that are required by existing law or regulation for any Medicaid provider shall be included in the forecast. The forecast shall also include an estimate of projected increases or decreases in managed care costs, including estimates regarding changes in managed care rates for the three-year period. In preparing for each year's forecast of the managed care portions of the budget, the department shall submit to its actuarial contractor a letter, with a copy sent to the Department of Planning and Budget and the Chairmen of the House Appropriations and Senate Finance Committees. This letter shall document the department's request for a point estimate of the rate of increase in rates, based on application of actuarial principals and methodologies and information available at the time of the forecast, that the contractor estimates will occur in the years being forecast, and shall specify the population groupings for which estimates are requested. The department shall request that the contractor reply in writing with a copy to all parties copied on the department's letter.

3. The Department of Planning and Budget and the Department of Medical Assistance Services shall convene a meeting on or before October 15 of each year with the appropriate staff from the House Appropriations and Senate Finance Committees to review current trends and the assumptions used in the Medicaid forecast prior to its finalization. The departments shall provide at this meeting a complete list of all policy and manual adjustments along with the estimated amounts of each adjustment by fiscal year that will be included in the Medicaid forecast due November 1.

B.1. The Department of Medical Assistance Services (DMAS) shall submit monthly expenditure reports of the Medicaid program by service that shall compare expenditures to the official Medicaid forecast, adjusted to reflect budget actions from each General Assembly Session. The monthly report shall be submitted to the Department of Planning and Budget and the Chairmen of the House Appropriations and Senate Finance Committees within 20 days after the end of each month. DMAS shall convene a meeting each quarter with the Secretary of Finance, Secretary of Health and Human Resources, or their designees, and appropriate staff from the Department of Planning and Budget, House Appropriations and Senate Finance Committees, and Joint Legislative Audit and Review Commission to explain any material

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differences in expenditures compared to the official Medicaid forecast, adjusted to reflect budget actions from each General Assembly Session. If necessary, the department shall provide options to bring expenditures in line with available resources. At each quarterly meeting, the department shall provide an update on any changes to the managed care programs, or contracts with managed care organizations, that includes detailed information and analysis on any such changes that may have an impact on the capitation rates or overall fiscal impact of the programs, including changes that may result in savings. Specifically, the department shall report on the Discrete Incentive Transition Program with information regarding the number of individuals that transition from nursing facilities, payments to managed care organizations, and outcomes and quality data for the individual plan members that transition into the community. In addition, the department shall report on utilization and other trends in the managed care programs.

2. The Department of Medical Assistance Services shall submit a quarterly report summarizing managed care encounter data by service category in a format similar to the report in paragraph B.1. This quarterly report shall be submitted to the Department of Planning and Budget and the Chairmen of the House Appropriations and Senate Finance Committees no later than 30 days after the end of each quarter.

3. The Department of Medical Assistance Services shall track expenditures for the prior fiscal year that ended on June 30, that includes the expenditures associated with changes in services and eligibility made in the Medicaid and FAMIS programs adopted by the General Assembly in the past session(s). Expenditures related to changes in services and eligibility adopted in a General Assembly Session shall be included in the report for five fiscal years beginning from the first year the policy impacted expenditures in the Medicaid and FAMIS programs. The department shall report the expenditures of each funding change separately and show the impact by fiscal year. The report shall be submitted to the Department of Planning and Budget and the Chairmen of the House Appropriations and Senate Finance Committees by October 1 of each year.

C.1. It is the intent of the General Assembly that the Department of Medical Assistance Services provide more data regarding Medicaid and other programs operated by the department on their public website. The department shall create a central website that consolidates data and statistical information to make the information more readily available to the general public. At a minimum the information included on such website shall include monthly enrollment data, expenditures by service, and other relevant data.

2. No later than June 30, 2018, the department shall make Medicaid and other agency data stored in the agency's data warehouse available through the department's website that includes, at a minimum, interactive tools for the user to select, display, manipulate and export requested data.

D. The Department of Medical Assistance Services shall notify the Director, Department of Planning and Budget, and the Chairmen of the House Appropriations and Senate Finance Committees at least 30 days prior to any change in capitated rates for managed care companies.

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The notification shall include the amount of the rate increase or decrease, and the projected impact on the state budget.

E.1. Effective January 1, 2018, the Department of Medical Assistance Services shall include in all its contracts with managed care organizations (MCOs) the following:

a. A provision requiring the MCOs to return one-half of the underwriting gain in excess of three percent of Medicaid premium income up to 10 percent. The MCOs shall return 100 percent of the underwriting gain above 10 percent.

b. A requirement for detailed financial and utilization reporting. The reported data shall include: (i) income statements that show expenses by service category; (ii) balance sheets; (iii) information about related-party transactions; and (iv) information on service utilization metrics.

c. Upon the inclusion of behavioral health care in managed care, behavioral health-specific metrics to identify undesirable trends in service utilization.

d. Upon the inclusion of behavioral health care in managed care, a report on their policies and processes for identifying behavioral health providers who provide inappropriate services and the number of such providers that are disenrolled.

2. For rate periods effective January 1, 2018 and thereafter, the Department of Medical Assistance Services shall direct its actuary as part of the rate setting process to:

a. Identify potential inefficiencies in the Medallion program and adjust capitation rates for expected efficiencies. The department is authorized to phase-in this adjustment over time based on the portion of identified inefficiencies that MCOs can reasonably reduce each year.

b. Monitor medical spending for related-party arrangements and adjust historical medical spending when deemed necessary to ensure that capitation rates do not cover excessively high spending as compared to benchmarks. Related-party arrangements shall mean those in which there is common ownership or control between the entities, and shall not include Medicaid payments otherwise authorized in this item.

c. Adjust capitation rates in the Medallion program to account for a portion of expected savings from required initiatives.

d. Allow negative historical trends in medical spending to be carried forward when setting capitation rates.

e. Annually rebase administrative expenses per member per month for projected enrollment changes.

f. Annually incorporate findings on unallowable administrative expenses from audits of MCOs into its calculations of underwriting gain and administrative loss ratios for the purposes of ongoing financial monitoring, including enforcement of the underwriting gain cap.

g. Adjust calculations of underwriting gain and medical loss ratio by classifying as profit medical spending that is excessively high due to related-party arrangements.

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3. The Department of Medical Assistance Services shall report to the General Assembly on spending and utilization trends within Medicaid managed care, with detailed population and service information and include an analysis and report on the underlying reasons for these trends, the agency's and MCOs' initiatives to address undesirable trends, and the impact of those initiatives. The report shall be submitted each year by September 1.

4. The Department of Medical Assistance Services shall develop a proposal for cost sharing requirements based on family income for individuals eligible for long-term services and supports through the optional 300 percent of Supplemental Security Income eligibility category and submit the proposal to the Centers for Medicare and Medicaid Services to determine if such a proposal is feasible. No cost sharing requirements shall be implemented unless approved by the General Assembly.

F. The Department of Medical Assistance Services, to the extent permissible under federal law, shall enter into an agreement with the Department of Behavioral Health and Developmental Services to share Medicaid claims and expenditure data on all Medicaid-reimbursed mental health, intellectual disability and substance abuse services, and any new or expanded mental health, intellectual disability retardation and substance abuse services that are covered by the State Plan for Medical Assistance. The information shall be used to increase the effective and efficient delivery of publicly funded mental health, intellectual disability and substance abuse services.

G. The Department of Medical Assistance Services, in collaboration with the Department of Behavioral Health and Developmental Services, shall convene a stakeholder workgroup, to meet at least once annually, with representatives of the Virginia Association of Community Services Boards, the Virginia Network of Private Providers, the Virginia Association of Centers for Independent Living, Virginia Association of Community Rehabilitation Programs (VaACCSES), the disAbility Law Center of Virginia, the ARC of Virginia, and other stakeholders including representative family members, as deemed appropriate by the Department of Medical Assistance Services. The workgroup shall: (i) review data from the previous year on the distribution of the SIS levels and tiers by region and by waiver; (ii) review the process, information considered, scoring, and calculations used to assign individuals to their levels and reimbursement tiers; (iii) review the communication which informs individuals, families, providers, case managers and other appropriate parties about the SIS tool, the administration, and the opportunities for review to ensure transparency; and (iv) review other information as deemed necessary by the workgroup. The department shall report on the results and recommendations of the workgroup to the General Assembly by October 1 of each year.

H.1. The Department of Medical Assistance Services (DMAS) shall take actions to improve the reliability of Medicaid eligibility screenings for long-term services and supports, including: (i) validation of the children's criteria used with the Uniform Assessment Instrument to determine eligibility for Medicaid long-term services and supports, and (ii) design and implementation of an inter-rater reliability test for the pre-admission screening process.

2. The department shall work with relevant stakeholders to (i) assess whether hospital screening

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teams are making appropriate recommendations regarding placement in institutional care or home and community-based care; (ii) determine whether hospitals should have a role in the screening process; and (iii) determine what steps must be taken to ensure the Uniform Assessment Instrument is implemented consistently and does not lead to unnecessary institutional placements.

3. The department shall report to the General Assembly by December 1 on steps taken to address the risks associated with hospital screenings, including any statutory or regulatory changes needed to improve such screenings.

I. The Department of Medical Assistance Services (DMAS) shall collect and provide to the Office of Children's Services (OCS) all information and data necessary to ensure the continued collection of local matching dollars associated with payments for Medicaid eligible services provided to children through the Children's Services Act as required in Item 282, C.2. of this Act. This information and data shall be collected by DMAS and provided to OCS on a monthly basis.

J. The Departments of Medical Assistance Services (DMAS) and Social Services (DSS) shall collaborate with the League of Social Services Executives, and other stakeholders to analyze and report data that demonstrates the accuracy, efficiency, compliance, quality of customer service, and timeliness of determining eligibility for the Medicaid, CHIP and Governor's Access Program (GAP) programs. Based on this collaboration, the departments shall develop meaningful performance metrics on data in agency systems that shall be used to monitor eligibility trends, address potential compliance problem areas and implement best practices. DMAS shall maintain on its website a public dashboard on eligibility performance that includes performance metrics developed through collaborative efforts as well as the performance of local departments of social services and any centralized eligibility-processing unit. Effective August 1, 2018 this dashboard shall be updated for the previous quarter and 30 days following the end of each quarter thereafter.

K. In addition to any regional offices that may be located across the Commonwealth, any statewide, centralized call center facility that operates in conjunction with a brokerage transportation program for persons enrolled in Medicaid or the Family Access to Medical Insurance Security plan shall be located in Norton, Virginia.

L. The Department of Medical Assistance Services shall, to the extent possible, require web-based electronic submission of provider enrollment applications, revalidations and other related documents necessary for participation in the fee-for-service program under the State Plans for Title XIX and XXI of the Social Security Act.

M. The Department of Medical Assistance Services, in collaboration with the Department of Social Services, shall require Medicaid eligibility workers to search for unreported assets at the time of initial eligibility determination and renewal, using all currently available sources of electronic data, including local real estate property databases and the Department of Motor Vehicles for all Medicaid applicants and recipients whose assets are subject to an asset limit under Medicaid eligibility requirements.

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N.1. The Department of Medical Assistance Services shall require eligibility workers to verify income, using currently available Virginia Employment Commission data, for applicants and recipients who report no earned or unearned income. The Department shall, at the earliest date feasible but no later than October 1, 2017, require all Medicaid eligibility workers to apply the same protocols when verifying income for all applicants and recipients, including those who report no earned or unearned income.

2. The Department shall amend the Virginia Medicaid application, upon approval of the federal Centers for Medicare and Medicaid, to require a Medicaid applicant to opt out if such applicant does not want to grant permission to the state to use his federal tax returns for the purposes of renewing eligibility. The Department shall implement the necessary regulatory changes and other necessary measures to be consistent with federal approval of any appropriate state plan changes, and prior to the completion of any regulatory process undertaken in order to effect such change.

O.1. The Department of Medical Assistance Services shall report on the operations and costs of the Medicaid call center (also known as the Cover Virginia Call Center). This report shall include number of calls received on a monthly basis, the purpose of the call, the number of applications for Medicaid submitted through the call center, and the costs of the contract. The department shall submit the report by August 15 of each year to the Director, Department of Planning and Budget and the Chairmen of the House Appropriations and Senate Finance Committees.

2. Out of this appropriation, \$3,283,004 the first year and \$3,283,004 the second year from the general fund and \$9,839,000 the first year and \$9,839,000 the second year from nongeneral funds is provided for the enhanced operation of the Cover Virginia Call Center as a centralized eligibility processing unit (CPU) that shall be limited to processing Medicaid applications received from the Federally Facilitated Marketplace, telephonic applications through the call center, or electronically submitted Medicaid-only applications. The department shall report the number of applications processed on a monthly basis and payments made to the contractor to the Director, Department of Planning and Budget and the Chairman of the House Appropriations and Senate Finance Committees. The report shall be submitted no later than 30 days after the end of each quarter of the fiscal year.

3. The Secretary of Health and Human Resources shall convene an interagency workgroup of the Department of Medical Assistance Services (DMAS), the Department of Social Services (DSS), and the Department of Planning and Budget (DPB) and representatives of the Virginia League of Social Services Executives to assess the programmatic, operational and fiscal impact of consolidating the Cover Virginia call center with the call center operated by DSS to determine if more efficient and cost effective services can be achieved, prior to the reprocurement of the Cover Virginia call center contract. The workgroup shall develop an implementation plan and funding adjustments, that may be needed, to implement a consolidated call center. The Secretary shall report on the results of the assessment and any recommendations to the Chairmen of the House Appropriations and Senate Finance Committee by September 1,

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2019.

P.1. Out of this appropriation, \$5,835,000 the first year and \$5,835,000 the second year from the general fund and \$52,515,000 the first year and \$52,515,000 the second year from nongeneral funds shall be provided to replace the Medicaid Management Information System.

2. Within 30 days of awarding a contract or contracts related to the replacement project, the Department of Medical Assistance Services shall provide the Chairmen of the House Appropriations and Senate Finance Committees, and the Director, Department of Planning and Budget, with a copy of the contract including costs.

3. Beginning July 1, 2016, the Department of Medical Assistance Services shall provide annual progress reports that must include a current project summary, implementation status, accounting of project expenditures and future milestones. All reports shall be submitted to the Chairmen of House Appropriations and Senate Finance Committees, and Director, Department of Planning and Budget.

Q.1. Out of this appropriation, \$1,675,000 the first year and \$1,675,000 the second year from special funds is appropriated to the Department of Medical Assistance Services (DMAS) for the disbursement of civil money penalties (CMP) levied against and collected from Medicaid nursing facilities for violations of rules identified during survey and certification as required by federal law and regulation. Based on the nature and seriousness of the deficiency, the Agency or the Centers for Medicare and Medicaid Services may impose a civil money penalty, consistent with the severity of the violations, for the number of days a facility is not in substantial compliance with the facility's Medicaid participation agreement. Civil money penalties collected by the Commonwealth must be applied to the protection of the health or property of residents of nursing facilities found to be deficient. Penalties collected are to be used for (1) the payment of costs incurred by the Commonwealth for relocating residents to other facilities; (2) payment of costs incurred by the Commonwealth related to operation of the facility pending correction of the deficiency or closure of the facility; and (3) reimbursement of residents for personal funds or property lost at a facility as a result of actions by the facility or individuals used by the facility to provide services to residents. These funds are to be administered in accordance with the revised federal regulations and law, 42 CFR 488.400 and the Social Security Act § 1919(h), for Enforcement of Compliance for Long-Term Care Facilities with Deficiencies. Any special fund revenue received for this purpose, but unexpended at the end of the fiscal year, shall remain in the fund for use in accordance with this provision.

2. Of the amounts appropriated in Q.1. of this item, up to \$175,000 the first year and \$175,000 the second year from special funds may be used for the costs associated with administering CMP funds.

3. Of the amounts appropriated in Q.1. of this item, up to \$1,000,000 the first year and \$1,000,000 the second year from the special funds may be used for special projects that benefit residents and improve the quality of nursing Facilities.

4. By October 1 of each year, the department shall provide an annual report of the previous

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fiscal year that includes the amount of revenue collected and spending activities to the Chairmen of the House Appropriations and Senate Finance Committees and the Director, Department of Planning and Budget.

5. No spending or activity authorized under the provisions of paragraph Q. of this Item shall necessitate general fund spending or require future obligations to the Commonwealth.

6. The department shall maintain CMP special fund balance of at least \$1.0 million to address emergency situations in Virginia's nursing facilities.

R. Out of this appropriation, \$100,000 the first year and \$100,000 the second year from the general fund shall be provided to contract with the Virginia Center for Health Innovation for research, development and tracking of innovative approaches to healthcare delivery.

S.1. Out of this appropriation, \$40,332 the first year and \$69,320 the second year from special funds and \$295,764 the first year and \$266,776 the second year from federal funds shall be used to contract with Vision to Learn, a non-profit organization, to provide vision exams and corrective lenses and frames, if necessary, to school age children enrolled in Title I schools where at least 51 percent of the student body qualifies for free or reduced lunch. Vision to Learn will provide services through a mobile eye clinic, and must have a formalized agreement with targeted schools being serviced. The Department of Medical Assistance Services (DMAS) shall reimburse Vision to Learn for services provided to children that do not have another source of payment. The department shall reimburse for services rendered at the standard fee-for-service reimbursement rates.

2. Federal trust funds for these services will be accessed through the Children's Health Insurance Program (CHIP) Health Services Initiative allowed by Section 2015(a)(1)(D)(ii) of the Social Security Act and 42 CFR 457.10. The department is authorized to match federal trust funds with local public and private contributions for the purpose of reimbursing Vision to Learn for eye exams and corrective lenses and frames, if necessary, to school age children.

3. The funding of these services is contingent on continued federal funding for the Children's Health Insurance Program (CHIP), and is further limited by the availability of CHIP administrative funds. This language should not be construed as authorizing a new Medicaid or CHIP benefit, or as creating a new entitlement.

T. The Director, the Department of Medical Assistance Services, shall include language in all managed care contracts, for all department programming, requiring the plan sponsor to report quarterly, for all quarters through the one ending June 30, 2019, to the department for all pharmacy claims; the amount paid to the pharmacy provider per claim, including but not limited to cost of drug reimbursement; dispensing fees; copayments; and the amount charged to the plan sponsor for each claim by its pharmacy benefit manager. In the event there is a difference between these amounts, the plan sponsor shall report an itemization of all administrative fees, rebates, or processing charges associated with the claim. All data and information provided by the plan sponsor shall be kept secure; and notwithstanding any other provision of law, the department shall maintain the confidentiality of the proprietary information and not share or

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disclose the proprietary information contained in the report or data collected with persons outside the department. Only those department employees involved in collecting, securing and analyzing the data for the purpose of preparing the report shall have access to the proprietary data. The department shall annually provide a report using aggregated data only to the Chairmen of the House Appropriations and Senate Finance Committees on the implementation of this initiative and its impact on program expenditures by October 1 of each year. Nothing in the report shall contain confidential or proprietary information.

U. The Department of Medical Assistance Services shall, prior to the end of each fiscal quarter, determine and properly reflect in the accounting system whether pharmacy rebates received in the quarter are related to fee-for-service or managed care expenditures and whether or not the rebates are prior year recoveries or expenditure refunds for the current year. All pharmacy rebates for the quarter determined to be prior year revenue shall be deposited to the Virginia Health Care Fund before the end of the fiscal quarter. The department shall create and use a separate revenue source code to account for pharmacy rebates in the Virginia Health Care Fund.

V.1. Effective with the development of the 2020-2022 biennium, it is the intent of the General Assembly that there is hereby established an annual Medicaid state spending target for each fiscal year. The Joint Subcommittee for Health and Human Resources Oversight shall establish the annual target by September 15 of each year for the following two fiscal years. The target shall take into account the following: a 10-year rolling average of Medicaid expenditures by eligibility category and utilization of services, a 20-year rolling average of general fund revenue growth, and for policy decisions adopted by General Assembly during the previous Session which impact Medicaid spending.

2. In the event of an economic recession, the Joint Subcommittee may take into consideration enrollment and spending trends experienced during previous recessions in establishing the targets.

3. It is the intent of the General Assembly that the Governor abide by the spending target for Medicaid state spending, as established by the Joint Subcommittee, in developing the introduced budget each year and shall notify the Chairmen of the House Appropriations and Senate Finance Committees in the event the target cannot be met, along with the reason it cannot be met.

W. Out of this appropriation, \$225,000 the first year from the general fund and \$225,000 the first year from federal funds shall be used to hire an expert contractor or contractors to review the Department of Medical Assistance Services' (DMAS) federal expenditure and budget reporting as well as aid the department with improvements to cost allocation plans and federal advanced planning documents. On or before October 1, 2020, DMAS shall provide a report that details all areas examined, findings and improvements to Director, Department of Planning and Budget and the Chairmen of the House Appropriations and Senate Finance Committees.

X. The Department of Medical Assistance Services, in collaboration with the Department of Social Services, may consider and review proofs of concept from vendors for a pilot program to improve screening services for income and assets as part of the Medicaid eligibility

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determination process for both initial applications and renewals. Any such pilot program may include innovative methods to increase automation of various financial accounts to improve the verification process for eligibility. The pilot may also include methods to monitor compliance with the provisions of the Training, Education, Employment, and Opportunity Program pursuant to a § 1115 Demonstration Waiver. Any proofs of concept submitted by a vendor shall include cost estimates of such a pilot program. If the Department of Medical Assistance Services determines that a proof of concept by a vendor may significantly improve the eligibility determination process, the department shall notify the Chairmen of the House Appropriations and Senate Finance Committees with details and cost estimates of a potential pilot program.

Y. The Director, Department of Planning and Budget, shall unallot \$4,611,953 from the general fund in this Item and revert the appropriation to the general fund, on or before June 30, 2019, which reflects carryforward balances from fiscal year 2018.

Z. The Department of Medical Assistance Services, in collaboration with the Department of Social Services, shall provide data by the first day of each month, to each managed care organization, that includes the renewal dates for each member enrolled in their plan that will occur in the next 60 days. The department shall work with the managed care organizations to develop processes to reduce the number of renewals lapsing each year for Medicaid and Family Access to Insurance Security (FAMIS) enrollees.

AA. The Department of Medical Assistance Services shall report a detailed accounting, annually, of the agency's organization and operations. This report shall include an organizational chart that shows all full- and part-time positions (by job title) employed by the agency as well as the current management structure and unit responsibilities. The report shall also provide a summary of organization changes implemented over the previous year. The report shall be made available on the department's website by August 15 of each year.

BB. The Department of Medical Assistance Services shall, within 15 days of receiving a deferral of federal grant funds, or release of a deferral, or a disallowance letter, notify the Director, Department of Planning and Budget, and the Chairmen of the House Appropriations and Senate Finance Committees of such deferral action or disallowance. The notice shall include the amount of the deferral or disallowance and a detailed explanation of the federal rationale for the action. Any federal documentation received by the department shall be attached to the notification.

CC. The Department of Medical Assistance Services shall report on the use of emergency rooms for dental issues by Medicaid covered individuals. The report shall include: (i) data on the number of Medicaid-covered individuals that utilize emergency rooms primarily for dental issues; (ii) a summary of the types of dental issues being addressed and the treatments provided; (iii) data on the frequency of individuals returning to emergency rooms that may be related to the same dental issues; and (iv) options to consider to improve awareness and access to available dental care through free clinics and other community providers to resolve dental issues. The report shall be submitted to the Chairmen of the House Appropriations and Senate Finance Committees by November 1, 2019.

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DD. Out of this appropriation, \$87,500 from the general fund and \$262,500 from nongeneral funds the second year, shall be provided for support of the All Payer Claims Database operated by Virginia Health Information. This appropriation is contingent on federal approval of an Operational Advanced Planning Document.

EE.1. The Department of Medical Assistance Services shall cause its contracted actuary, not later than October 1, 2019, to evaluate and determine the most cost-effective pharmacy benefit delivery model, taking into account cost savings and other considerations such as clinical benefits, for all programs managed or directed by the department. In determining cost savings for each model considered, the actuary shall consider factors including rebates captured by the Commonwealth, decreased capitation rates, drug ingredient costs, generic drug dispensing, dispensing fees, drug utilization, and a single drug formulary (including the existing Common Core Formulary). The department shall report its findings to the Chairmen of the House Appropriations and Senate Finance Committees by December 1, 2019.

2. Upon approval of the 2020 General Assembly, the department may permit Medicaid managed care organizations (MCOs) under the Commonwealth's Children's Health Insurance Programs, Medallion 4.0, the Commonwealth Coordinated Care Plus or any other program managed or directed by the department, to develop and implement the most cost-effective pharmacy benefit delivery model including medication therapy management programs and medication reconciliation programs, for Medicaid recipients effective as of July 1, 2020. However, payments for prescribed drugs and dispensing fees shall be aligned to the model that provides the most beneficial financial solution to the Commonwealth. Upon approval of the 2020 General Assembly the department is authorized to contract with a pharmacy benefit manager, provided that the contract requires transparency in dispensing fees paid, cost control and containment measures, rebates collected and paid, fees and other charges for its administration of the pharmacy benefit.

3. The department is authorized to contract with a Virginia university for administration of a common formulary across its programs for pharmacy benefits upon approval of the 2020 General Assembly.

*FF. The Director, Department of Planning and Budget, shall unallot \$3,013,376 from the general fund in this Item and revert the appropriation to the general fund, on or before June 30, 2020, which reflects carryforward balances from fiscal year 2019."*

### **Explanation:**

(This amendment sets out Item 307 which was not set out in the introduced budget. The amendment includes a new paragraph FF, which reverts \$3.0 million from the general fund from the Department of Medical Assistance Services' administrative budget in fiscal year 2020. Based on current spending projections and the agency's prepayment of rent and other July 2019 contractual payments out of fiscal year 2019 year end balances, that would have otherwise reverted to the general fund, this amendment captures the excess appropriation.)

Item 310 #1c

**Health and Human Resources**

Department of Behavioral Health and Developmental Services

Language

**Language:**

Page 140, after line 22, insert:

"HH. The Department of Behavioral Health and Developmental Services shall develop and implement a plan to manage the census at Catawba Hospital and to reduce the number of staffed beds to 110 by no later than June 30, 2021. As part of the plan the department shall consider all opportunities to maximize the use of funding provided for the purpose of reducing the census across the state mental health hospitals. The department shall submit its plan to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by June 30, 2020."

**Explanation:**

(This amendment directs the Department of Behavioral Health and Developmental Services to develop and implement a plan to manage the census at Catawba Hospital and to reduce the number of staffed beds to 110 by no later than June 30, 2021).

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Item 310 #2c

**Health and Human Resources**

Department of Behavioral Health and Developmental Services

Language

**Language:**

Page 140, after line 22, insert:

"HH. Notwithstanding the provisions of Acts of Assembly Chapter 610 of the 2019 Session or any other provision of law, the Department of General Services is hereby authorized to sell, pursuant to § 2.2-1156, certain real property in Carroll County outside the town of Hillsville on which the former Southwestern Virginia Training Center was situated, subject to the following conditions: (1) the sale price shall be, at a minimum, an amount sufficient to fully cover any debt or other financial obligations currently on the property; (2) the purchaser shall be responsible for all transactional expenses associated with the transfer of the property; and (3) the sale shall be made to a health care company that agrees to use the property for the provision of health care services for a minimum of five years established through a deed restriction."

**Explanation:**

(This amendment adds language authorizing the Department of General Services to sell property on which the former Southwestern Virginia Training Center was situated. Language requires the sale price to cover any debt or other financial obligations on the property. It also

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requires the purchaser to use the property for the provision of health care services for at least five years.)

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Item 311 #1c

**Health and Human Resources**

Department of Behavioral Health and Developmental Services

Language

**Language:**

Page 141, line 24, after "Services," insert "the Virginia Association of".

Page 141, line 24, after "Association," insert:

"VOICES, the Virginia Coalition of Private Provider Associations, and the Virginia Network of Private Providers,".

**Explanation:**

(This amendment adds members to the workgroup created to examine and identify possible alternative treatment services and sites for minors that otherwise would be placed at the Commonwealth Center for Children and Adolescents (CCCA). This amendment adds the Virginia Association of Community Services Boards, VOICES, Virginia Coalition of Private Provider Associations, and the Virginia Network of Private Providers to the workgroup.)

---

Item 317 #1c

**Health and Human Resources**

**FY18-19**

**FY19-20**

Mental Health Treatment Centers

\$0

(\$2,889,261) GF

**Language:**

Page 146, line 49, strike "\$106,915,227" and insert "\$104,025,966".

**Explanation:**

(This amendment captures savings of \$2.9 million to the general fund in fiscal year 2020 at Western State Hospital for reduced costs due to the delay in the construction of two 28-bed units. The new beds were supposed to be operational in the fall of 2019, but will not be operational until late spring of 2021.)

---

Item 344 #1c

**Health and Human Resources**

**FY18-19**

**FY19-20**

Department of Social Services

\$0

(\$565,544) GF  
(\$446,059) NGF

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**Language:**

Page 156, line 50, strike "\$244,038,538" and insert "\$243,026,935".

**Explanation:**

(This amendment reduces funding for foster care and adoption subsidy payments that were inadvertently included in the introduced budget in fiscal year 2020 as a cost of living adjustment. The budget requires that these rates be increased in the year following a salary increase provided for state employees. State employees were given a pay raise in their July 1, 2019 paycheck. House Bill 30 provides a cost of living adjustment for these subsidy payments in fiscal year 2021 to reflect the fiscal year 2020 increase for state employee compensation.)

---

Item 346 #1c

**Health and Human Resources**

Department of Social Services

Language

**Language:**

Page 161, line 6, after "and" strike "\$9,035,501" and insert "\$8,617,679".

**Explanation:**

(This amendment adjusts language to reflect the appropriated nongeneral fund amounts for the Healthy Families America home visiting model.)

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Item 348 #1c

**Health and Human Resources**

**FY18-19**

**FY19-20**

Department of Social Services

\$0

(\$264,375)

GF

\$0

(\$323,125)

NGF

**Language:**

Page 163, line 43, strike "\$122,904,570" and insert "\$122,317,070".

**Explanation:**

(This amendment reduces funding in the Department of Social Services to begin replacing the Virginia case management system (VA-CMS) and other legacy systems with a modular enterprise platform solution. The VA-CMS was developed beginning in fiscal year 2013 after the 2012 General Assembly authorized funds to modernize the agency's eligibility processing information system for benefit programs.)

---

Item 363 #1c

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<b>Natural Resources</b>	<b>FY18-19</b>	<b>FY19-20</b>	
Department of Conservation and Recreation	\$0	\$50,000	GF

**Language:**

Page 168, line 4, strike "\$62,268,291" and insert "\$62,318,291".

Page 168, line 4, strike "Not set out." and insert:

"J. Included in the amounts for this item is \$50,000 from the general fund in the first year *and \$50,000 \$100,000 from the general fund the second year* for the Department of Conservation and Recreation to develop a plan to expand bike facilities at First Landing State Park. *Funding from this Item in the second year shall be used by the Department of Conservation and Recreation to contract with the City of Virginia Beach to support the development of appropriate ADA-complaint bike facilities that are located outside of the protected natural areas of First Landing State Park.*"

**Explanation:**

(This amendment provides one-time payment of \$100,000 in the second year for the Department of Conservation and Recreation and the City of Virginia Beach to develop more appropriate ADA-compliant mountain biking facilities in the City. The current use of trails and footpaths at First Landing State Park is detrimental to the protected natural environment and associated rare wildlife species.)

---

Item 363 #2c

<b>Natural Resources</b>	<b>FY18-19</b>	<b>FY19-20</b>	
Department of Conservation and Recreation	\$0	\$100,000	GF

**Language:**

Page 168, line 4, strike "\$62,268,291" and insert "\$62,368,291".

Page 169, line 48, strike "Not set out." and insert:

"M. Included in the amount for this item \$100,000 the second year from the general fund is provided as a one-time payment to the City of Richmond to increase accessibility of public parks and connectivity of the ADA-accessible elements in the James River Park System."

**Explanation:**

(This amendment provides funding for the Richmond City Department of Parks and Recreation to increase the accessibility of public parks and connectivity of the ADA-accessible elements in the James River Park System.)

---

Item 373 #1c

**Natural Resources**

Department of Game and Inland Fisheries

Language

**Language:**

Page 169, line 29, unstrike "\$15,500,000".

Page 169, line 30, strike "\$17,200,000".

**Explanation:**

(This amendment removes a proposed \$1.7 million increase in the transfer of general fund revenues to the Game Protection Fund.)

---

Item 474 #1c

**Central Appropriations**

Central Appropriations

Language

**Language:**

Page 203, after line 17, insert:

"4. The State Council of Higher Education for Virginia may utilize existing funds to provide an additional 2.25 percent merit-based salary adjustment for its agency head."

**Explanation:**

(This amendment includes the Director of the State Council of Higher Education for Virginia along with other agency heads as eligible for the 2.25 percent merit-based salary adjustment in fiscal year 2020.)

---

Item 475 #1c

**Central Appropriations**

**FY18-19**

**FY19-20**

Central Appropriations

\$0

\$650,000

GF

**Language:**

Page 204, line 9, strike "\$78,615,673" and insert "\$79,265,673".

Page 209, after line 33, insert:

"U. Out of this appropriation is included \$650,000 the second year from the general fund for a procurement disparity study in state government. The Department of Planning and Budget is authorized to transfer amounts from the appropriation in this item to applicable state agencies as

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required to execute the purposes of this paragraph."

**Explanation:**

(This amendment provides funding for a study of procurement disparity in state government.)

---

Item 475 #2c

**Central Appropriations**

Central Appropriations

Language

**Language:**

Page 209, strike lines 22 through 28, and insert:

"2. The Director, Department of Planning and Budget shall transfer \$3,000,000 from the general fund out of this appropriation to Program 39900 in the Department of Corrections for the procurement of electronic health records by June 30, 2020. Any unexpended balance in this appropriation in the Department of Corrections as of June 30, 2020 shall be reappropriated for this purpose in the next fiscal year."

**Explanation:**

(This amendment transfers the \$3.0 million from the general fund in the second year provided in Central Appropriations to the Department of Corrections to procure electronic health records and directs the funding be carried forward in the next fiscal year for this purpose.)

---

Item 475 #3c

**Central Appropriations**

Central Appropriations

Language

**Language:**

Page 209, after line 33, insert:

"U. On or before June 30, 2020, the Committee on Joint Rules shall authorize a reversion to the general fund of \$1,500,000 in unexpended year end balances from the Joint Legislative Audit and Review Commission."

**Explanation:**

(This amendment provides for a transfer to the general fund of estimated unexpended balances from JLARC totaling \$1,500,000 on or before June 30, 2020.)

---

Item 475 #4c

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**Central Appropriations**

Central Appropriations

Language

**Language:**

Page 209, after line 33, insert:

"U. On or before June 30, 2020, the Committee on Joint Rules shall authorize a reversion to the general fund of \$2,828,901, representing savings generated by legislative agencies in the second year. The total savings amount includes estimated savings within the following legislative agencies:

<b>Legislative Agency</b>	<b>Estimated Savings</b>
Division of Legislative Services (107)	\$823,390
Joint Commission on Technology and Science (847)	\$116,050
State Water Commission (971)	\$15,255
Virginia Coal and Energy Commission (118)	\$43,232
Commission on Unemployment Compensation (860)	\$27,454
Small Business Commission (862)	\$22,894
Commission on Electric Utility Regulation (863)	\$14,084
Joint Commission on Administrative Rules (865)	\$25,136
Virginia Conflicts of Interest and Ethics Advisory Council (876)	\$188,175
Joint Commission on Transportation Accountability (875)	\$53,233
World War I and World War II Commemoration Commission (872)	\$1,500,000".

**Explanation:**

(This amendment reverts \$2.8 million in legislative savings to the general fund on or before June 30, 2020.)

Item 475 #5c

<b>Central Appropriations</b>	<b>FY18-19</b>	<b>FY19-20</b>	
Central Appropriations	\$0	(\$70,000)	GF

**Language:**

Page 204, line 9, strike "\$78,615,673" and insert "\$78,545,673".

Page 209, after line 33, insert:

"U. On or before June 30, 2020, the Director, Department of Planning and Budget, shall revert to the general fund the amounts provided in Item 374, Paragraph M of Chapter 854, 2019 Acts

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of Assembly."

**Explanation:**

(This amendment reverts to the general funds amounts provided for historic preservation in Chapter 854. A companion amendment to House Bill 30 re-appropriates these funds the first year.)

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	Item 481 #1c	
<b>Independent Agencies</b>	<b>FY18-19</b>	<b>FY19-20</b>
State Corporation Commission	\$0	\$350,000    NGF

**Language:**

Page 211, line 7, strike "\$101,278" and insert "\$451,278".

Page 211, strike lines 16 through 18 and insert:

"B.1. The State Corporation Commission may use a portion of any unused funds appropriated for plan management functions in the second year to fund the initial start-up costs of the State Health Benefit Exchange.

2. Notwithstanding the provisions of § 4-3.02 of this act, the Secretary of Finance may authorize either a working capital advance or an interest-free treasury loan in an amount not to exceed \$40,000,000 for the State Corporation Commission to fund start-up costs and other costs associated with the implementation of a State Health Benefit Exchange. The Secretary of Finance may extend the repayment plan for any such working capital advance or interest-free treasury loan for a period longer than twelve months.

3. The State Corporation Commission may use a portion of the user fees collected from health insurance carriers participating in the State Health Benefit Exchange to repay the working capital advance or interest-free treasury loan authorized in B.2."

**Explanation:**

(This amendment modifies language in the introduced budget to allow the Secretary of Finance to authorize either a working capital advance or an interest-free treasury loan in an amount not to exceed \$40,000,000 for the State Corporation Commission (SCC) to fund start-up costs and other costs associated with the implementation of a State Health Benefit Exchange. The Secretary of Finance may extend the repayment plan for any such working capital advance or interest-free treasury loan for a period longer than twelve months. The State Corporation Commission is allowed to use a portion of the user fees collected from health insurance carriers participating in the State Health Benefit Exchange to repay the working capital advance or interest-free treasury loan. The amendment also authorizes the SCC to use any unused funds appropriated for plan management functions in the second year to fund the initial start-up costs and provides the nongeneral fund appropriation to reflect updated estimates of the cost to operate the Exchange.)

Item 482 #1c

**Independent Agencies**

Virginia Lottery

Language

**Language:**

Page 211, line 27 strike "Not set out." and insert:

"A. Out of the amounts for Virginia Lottery Operations shall be paid:

1. Reimbursement for compensation and reasonable expenses of the members of the Virginia Lottery Board in the performance of their duties, as provided in § 2.2-2813, Code of Virginia.
2. The total costs for the operation and administration of the state lottery, pursuant to § 58.1-4022, Code of Virginia.
3. The costs of informing the public of the purposes of the Lottery Proceeds Fund, established pursuant to Article X, Section 7-A, Constitution of Virginia.

B.1. The Lottery is authorized to use its line of credit to start the Request for Proposal process and other relevant activities related to iLottery, Sports Betting, and/or Casino Gaming prior to the end of the current biennium.

2. The Lottery Board, as the regulator and oversight entity for Casino Gaming in the Commonwealth, shall develop guidelines to review preferred casino operator submissions by eligible host cities."

**Explanation:**

(This amendment authorizes the Lottery to use its line of credit to begin relevant activities in fiscal year 2020 for iLottery, Sports Betting, and/or Casino Gaming. A separate amendment extends the Lottery's line of credit by \$16 million. Upon enrolling, this item will be set out appropriately.)

Item 488 #1c

**Independent Agencies**

Virginia Retirement System

**FY18-19**

\$0

**FY19-20**

\$699,000 NGF

**Language:**

Page 211, line 33, strike "\$38,928,014" and insert "\$39,627,014".

**Explanation:**

(This amendment provides administrative funding for the VRS to implement the provisions of

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legislation adopted during the 2020 General Assembly session.)

Item C-6.20 #1c

<b>Education: Higher Education</b>	<b>FY18-19</b>	<b>FY19-20</b>	
George Mason University	\$0	\$8,000,000	NGF

**Language:**

Page 220, after line 26, insert:

"C-6.20 New Construction: School of Conflict Analysis Facilities	\$0	\$8,000,000
Fund Sources: Higher Education Operating	\$0	\$4,000,000
Bond Proceeds	\$0	\$4,000,000 "

**Explanation:**

(This amendment provides additional funding to construct facilities at the GMU School of Conflict Analysis (Point of View) to allow the school to fulfill its mission.)

Item C-18 #1c

<b>Education: Higher Education</b>	<b>FY18-19</b>	<b>FY19-20</b>	
Virginia Polytechnic Institute and State University	\$0	\$9,500,000	NGF

**Language:**

Page 222, line 1, strike "\$0" and insert "\$9,500,000".

Set out Item C-18.

Strike Item C-18 and insert:

"Item C-18	<b>First Year FY2019</b>	<b>Second Year FY2020</b>
Improvements: Improve Student Wellness Facilities (18357)	\$63,000,000	\$9,500,000
Fund Sources:		
Higher Education Operating	\$13,310,000	\$0
Bond Proceeds	\$49,690,000	\$9,500,000".

**Explanation:**

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(This amendment provides a supplement of \$9.5 million in 9(d) revenue bond authority for the Improve Student Wellness Facilities project at Virginia Tech in fiscal year 2020. This authorization would bring the 9(d) revenue bond total to \$59.2 million and the project total to \$72.5 million. It is the intent of this amendment to update the 9(d) table in Item C-53 during the enrolling process).

---

Item C-48 #1c

<b>Central Appropriations</b>	<b>FY18-19</b>	<b>FY19-20</b>	
Central Capital Outlay	\$0	\$1,660,000	NGF

**Language:**

Page 227, line 8, strike "\$28,858,736" and insert "\$30,518,736".  
Page 228, line 8, strike "\$15,000,000" and insert "\$16,660,000".

**Explanation:**

(This amendment requests additional funding to supplement the Fine and Performing Arts Facility project.)

---

Item C-48 #2c

<b>Central Appropriations</b>	<b>FY18-19</b>	<b>FY19-20</b>	
Central Capital Outlay	\$0	\$3,504,000	NGF

**Language:**

Page 227, line 8, strike "\$28,858,736" and insert "\$32,362,736".  
Page 228, line 12, strike "\$2,693,736" and insert "\$6,197,736".

**Explanation:**

(This amendment requests additional funding to supplement the Seacobeck Hall renovation project.)

---

Item C-48.10 #1c

<b>Central Appropriations</b>	
Central Capital Outlay	Language

**Language:**

Page 230, line 4, strike "one-time and final".

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**Explanation:**

(This language only amendment strikes the words "one time and final" as it relates to the Combined Sewer Overflow Matching Fund payment made in fiscal year 2020 to the City of Alexandria.)

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Item C-48.10 #2c

<b>Central Appropriations</b>	<b>FY18-19</b>	<b>FY19-20</b>	
Central Capital Outlay	\$0	(\$51,141,000)	NGF

**Language:**

Page 228, line 18, strike "\$804,703,000" and insert "\$753,562,000".

Page 228, line 23, strike "\$773,357,000" and insert "\$722,216,000".

Page 230, line 48, strike "189" and insert "141".

Page 230, line 51, strike "Chapter 854, 2019 Acts of Assembly" and insert:  
"this act".

**Explanation:**

(This amendment reduces funding by \$51.1 million in VPBA bond proceeds in the second year by eliminating the proposal to add an additional 48 beds to the Central State Hospital Replacement project.)

---

Item 3-1.01 #1c

**Transfers**

Interfund Transfers

Language

**Language:**

Page 236, line 14, strike "\$121,600,000" and insert "\$124,800,000".

**Explanation:**

(This amendment increases the estimated net profit transfer from ABC sales by \$3.2 million in fiscal year 2020, based upon year to date gross sales at the Authority's retail stores.)

---

Item 3-1.01 #2c

**Transfers**

Interfund Transfers

Language

**Language:**

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Page 244, after line 31, insert:

"PP. On or before June 30, 2020, the State Comptroller shall transfer to the general fund an amount estimated at \$12,706,315 from Special Fund balances of the Virginia Growth and Opportunity Fund."

**Explanation:**

(This amendment reverts \$12,706,315 in unused fiscal year 2018 and fiscal year 2019 balances for competitive GO Virginia grant projects to the general fund.)

---

Item 3-1.01 #3c

**Transfers**

Interfund Transfers

Language

**Language:**

Page 244, strike lines 28 through 31.

**Explanation:**

(This amendment removes the \$10.0 million transfer from the Virginia Research Investment Fund to the Commonwealth's Development Opportunity Fund. The funds are anticipated to result from the sale of the CIT building.)

---

Item 3-1.01 #4c

**Transfers**

Interfund Transfers

Language

**Language:**

Page 240, line 33, strike "\$11,140,100" and insert "\$5,000,000".

**Explanation:**

(This amendment reduces the general fund transfer to the Trauma Center Fund by \$6.1 million. The introduced budget included an \$11.1 million transfer to offset the loss of the revenue from the \$100 driver's licenses reinstatement fee that was inadvertently eliminated in the 2019 Session as part of the policy change to no longer suspend driver's licenses due to nonpayment of fines and fees. Due to a certain legal interpretation, the Trauma Center Fund is still receiving revenue in this fiscal year, albeit at a lesser amount. The prior year cash balance in the fund along with current revenue indicates a lesser need for the full transfer. This amendment reduces the transfer but leaves \$5.0 million in case of any shortfall in fiscal year 2021.)

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Item 3-1.01 #5c

**Transfers**

Interfund Transfers

Language

**Language:**

Page 236, line 3, strike "\$0" and insert "\$400,000".

Page 236, line 8, strike "\$74,913,243" and insert "\$75,313,243".

**Explanation:**

(This amendment transfers \$400,000 in fiscal year 2020 from estimated special fund balances of the Commission on the Virginia Alcohol Safety Action Program to the general fund.)

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Item 3-1.01 #6c

**Transfers**

Interfund Transfers

Language

**Language:**

Page 244, line 24, strike "\$500,000" and insert "\$5,402,740."

**Explanation:**

(This amendment transfers excess amounts in the Regulatory, Consumer Advocacy, Litigation, and Enforcement Revolving Trust Fund to the general fund in the second year.)

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Item 3-2.03 #1c

**Working Capital Funds and Lines of Credit**

Lines of Credit

Language

**Language:**

Page 245, line 42, strike "\$40,000,000" and insert "\$56,000,000".

**Explanation:**

(This amendment extends Lottery's line of credit by \$16 million pursuant to the passage of gaming legislation in the 2020 General Assembly session.)

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Item 3-5.03 #1c

**Adjustments and Modifications to Tax Collections**

*Conference Report to House Bill 29*

Implementation of Chapter 3, Acts of Assembly of 2004, Special Session I

Language

**Language:**

Page 247, line 15, strike "\$416,100,000" and insert "\$421,600,000".

**Explanation:**

(This amendment increases the sales tax transfer to reflect additional assumed revenues from sales and use tax collections.)

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Item 3-5.14 #1c

**Adjustments and Modifications to Tax Collections**

Sunset Dates for Income Tax Credits and Sales and Use Tax Exemptions

Language

**Language:**

Page 249, line 31, strike "2022" and insert "2025".

Page 249, line 31, after "2022.", strike the remainder of the line.

Page 249, line 32, strike:

"prior to the 2021 regular legislative session shall have a sunset date not later than June 30, 2022", and insert:

"Any new sales tax exemption or tax credit enacted by the General Assembly after the 2019 regular legislative session, but prior to the 2024 regular legislative session, shall have a sunset date not later than June 30, 2025."

Page 249, line 38, strike "2022" and insert "2025".

**Explanation:**

(This amendment generally prohibits enacting new tax credits or exemptions with no sunset date or a sunset date past June 30, 2025, that are enacted after the 2019 regular session of the General Assembly.)

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Item 4-5.10 #1c

**Special Conditions and Restrictions on Expenditures**

Surplus Property Transfers for Economic Development

Language

**Language:**

Page 285, strike lines 6-26.

Page 285, after line 26, insert:

"e. Notwithstanding any provision of law to the contrary, the Commonwealth of Virginia shall

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begin the process to convey, as is and pursuant to § 2.2-1150, approximately 432 acres of land located within County of York, Virginia, known as Tax Parcel 12-00-00-003 (the Property) to the Eastern Virginia Regional Industrial Facility Authority, or any of its members, subsidiaries or affiliates (hereinafter referred to Authority) for an amount not to exceed \$1,350,000. The Commonwealth of Virginia shall provide to the Authority copies of the two most recent state appraisals for 150-200 acres for the parcel, and in no case shall the transaction price per acre exceed the average of the two most recent state appraisals. The Authority shall have the right to waive the appraisal requirement. The Authority shall reimburse the Commonwealth of Virginia, at property closing, for the appraisals and other Commonwealth of Virginia costs to prepare and execute the conveyance documents. The conveyance of the Property should occur no later than December 31, 2020, but may occur earlier if requested by the Authority. The Authority and its designees shall have the right to enter the Property and to perform due diligence and design studies and activities prior to the conveyance. The Authority shall have the right to file applications and related documents seeking land, zoning and use entitlements, and the Commonwealth is authorized to execute such documents as may be required for such purposes, but without incurring obligations on the Commonwealth by such execution.

1. The Authority is authorized to convey the property rights for portions of the Property conveyed by the Commonwealth in paragraph e., to one or more operators of one or more utility scale solar facilities, or to lease the property rights to such an operator or operators, for an amount as agreed by the Authority and such operator(s).

2. Any remaining Property at the site shall be subject to a deed restriction created in the Commonwealth of Virginia and Authority property sale described herein to restrict the use of such property by the Authority to any non-residential use, as determined by the Authority."

### **Explanation:**

(This amendment updates previously approved language in the budget related to surplus property conveyance.)

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Item 4-6.01 #1c

### **Special Conditions and Restrictions on Expenditures**

Employee Compensation

Language

### **Language:**

Page 292, line 23, strike the second instance of "\$130,332" and insert "\$148,332"

### **Explanation:**

(This amendment increases the salary for the Executive Director of the New College Institute to \$148,332 in fiscal year 2020.)