

1 S.197

2 Introduced by Senators Pollina and Fox

3 Referred to Committee on

4 Date:

5 Subject: Human services; 3SquaresVT; agency error; recoupment

6 Statement of purpose of bill as introduced: This bill proposes that the

7 Department for Children and Families be required to renegotiate its

8 3SquaresVT Claims Plan with the federal Food and Nutrition Service to

9 assume responsibility for the payment of claims resulting from agency error.

10 An act relating to agency error in the 3SquaresVT Program

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

12 Sec. 1. 3SQUARESVT CLAIMS PLAN

13 (a) The Department for Children and Families shall apply to the federal
14 Food and Nutrition Service to amend its 3SquaresVT Claims Plan to assume
15 State responsibility for the repayment of claims arising from agency error
16 when benefits are overissued to households. Agency error claims shall be
17 eligible for State repayment regardless of claim amount or the manner in which
18 the claim is identified. Amendments to the 3SquaresVT Claims Plan
19 pertaining to the State repayment of claims shall apply to both existing and
20 forthcoming agency error claims.

1 (b)(1) In the event the Department's proposed amendment to the
2 3SquaresVT Claims Plan is not approved by the Food and Nutrition Service,
3 the Department shall collaborate with the Food and Nutrition Service to find an
4 alternative arrangement that is agreeable to both parties and that eliminates or
5 significantly reduces household responsibility for agency error claims.

6 (2) The Department shall keep the Chairs of the Senate Committees on
7 Appropriations and on Health and Welfare and of the House Committees on
8 Appropriations and on Human Services apprised of the Department's progress
9 in amending the 3SquaresVT Claims Plan and of the decisions issued by the
10 Food and Nutrition Service. In addition, any progress toward the goals of this
11 act achieved after adjournment sine die of the 2014 legislative session of the
12 General Assembly and prior to the convening of the 2015 legislative session shall
13 be reported to the Health Care Oversight Committee.

14 (c) Upon approval from the Food and Nutrition Service, the Department
15 shall implement the amended 3SquaresVT Claims Plan beginning on or before
16 July 1, 2015.

17 Sec. 2. EFFECTIVE DATE

18 This act shall take effect on July 1, 2014.