

Patron (17) **Amendment #** **Short Title**

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	313 #10h	Eliminate Savings from Emergency Room Utilization Management Program
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McQuinn	145 #7h	Adjust School Meals Expansion Cost
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	482.20 #5h	Restore Tuition Moderation Funding
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	C-76.20 #1h	Project Priority
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	292 #1h	Prohibit Reduction in Private Day Rates Based on Remote Learning or Telehealth Services
	299 #2h	Allow Dentists to Administer Flu Vaccine
	313 #2h	Extend \$20 Add-on for Nursing Facility Rates
	313 #3h	Modify CARES Act Disbursement for Nursing Facilities
	322.10 #1h	Restore Language on Delaying STEP-VA
	350 #1h	Workgroup on Child Care Health & Safety
	356 #1h	Northern Virginia Family Services
	436 #2h	Modify Department of Motor Vehicles Emergency Powers
	479.10 #12h	Provide \$20/Day for Medicaid Personal Care, Respite and Companion Care Providers
	482.20 #6h	Restore Funds to Eliminate 40 Qtr. Medicaid Eligibility Rule for Legal Permanent Immigrants
	482.20 #13h	Restore Nursing Facility Funding
	482.20 #18h	Restore Funding for FAMIS MOMS' Postpartum Coverage to 12 months
	482.20 #19h	Restore Funding to Increase Psychiatric Residential Treatment Facilities
	482.20 #20h	Restore Medicaid Rate Increase for Skilled & Private Duty Nursing
	482.20 #52h	Restore Medicaid Funds for DD Waiver Provider Rates Using Updated Data

Request to Amend House Bill 5005, as Introduced

Chief Patron: Aird

Item 303 #1h

Health and Human Resources	FY20-21	FY21-22	
Department of Health	\$5,000,000	\$5,000,000	GF

Language:

Page 109, line 7, strike "\$25,879,583" and insert "\$30,879,583".

Page 109, line 7, strike "\$23,379,583" and insert "\$28,379,583".

Page 109, after line 7, insert:

"X. Out of this appropriation, \$5,000,000 the first year and \$5,000,000 the second year from the general fund shall be provided to the Virginia Association of Community Healthcare Association to distribute to the community and migrant health centers to fund the impact of COVID-19 pandemic related services and costs."

Explanation:

(This amendment adds \$5.0 million each year from the general fund for community and migrant health centers to provide services to uninsured persons and those at or below 200% of the federal poverty level as a result of the impacts of the COVID-19 pandemic and address other necessary costs. Funding shall be used for services, equipment and infrastructure needs related to the pandemic such as telehealth equipment and communications services, structural needs and other equipment and needs related to the pandemic. Language in this item shall be set out during the enrolling of the bill.)

Chief Patron: Aird

Item 313 #10h

Health and Human Resources	FY20-21	FY21-22	
Department of Medical Assistance	\$14,142,590	\$0	GF
Services	\$12,722,120	\$0	NGF

Language:

Page 111, line 28, strike "\$16,358,800,776" and insert "\$16,385,665,486".

Page 142, line 15, strike "2020" and insert "2021".

Page 142, line 16, after "change." insert:

"and the state plan amendment is approved by the Centers for Medicare and Medicaid Services. For claims reduced as of July 1, 2020 the Department shall adjust payments to reflect the delay in implementation."

Explanation:

(This amendment adds \$14.1 million the first year from the general fund and \$12.7 million from federal Medicaid matching funds and other nongeneral funds to eliminate savings in fiscal year 2021 from a change to reimbursement for certain avoidable medical services provided emergency room settings. Language delays the implementation of the reimbursement change until fiscal year 2022 and the Medicaid

Request to Amend House Bill 5005, as Introduced

state plan amendment is approved by the federal government.)

Chief Patron: Aird

Item 313 #11h

Health and Human Resources

FY20-21

FY21-22

Department of Medical Assistance
Services

\$0
\$0

\$3,564,558 GF
\$10,395,856 NGF

Language:

Page 111, line 27, strike "\$17,137,554,276" and insert "\$17,151,514,690".

Page 145, after line 26, insert:

"MMMMM. The Department of Medical Assistance Services shall work in collaboration with Early Impact Virginia to launch a Medicaid demonstration project to provide Medicaid home visiting services in fiscal year 2022. This demonstration project shall target Medicaid eligible pregnant women for home visiting services to improve maternal and infant health outcomes and reduce health disparities."

Explanation:

(This amendment adds language requiring the Department of Medical Assistance Services to launch a Medicaid demonstration project to provide Medicaid home visiting services in fiscal year 2022, in collaboration with Early Impact Virginia. Early Impact Virginia was previously directed by the Virginia General Assembly to conduct a needs assessment for home visiting in the Commonwealth every three years. The demonstration project will build upon the findings of these needs assessments.)

Chief Patron: Aird

Item 4-14 #4h

Effective Date

Effective Date

Language

Language:

Page 241, strike lines 1 through 20, and insert:

"7. a. Notwithstanding any other provision of law, upon the declaration by the Governor of a state of emergency pursuant to § 44-146.17 of the Code of Virginia in response to a communicable disease of public health threat as defined in § 44-146.16 of the Code of Virginia, electric companies, natural gas suppliers, and water service providers ("utilities") are prohibited from disconnecting service for non-payment of bills or fees until at least 60 days after such declared state of emergency ends. The following provisions shall apply:

1.) The utilities shall notify all residential customers of this extension of the utility disconnection moratorium and the Emergency Debt Repayment Plan (EDR Plan); and

Request to Amend House Bill 5005, as Introduced

2.)The utilities and residential customers shall agree in writing to engage in a EDR Plan.

b. No more than 60 days after the enactment of this act, utilities must offer residential customers the right to enter into a EDR Plan for arrearages accrued during the aforementioned state of emergency. The following provisions shall apply:

1.) The EDR Plan shall not require any new deposits, down payments, or fees to enroll, nor shall such plans accrue any fees, interest or penalties, including prepayment penalties;

2.) The EDR Plan can amortize the repayment over no more than 24 months;

3.) The monthly amortized payments shall be limited to such amount that can be affordable and sustainable throughout the repayment period for the residential customer, and shall be determined by means established by the utility and agreed to by the customer, otherwise such payment shall be no more than \$45.50;

4.) The utilities shall not apply eligibility criteria, such as installment plan history, nor shall utilities report anything to credit bureaus or other debt collectors on payments owed while residential customers on the EDR Plan;

5.) Residential customers shall be able to enroll in and begin repayment under an EDR Plan prior to the end of the state of emergency, if mutually agreed between the utility and the residential customer;

6.) At any time a residential customer can seek relief from an EDR Plan and enter into another payment plan offered by the utility, or ask to renegotiate the terms of their EDR Plan

c. Nothing herein shall limit or prevent the utilities or the residential customers from applying or seeking debt relief or mitigation from any available resource."

Explanation:

(This amendment establishes the Emergency Debt Repayment plan for residential customers and utility companies to address past due accounts that stemmed from the public health emergency.)

Chief Patron: Austin

Item 482.20 #16h

Central Appropriations

FY20-21

FY21-22

Central Appropriations

\$0

\$350,000 GF

Language:

Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,335,190,477".

Page 211, strike lines 27 through 28.

Explanation:

Request to Amend House Bill 5005, as Introduced

(This amendment restores funding for the health science and technology pilot at Virginia Western Community College.)

Chief Patron: Bloxom

Item C-61.50 #1h

Transportation	FY20-21	FY21-22	
Virginia Commercial Space Flight Authority	\$1,000,000	\$0	GF

Language:

Page 228, line 23, strike "\$1,000,000" and insert "\$2,000,000".

Explanation:

(This amendment restores general fund support for the regional airport hangar project.)

Chief Patron: Brewer

Item 482.20 #57h

Central Appropriations	FY20-21	FY21-22	
Central Appropriations	\$0	\$5,592,707	GF

Language:

Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,329,947,770".

Page 217, line 17, strike the second "\$5,592,707" and insert "\$0".

Explanation:

(This amendment restores \$5.6 million the second year from the general fund to restore funding to adjust minimum salary levels for family service workers and other positions in local departments of social services and address compression issues. Turnover rates for a Family Services Worker Specialist is 42% with retention efforts an even greater issue in small, rural agencies. The impact of high turnover rates is found in Virginia's low rate of permanency for children and the number of placements children experience. Fifteen percent of foster care caseworkers in Virginia carry caseloads of more than 15 children at a time, higher than the widely accepted caseload standard of 12 to 15 children per caseworker. These caseworkers collectively manage one-third of all foster care cases. Restoring the salary increase will also increase minimum salaries for for benefit program services positions, self sufficiency services positions and administration positions that are currently below the new minimum threshold. Funding will be matched by local governments at a match rate of 15.5% beginning July 1, 2021. These funds were included in the budget passed in March, but subsequently unallotted in April due to the pandemic and eliminated in the introduced budget.)

Request to Amend House Bill 5005, as Introduced

Chief Patron: Bulova

Item 383 #1h

Natural Resources

Department of Game and Inland Fisheries

Language

Language:

Page 180, line 37, strike "Not set out." and insert:

"Administrative and Support Services (59900)	\$10,332,931	\$10,332,931
General Management and Direction (59901)	\$6,983,303	\$6,983,303
Information Technology Services (59902)	\$3,349,628	\$3,349,628
Fund Sources:		
Dedicated Special Revenue	\$8,829,996	\$8,829,996
Federal Trust	\$1,502,935	\$1,502,935

Authority: Title 29.1, Chapter 1, Code of Virginia.

A. The department shall recover the cost of reproduction, plus a reasonable fee per record, from persons or organizations requesting copies of computerized lists of licenses issued by the department.

B. The department shall not further consolidate its regional offices, field offices, or close any of these offices in presently-served localities or enter into any lease for any new regional office without notification of the Chairs of the House Committee on Agriculture, Chesapeake, and Natural Resources and the Chairs of the Senate Committee on Agriculture, Conservation, and Natural Resources. The department shall not undertake any future reorganization of any division, reporting structures, regional or field offices, or any function it may perform without notifying the Chairs of the House Committee on Agriculture, Chesapeake, and Natural Resources, the House Committee on Appropriations, the Senate Committee on Agriculture, Conservation, and Natural Resources, and the Senate Committee on Finance and Appropriations.

C. Funds previously appropriated to the Lake Anna Advisory Committee for hydrilla control and removal may be used at the discretion of the Lake Anna Advisory Committee upon issues related to maintaining the health, safety, and welfare of Lake Anna.

D.1. Subject to review and approval by the Secretary of Natural Resources, the Director of the Department of Game and Inland Fisheries may issue to the Department of Transportation an interim permit to relocate the nest and eggs of any state listed threatened bird species from critical areas of the Hampton Roads Bridge Tunnel Expansion Project's South Island associated with the ingress and egress to the island; the delivery, assembly, and immediate operations of the tunnel boring machine; or other project critical locations as mutually agreed to by the Commissioner of Highways and the Director, which, if not relocated, would effectively require

Request to Amend House Bill 5005, as Introduced

all substantial construction activities to cease.

2. Prior to the issuance of an interim permit as described in Section 1, (i) the Director must determine that the Department of Transportation and its design-build contractor have taken all reasonable steps to prevent birds from nesting on the South Island, in accordance with the Colonial Nesting Bird Management Plan dated March 27, 2020, (ii) the Commissioner of Highways must determine that substantial construction activities will have to cease if the nest and eggs are not relocated, and (iii) the Director shall require as a condition of the interim permit that the nest and any eggs will be relocated under the supervision of the Department of Game and Inland Fisheries to a location acceptable to the Director that is as close as possible to the original nesting location while allowing construction activities to continue.

3. Within 30 days of the adoption by the Board of Game and Inland Fisheries of any regulation governing the take of migratory birds or threatened and endangered species, the Department of Transportation shall apply for a permit covering such take for the Hampton Roads Bridge-Tunnel expansion project.

~~4. Any agency that exercises the authority granted in paragraph D.1, or that issues any permit that has an adverse impact on fish and wildlife or their habitat, may require compensatory mitigation for such adverse impact as a condition of issuing the permit.~~

~~a. For the purposes of this section, "compensatory mitigation" means addressing the direct and indirect adverse impacts to fish and wildlife and their habitats that may be caused by a construction project by avoiding and minimizing impacts to the extent practicable and then compensating for the remaining impacts.~~

~~b. Proposed compensatory mitigation agreements between an agency and a permittee shall be subject to the approval of the Secretary of Natural Resources, and may include environmental restoration projects, purchase of mitigation bank credits, or in-lieu payments to existing state funds related to conservation of fish and wildlife and their habitat."~~

Explanation:

(This amendment removes language adopted by the Reconvened 2020 Session which provided overly broad authority for agencies within the Natural Resources Secretariat to adopt policies requiring compensatory mitigation agreements outside of the process set out by the administrative process act.)

Chief Patron: Bulova

Item 479.10 #8h

Central Appropriations

Central Appropriations

Language

Language:

Page 204, strike line 9, and insert:

Request to Amend House Bill 5005, as Introduced

“A.1. The Governor is hereby authorized to appropriate sums to state agencies, institutions of higher education, and other permissible entities the federal funding provided pursuant to the Coronavirus Preparedness and Response Supplemental Appropriations Act (P.L. 116-123), the Families First Coronavirus Response Act (P.L. 116-127), the Coronavirus Aid, Relief, and Economic Security (CARES) Act (P.L. 116-136), and any other federal funding provided through subsequent legislation approved by Congress with regard to the Coronavirus public health emergency. For the purposes of this item, such federal funding shall be referred collectively to as "federal relief funds". All such federal relief funds shall be subject to applicable federal rules and regulations governing these funds. Amounts so allocated are hereby appropriated subject to the provisions and conditions contained in this item.

2. Records Management and Reporting

a. Agencies receiving federal relief funds shall comply with the financial or other data reporting requirements set forth by the State Comptroller or the Director of the Department of Planning and Budget and shall compile and maintain all records necessary to fulfill such reporting requirements and to meet any subsequent audit of the expenditure of such federal funds.

b. Agencies receiving federal relief funds shall comply with all federal reporting requirements for the receipt of any funds and shall compile and maintain all records necessary to fulfill such reporting requirements and to meet any subsequent audit of the expenditure of such federal funds.

c. Agencies receiving federal relief funds shall comply with any requirements established to ensure the transparency of the use or expenditure of such federal funds.

3. The Governor or his designee shall submit a quarterly report to the Chairs of House Appropriations and Senate Finance and Appropriations Committees that itemizes any appropriation action of federal relief funds.

4. It is the intent of the General Assembly that the Commonwealth maximize the use of the federal relief funds. The Governor shall take all reasonable actions necessary to apply for federal relief funds. The Governor shall further ensure that funds are appropriated, distributed, and utilized in a manner that is consistent with the provisions of state and federal law.

B. The Governor is authorized to appropriate, within this item or any other item of this act, any revenues deposited to the COVID-19 Relief Fund created pursuant to House Bill 881 and Senate Bill 971 of the 2020 Session of the General Assembly. Such appropriations shall be used for the purposes of responding to the impacts of the COVID-19 pandemic which shall include, but not be limited to, i) relief to small businesses, ii) assistance for housing and homelessness, iii) assistance for long term care facilities, and iv) any other purpose designated by the Governor to address the impact of the COVID-19 pandemic. The Governor is authorized to transfer such appropriations and associated revenues to agencies designated to carry out the services required to address the COVID-19 pandemic. The Governor or his designee shall report the use of the COVID-19 Relief Fund to the Chairs of House Appropriations and Senate Finance and Appropriations Committees on a quarterly basis.

Request to Amend House Bill 5005, as Introduced

C. Any reports required by paragraphs A or B above may be submitted electronically. Further, the reporting requirement shall be considered to have been met if the required information is posted on a public website.

D. Any unexpended balance remaining in this item on June 30, 2021, or June 30, 2022, shall be carried forward on the books of the Comptroller and shall be available for expenditure in the next biennium.

E. Out of this appropriation, \$80,000,000 in the first year from the federal relief funds shall be provided to support child care stabilization grants with local community partnerships and providers. Grant criteria shall be developed by the Department of Social Services in consultation with the Department of Education. Grants awarded shall support communities or regional collaboratives provide additional child care classrooms, home-based child care providers, or responses to short term needs to respond to virtual learning during the COVID-19 emergency."

Explanation:

(This amendment provides \$80 million from the federal Coronavirus Relief Fund generated to establish a grant program to support communities and regional partnerships formed to meet child care needs while many school facilities and child care centers are closed during the COVID-19 emergency.)

Chief Patron: Bulova

Item 482.20 #34h

Central Appropriations

FY20-21

FY21-22

Central Appropriations

\$10,000,000

\$0 GF

Language:

Page 205, line 1, strike "\$754,015,992" and insert "\$744,015,992".

Page 209, line 29, strike "\$10,000,000" and insert "\$0".

Explanation:

(This amendment restores first year funding for enrollment growth at George Mason University.)

Chief Patron: Bulova

Item 4-14 #2h

Effective Date

Effective Date

Language

Language:

Request to Amend House Bill 5005, as Introduced

Page 241, line 3, after “water”, insert “suppliers and wastewater”.

Page 241, line 4, after “disconnecting”, insert “residential account”.

Page 241, line 11, after “agree”, insert “by email, telephone, or”.

Page 241, line 12, after “water”, insert “suppliers and wastewater”.

Page 241, line 16, strike "12 months", and insert "six months".

Page 241, line 27 after "of", strike the remainder of the line.

Page 241, strike lines 28 through 29, and insert:

“six months, or if less than six months remains on the lease agreement, amortize the principal equally over the remainder of the lease agreement.”

Explanation:

(This amendment clarifies the provisions of the COVID Relief Payment Plans for utilities managed by local governments, aligns the program to current business practices, and clarifies the program applies only to residential customers. Additionally this amendment amortizes payments over six months for both the housing and utility payment plans established in the introduced budget.)

Chief Patron: Carr

Item 111 #1h

Commerce and Trade

Secretary of Commerce and Trade

Language

Language:

Page 23, after line 3, insert:

"E. 1. The Commonwealth's Chief Workforce Advisor to the Governor shall convene a workgroup to review the Commonwealth's state public works payment process to contractor employees to identify whether misclassification of workers is a prevalent problem. If the findings reveal such misclassification, the workgroup shall identify and make process improvement recommendations to correct any identified issues.

2. The workgroup shall consist of the Commonwealth's Chief Workforce Advisor to the Governor, Secretary of Finance, Secretary of Administration, and Secretary of Commerce and Trade, or their designees, staff from the House Appropriations and Senate Finance and Appropriations Committees, representatives from Virginia public colleges and universities and state agencies, two representatives from labor organizations that can bring forth to the workgroup documented situations where such misclassification has occurred on Commonwealth state public work projects, two representatives from the general contractor business community with experience in providing construction services to the Commonwealth, and representatives from the Department of General Services, Department of Small Business and Supplier Diversity, Department of Labor and Industry, and Department of Taxation. The membership of this workgroup shall not exceed 20 individuals.

Request to Amend House Bill 5005, as Introduced

3. The workgroup shall report their findings and recommendations to the Chairs of the House Appropriations Committee and Senate Finance and Appropriations Committee no later than December 1, 2020."

Explanation:

(This amendment creates a workgroup to review the Commonwealth's state public works payment process to contractor employees.)

Chief Patron: Carr

Item 214 #1h

Higher Education

Virginia Commonwealth University

Language

Language:

Page 85, after line 34, insert:

"3. Funding designated in paragraphs D.1 and D.2 of this item are intended as a pass-through means to support the Center on Aging and dementia-related research by investigators throughout the Commonwealth. These funds shall be exempt from supplantation assessment or other budget management plans at Virginia Commonwealth University."

Explanation:

(This amendment clarifies that funding for the Center on Aging is exempt from budget management plans proposed to or implemented by Virginia Commonwealth University.)

Chief Patron: Carr

Item 247 #1h

Higher Education

FY20-21

FY21-22

The Library Of Virginia

\$1,000,000

\$1,000,000

GF

Language:

Page 91, line 43, strike "\$18,233,584" and insert "\$19,233,584".

Page 91, line 43, strike "\$18,233,584" and insert "\$19,233,584".

Explanation:

(This amendment restores general fund support for aid to local libraries. The restored funding would be used to provide broadband access to citizens, job search assistance, and a virtual learning environment for students and educators.)

Chief Patron: Carr

Item 313 #6h

Health and Human Resources

Department of Medical Assistance Services

Language

Language:

Page 145, after line 26, insert:

"MMMMM. The Department of Medical Assistance Services, in cooperation with the Virginia Department of Health, Medicaid health care providers and Medicaid managed care organizations, shall develop a comprehensive plan to improve awareness and utilization of contraceptives, including long acting reversible contraceptives, by individuals enrolled in the Medicaid managed care and fee-for-service programs. The plan shall be submitted to the Governor, the Chairs of the House Appropriations and Senate Finance and Appropriations Committees and the Secretary of Health and Human Resources by December 31, 2020."

Explanation:

(This amendment is self-explanatory.)

Chief Patron: Carr

Item 356 #2h

Health and Human Resources

FY20-21

FY21-22

Department of Social Services

\$2,500,000

\$2,500,000

GF

Language:

Page 160, line 47, strike "\$60,357,967" and insert "\$62,857,967".

Page 160, line 46, strike "\$56,207,967" and insert "\$58,707,967".

Page 165, after line 1, insert:

"X. Out of this appropriation, \$2,500,000 the first year and \$2,500,000 the second year from the general fund shall be provided for the Family and Children's Trust Fund (FACT)."

Explanation:

(This amendment adds \$2.5 million each year from the general fund for the Family and Children's Trust Fund (FACT). Funding will be used to: (i) increase the number of competitive grants awarded to local and regional trauma-informed community networks; and (ii) to provide technical assistance and resources to communities seeking to provide collaborative, community-based primary prevention to families before they could become at-risk of abuse or neglects, or entering the foster care system.)

Chief Patron: Carr

Item 482.20 #17h

Request to Amend House Bill 5005, as Introduced

Central Appropriations	FY20-21	FY21-22	
Central Appropriations	\$159,479	\$159,479	GF

Language:

Page 205, line 1, strike "\$754,015,992" and insert "\$753,856,513".
Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,335,380,998".
Page 218, strike lines 39 and 40.

Explanation:

(This amendment restores \$159,000 in general funds each year for the Department of Historic resources to establish an underwater archaeology program.)

Chief Patron: Carr Item 482.20 #27h

Central Appropriations	FY20-21	FY21-22	
Central Appropriations	\$4,100,000	\$7,900,000	GF

Language:

Page 205, line 1, strike "\$754,015,992" and insert "\$749,915,992".
Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,327,640,477".
Page 208, strike lines 42 through 43.

Explanation:

(This amendment restores funding for the Tuition Assistance Grant (VTAG) to increase the annual award to \$4,000.)

Chief Patron: Carr Item 482.20 #30h

Central Appropriations	FY20-21	FY21-22	
Central Appropriations	\$7,500,000	\$7,500,000	GF

Language:

Page 205, line 1, strike "\$754,015,992" and insert "\$746,515,992".
Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,328,040,477".
Page 216, strike lines 18 and 19.

Explanation:

(This amendment restores \$7.5 million each year for pilot programs to reduce census in the state-operated psychiatric hospitals that was reduced in the introduced budget. Prior to the COVID-19 pandemic, the census of the state-operated psychiatric hospitals averaged 95 percent

Request to Amend House Bill 5005, as Introduced

or over their total bed capacity. Through the month of July 2020, the state operated psychiatric hospitals experienced an increase in admissions and at times exceeded their operating bed capacity. Restoration of this funding will assist the hospitals in developing public-private partnerships to reduce the census in these facilities. These funds were included in the budget passed in March, but subsequently unallotted in April due to the pandemic and eliminated in the introduced budget.)

Chief Patron: Carr

Item 482.20 #50h

Central Appropriations

FY20-21

FY21-22

Central Appropriations

\$2,374,698

\$2,458,479 GF

Language:

Page 205, line 1, strike "\$754,015,992" and insert "\$751,641,294".

Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,333,081,998".

Page 215, strike line 38.

Explanation:

(This amendment restores \$2.4 million each year from the general fund for the an increase in Medicaid mental health provider rates to 110% of Medicare. These funds were included in the budget passed in March, but subsequently unallotted in April due to the pandemic and eliminated in the introduced budget.)

Chief Patron: Carr

Item 3-4.01 #1h

Auxiliary Enterprises and Sponsored Programs in Institutions of Higher Education

Auxiliary Enterprise Investment Yields

Language

Language:

Page 234, after line 33, insert:

"4. Furthermore, available fund balances from other fund sources, to include educational and general, can be utilized to meet unavoidable auxiliary enterprise expenditures that exceed auxiliary fund capacity due to incurred revenue losses and/or additional expense related the COVID-19 pandemic."

Explanation:

(This amendment provides additional flexibility for the use of fund balances to address expenses related to the COVID-19 pandemic.)

Request to Amend House Bill 5005, as Introduced

Chief Patron: Cox

Item 145 #3h

Education

Direct Aid to Public Education

Language

Language:

Page 47, after line 19, insert:

"30. Each school board shall provide to each teacher or other school board employee who is employed in a public elementary or secondary school in the local school division up to 14 days of paid leave, in addition to any other paid leave to which such individual is otherwise entitled, that may be used in the event that the employee (i) contracts COVID-19, (ii) is required to self-quarantine while awaiting the results of diagnostic testing for an active infection with COVID-19, or (iii) is required to provide care for a family member who contracts COVID-19."

Explanation:

(This amendment is self-explanatory.)

Chief Patron: Cox

Item 145 #5h

Education

Direct Aid to Public Education

Language

Language:

Page 43, after line 31, insert:

"g. To the extent permitted by federal law, to provide flexibility and support reopening of schools and virtual learning where appropriate during the first year school divisions may use any of the state funds provided through this item and any required local matching funds to support costs incurred as a result of reopening schools that were closed due to the COVID-19 pandemic or to support virtual learning needs in school divisions that are not fully reopened. Such costs may include cleaning supplies, personal protective equipment, reduced class sizes to meet social distancing guidelines, technology needs, and internet access. School divisions exercising this flexibility shall report to the Department of Education the amount and uses of any state funds that were repurposed under this paragraph, and the Department shall compile and report such information to the Chairs of the House Appropriations Committee and Senate Finance and Appropriations Committee no later than October 1, 2021."

Page 43, line 32, strike "g." and insert "h."

Explanation:

(This amendment provides school divisions flexibility during fiscal year 2021 to divert any of the direct aid funds it receives for public education to support costs incurred due to reopening schools or providing virtual instruction.)

Chief Patron: Cox

Item 479.10 #1h

Central Appropriations

Central Appropriations

Language

Language:

Page 204, strike line 9, and insert:

“A.1. The Governor is hereby authorized to appropriate sums to state agencies, institutions of higher education, and other permissible entities the federal funding provided pursuant to the Coronavirus Preparedness and Response Supplemental Appropriations Act (P.L. 116-123), the Families First Coronavirus Response Act (P.L. 116-127), the Coronavirus Aid, Relief, and Economic Security (CARES) Act (P.L. 116- 136), and any other federal funding provided through subsequent legislation approved by Congress with regard to the Coronavirus public health emergency. For the purposes of this item, such federal funding shall be referred collectively to as "federal relief funds". All such federal relief funds shall be subject to applicable federal rules and regulations governing these funds. Amounts so allocated are hereby appropriated subject to the provisions and conditions contained in this item.

2. Records Management and Reporting

a. Agencies receiving federal relief funds shall comply with the financial or other data reporting requirements set forth by the State Comptroller or the Director of the Department of Planning and Budget and shall compile and maintain all records necessary to fulfill such reporting requirements and to meet any subsequent audit of the expenditure of such federal funds.

b. Agencies receiving federal relief funds shall comply with all federal reporting requirements for the receipt of any funds and shall compile and maintain all records necessary to fulfill such reporting requirements and to meet any subsequent audit of the expenditure of such federal funds.

c. Agencies receiving federal relief funds shall comply with any requirements established to ensure the transparency of the use or expenditure of such federal funds.

3. The Governor or his designee shall submit a quarterly report to the Chairs of House Appropriations and Senate Finance and Appropriations Committees that itemizes any appropriation action of federal relief funds.

4. It is the intent of the General Assembly that the Commonwealth maximize the use of the federal relief funds. The Governor shall take all reasonable actions necessary to apply for federal relief funds. The Governor shall further ensure that funds are appropriated, distributed, and utilized in a manner that is consistent with the provisions of state and federal law.

B. The Governor is authorized to appropriate, within this item or any other item of this act, any revenues deposited to the COVID-19 Relief Fund created pursuant to House Bill 881 and Senate Bill 971 of the 2020 Session of the General Assembly. Such appropriations shall be used

Request to Amend House Bill 5005, as Introduced

for the purposes of responding to the impacts of the COVID-19 pandemic which shall include, but not be limited to, i) relief to small businesses, ii) assistance for housing and homelessness, iii) assistance for long term care facilities, and iv) any other purpose designated by the Governor to address the impact of the COVID-19 pandemic. The Governor is authorized to transfer such appropriations and associated revenues to agencies designated to carry out the services required to address the COVID-19 pandemic. The Governor or his designee shall report the use of the COVID-19 Relief Fund to the Chairs of House Appropriations and Senate Finance and Appropriations Committees on a quarterly basis.

C. Any reports required by paragraphs A or B above may be submitted electronically. Further, the reporting requirement shall be considered to have been met if the required information is posted on a public website.

D. Any unexpended balance remaining in this item on June 30, 2021, or June 30, 2022, shall be carried forward on the books of the Comptroller and shall be available for expenditure in the next biennium.

E. 1. Localities may establish programs to provide funds to parents meeting compulsory attendance requirements in § 22.1-254.A of the Code during the Coronavirus public health emergency by having their children taught by a tutor or teacher of qualifications prescribed by the Board of Education and approved by the division superintendent in lieu of enrollment in the public school system. Such programs may reimburse parents for: (i) tutoring services; (ii) educational therapies or services for students from a practitioner or provider, including paraprofessionals or educational aides; (iii) tuition or fees for a private online learning program; (iv) fees for a nationally standardized norm-referenced achievement test, an Advanced Placement examination, or any examination taken to gain admission to an institution of higher education; (v) transportation; (vi) computer hardware and software; and (vii) consumable educational supplies or any other education-related goods or services, such as Internet access, that are necessary for the provision of the student's education.

2. Out of this appropriation, \$100,000,000 in the first year from the Coronavirus Relief Funds awarded to the Commonwealth through the Coronavirus Aid, Relief, and Economic Security (CARES) Act (P.L. 116-136) are provided to reimburse localities for one-half of the cost of such program. The Superintendent of Public Instruction shall establish a timeline for the submission of reimbursement requests that aligns with the Coronavirus Relief Fund deadline for incurring expenses.

3. One-half of the cost of such program shall be funded by the locality through local revenues or the federal funding provided to the locality pursuant to the Coronavirus Aid, Relief, and Economic Security (CARES) Act (P.L. 116- 136), or any other federal funding provided through subsequent legislation approved by Congress with regard to the Coronavirus public health emergency, to the extent permitted by federal law.

4. If additional federal funding is provided through subsequent legislation approved by Congress with regard to the Coronavirus public health emergency and federal law permits such funds to be used to support programs as provided in paragraph E 1, the Governor shall reserve

Request to Amend House Bill 5005, as Introduced

a reasonable amount to provide reimbursements for such programs."

Explanation:

(This amendment permits localities to establish programs to reimburse parents for costs related to teaching pods established in response to the Coronavirus public health emergency. This amendment provides \$100,000,000 the first year from the federal Coronavirus Relief Fund to reimburse localities for one-half of the cost. The amendment also provides that if additional federal relief becomes available, the Governor shall reserve a reasonable amount of such funding to support these reimbursements.)

Chief Patron: Cox

Item 482.20 #1h

Central Appropriations

FY20-21

FY21-22

Central Appropriations

\$54,750,000

\$25,000,000 GF

Language:

Page 205, line 1, strike "\$754,015,992" and insert "\$699,265,992".

Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,310,540,477".

Page 213, strike lines 46 through 49.

Explanation:

(This amendment restores funding for the In-State Undergraduate Tuition Moderation.)

Chief Patron: Cox

Item 482.20 #4h

Central Appropriations

FY20-21

FY21-22

Central Appropriations

\$1,000,000

\$1,000,000 GF

Language:

Page 205, line 1, strike "\$754,015,992" and insert "\$753,015,992".

Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,334,540,477".

Page 213, strike lines 41 through 45.

Explanation:

(This amendment restores funding for the expansion of the Online Virginia Network.)

Chief Patron: Fariss

Item 482.20 #7h

Central Appropriations

FY20-21

FY21-22

Request to Amend House Bill 5005, as Introduced

Central Appropriations \$8,628,574 \$8,628,574 GF

Language:

Page 205, line 1, strike "\$754,015,992" and insert "\$745,387,418".
Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,326,911,903".
Page 219, strikes lines 50 and 51.

Explanation:

(This amendment removes the reversion of \$8.6 million in the general fund each year from the Aids to Localities with Police Departments ("House Bill 599") program administered by the Department of Criminal Justice Services. These additional funds were provided during the 2020 Session based upon expected growth in general fund revenue from fiscal year 2020 to fiscal year 2021.)

Chief Patron: Hayes

Item 145 #6h

Education

FY20-21

FY21-22

Direct Aid to Public Education

\$95,227,730

\$0 GF

Language:

Page 36, line 5, strike "\$7,732,305,702" and insert "\$7,827,533,432".
Page 37, after line 32 insert:
"Sales Tax Reforecast Hold Harmless \$95,227,730".

Page 73, after line 27 insert:

"43. Sales Tax Reforecast Hold Harmless

Out of this appropriation, \$95,227,730 the first year from the general fund is provided to ensure that no school division loses state funding in fiscal year 2021 as a result of adjustments to estimated Standards of Quality Sales Tax or Basic Aid Payments subsequent to 2020 Acts of Assembly, Chapter 1289."

Explanation:

(This amendment provides \$95.2 million the first year from the general fund to hold school divisions' harmless from the sales tax reforecast included in House Bill 5005, as introduced.)

Chief Patron: Hayes

Item 313 #9h

Health and Human Resources

FY20-21

FY21-22

Department of Medical Assistance
Services

\$7,000,000

\$0 GF

Language:

Request to Amend House Bill 5005, as Introduced

Page 111, line 28, strike "\$16,358,800,776" and insert "\$16,365,800,776".

Page 139, line 7, strike "ineligible" and insert "unable".

Page 139, strike line 8.

Page 139, line 9, strike "payment program" and insert:

"shall enter into an agreement to provide up to \$7,000,000 the first year from the general fund as the non-federal share of the supplemental DSH payment which shall be repaid to the Commonwealth upon receipt of the federal DSH payment".

Explanation:

(This amendment provides up to \$7.0 million the first year from the general fund as the non-federal share of the supplemental disproportionate share hospital (DSH) payment for Chesapeake Regional Hospital. It modifies existing language in the introduced budget to allow general fund dollars to be used in lieu of an intergovernmental transfer of funds or certified public expenditures from Chesapeake Regional Hospital. Language requires repayment of the general fund amounts by Chesapeake Regional Hospital upon receipt of the federal DSH payment.)

Chief Patron: Hurst

Item 479.10 #9h

Central Appropriations

Central Appropriations

Language

Language:

Page 204, after line 9, insert:

"E.1. The Governor is authorized to use the federal funds appropriated within this item to provide \$10,000,000 in federal funding for the Virginia Department of Health and Department of Emergency Management to develop a multi-media, multi-lingual COVID-19 campaign that prioritizes getting COVID-19 information to at-risk communities and all residents of the Commonwealth. The campaign shall include the use of all media channels available, with a focus on advertising in local Virginia media outlets, such as newspapers (print and digital versions) and local radio and television, ensuring that there is a focus on those that serve areas of the state with a significant high-risk populations. The Health Department shall work with the VA Press Association and the Virginia Association of Broadcasters to develop the campaign and shall use a portion of the public information campaign funds for non-traditional outreach, such as placing flyers in the breakfast and lunch kits that are still being served to school aged children around the state."

Explanation:

(This amendment authorizes the use of \$10.0 million in federal COVID-19 relief funds to develop a public information campaign.)

Request to Amend House Bill 5005, as Introduced

Chief Patron: Jones J.C.

Item 135 #1h

Commerce and Trade

FY20-21

FY21-22

Virginia Innovation Partnership
Authority

\$10,000,000

\$0 GF

Language:

Page 33, line 35, strike "\$25,700,000" and insert "\$35,700,000".

Page 33, after line 35, insert:

"Q. Out of the amounts included in this appropriation, \$10,000,000 in the first year from the general fund shall be used to accelerate the research and development of a peptide-based drug that treats acute lung injury caused by COVID-19. These funds shall only be awarded to a company with a business presence in Virginia and an approved application for a new peptide-based drug by the United States Food and Drug Administration."

Explanation:

(This amendment provides \$10 million in the first year from the general fund to support the acceleration of research and development by a Virginia company of a peptide-based drug company that treats acute lung injury caused by COVID-19. It further clarifies a company in receiving these funds must have an approved application for a new drug by the U.S. Food and Drug Administration. Upon enrolling, Item 135 will be set out and enrolled appropriately.)

Chief Patron: Jones J.C.

Item 254 #1h

Education

FY20-21

FY21-22

Eastern Virginia Medical School

\$1,000,323

\$0 GF

Language:

Page 94, line 14, strike "\$30,990,881" and insert "\$31,991,204".

Explanation:

(This amendment requests additional funding to cover the increased cost of delivering medical education during the COVID-19 pandemic.)

Chief Patron: Jones J.C.

Item 380 #1h

Natural Resources

FY20-21

FY21-22

Department of Environmental Quality

\$200,000
1.00

\$200,000 GF
1.00 FTE

Language:

Request to Amend House Bill 5005, as Introduced

Page 180, line 6, strike "\$31,015,132" and insert "\$31,215,132".

Page 180, line 6, strike "\$31,015,132" and insert "\$31,215,132".

Page 180, set out Item 380.

Page 180, after line 6, insert:

"C. Out of this appropriation, \$200,000 the first year and \$200,000 the second year from the creation of an Environmental Justice Director within the Department."

Explanation:

(This amendment would provide \$200,000 from the general fund each year for the Department of Environmental Quality to establish an environmental justice director. The director would assist in implementing the recommendations of the Interagency Environmental Task Force Working Group established under the Secretary of Natural Resources in Chapter 1289 of the 2020 Session of the General Assembly.)

Chief Patron: Jones J.C.

Item 477 #1h

Central Appropriations

FY20-21

FY21-22

Central Appropriations

\$100,000

\$100,000 GF

Language:

Page 204, line 6, strike "\$139,552,150" and insert "\$139,652,150".

Page 204, line 6, strike "\$213,830,664" and insert "\$213,930,664".

Page 204, after line 6, insert:

"CC. Out of the amounts included in this item, amounts estimated at \$100,000 the first year and \$100,000 the second year from the general fund is available for transfer to state agencies and institutions of higher education to effectuate the provisions of legislation adopted during the 2020 General Assembly Special Session I which creates the presumption that COVID-19 is an occupational diseases under the Workers Compensation Act for first responders and certain health care workers."

Explanation:

(This amendment provides funding pursuant to the enactment of House Bill 5028 of the 2020 Special Session I establishing a presumption that COVID-19 is a work related disease for first responders and certain health care workers under the Workers Compensation Act. The funding requested in this amendment is a placeholder until a detailed fiscal impact estimate developed.)

Chief Patron: Jones J.C.

Item 482.20 #35h

Central Appropriations

FY20-21

FY21-22

Central Appropriations

\$10,000,000

\$0 GF

Request to Amend House Bill 5005, as Introduced

Language:

Page 205, line 1, strike "\$754,015,992" and insert "\$744,015,992".
Page 210, line 13, strike "\$10,000,000" and insert "\$0".

Explanation:

(This amendment restores first year funding for enrollment growth at Old Dominion University.)

Chief Patron: Jones J.C.

Item 4-14 #3h

Effective Date

Effective Date

Language

Language:

Page 241, after line 20, insert:

"c. Notwithstanding any other provision of law, the State Corporation Commission (the Commission) shall direct each Phase II Utility, as that term is defined in § 56-585.1 of the Code of Virginia, to provide emergency customer bill credits in the amount of \$366.8 million, which amount corresponds to the aggregate amount of overearnings the Commission found, for calendar years 2017 through 2019, to be above 70 basis points (0.7%) above the utility's authorized rate of return on common equity in its August 18, 2020, Status Report on the Implementation of the Virginia Electric Utility Regulation Act. The Commission shall administer such emergency credits as follows: (i) 70 percent of such amounts shall be credited to customers' bills as a one-time bill credit, (ii) 30 percent shall offset, on a dollar-for-dollar basis, any of the utility's outstanding aged accounts receivable balances as of August 31, 2020, and (iii) the Commission shall establish an account for any amounts left over from the 30 percent, which the Department of Housing and Community Development shall administer to provide future bill relief to residential customers who are eligible for state or federal unemployment or disability benefits or any utility-sponsored, federally-funded, or state-sponsored income-based or age qualifying energy assistance program, in a manner determined by the Commission. The Commission may adopt regulations and eligibility criteria that are consistent with the purpose of this act and necessary to accomplish such emergency credits and relief. The Commission shall ensure that such emergency credits are made effective as soon as practicable after the effective date of this act.

Nothing in this act shall prohibit the Commission from ordering additional bill credits if the Commission finds in the utility's next triennial review that such bill credits are appropriate. To ensure that customers receive the full amount of appropriate bill credits in the utility's next triennial review, in any triennial review commencing in 2021 pursuant to § 56-585.1, the following shall apply: (i) the Commission shall direct that 100 percent of any overearnings that are more than 70 basis points above the utility's authorized rate of return on common equity not otherwise administered as emergency credits authorized by this act shall be credited to

Request to Amend House Bill 5005, as Introduced

customers' bills, which the Commission shall amortize, in its sole discretion, over a period of 6 to 12 months; (ii) the provisions of subdivision 8 d of § 56-585.1 shall not apply; (iii), the Commission shall determine the amortization period for the recovery of any appropriate costs of early retirement for automated meter reading electric distribution service meters, costs associated with projects necessary to comply with state or federal environmental laws, regulations, or judicial or administrative orders relating to coal combustion by-product management that the utility does not petition to recover through a rate adjustment clause pursuant to subdivision 5 e of § 56-585.1, costs associated with severe weather events, and costs associated with natural disasters, and the Commission shall allow for the recovery of any carrying costs that the Commission deems appropriate; and (iv) there shall be no limit on the Commission's authority to order appropriate rate reductions except that the resulting rates must provide the utility with the opportunity to fully recover its costs of providing its services and to earn not less than a fair combined rate of return on its generation and distribution services.

Any emergency bill credits ordered pursuant to this act shall not be considered as revenue reductions in any future earnings tests. Any bill credits ordered in connection with the utility's 2021 triennial review shall be calculated net of any emergency bill credits ordered pursuant to this act. The Commission shall not authorize increases to the utility's rates for generation and distribution services prior to 2023 unless the Commission determines that such rate increases are necessary to allow the utility to recover its costs of service, including a fair rate of return. In the utility's next triennial review, the Commission may take any actions it deems necessary and appropriate if the emergency bill credits ordered pursuant to an emergency investigation exceed the bill credits due to customers in the normal course of the utility's triennial review."

Explanation:

(This amendment directs the State Corporation Commission to conduct an emergency investigation of the earnings of investor-owned electric utilities and to order credits to customers' bills for earnings above 70 basis points above the utility's authorized rate of return for calendar years 2017 through 2019. It also provides that in any triennial earnings review conducted for a utility in 2021 the Commission shall order bill credits for any earnings above 70 basis points above the utility's authorized rate of return and that the Commission shall have the discretion to amortize certain categories of costs incurred by utilities.)

Chief Patron: Knight

Item C-72.10 #1h

Central Appropriations

FY20-21

FY21-22

Central Capital Outlay

\$10,000,000

\$0 GF

Language:

Page 231, line 4, strike "\$0" and insert "\$10,000,000".

Page 231, unstrike lines 2 through 7.

Request to Amend House Bill 5005, as Introduced

Explanation:

(This amendment restores general fund support for the parkway access project.)

Chief Patron: Krizek

Item 436 #3h

Transportation

Department of Motor Vehicles

Language

Language:

Page 198, after line 44, insert:

“Q. Notwithstanding any other provision of law, for the duration of a declared state of emergency and for up to 90 days after a declaration of a state of emergency has been rescinded or expires, the Commissioner may permit (1) Class B driver training schools and (2) computer-based driver education providers, as defined in § 46.2-1700, to administer the end-of-course driver's education test online subject to the requirements prescribed by the Commissioner. Notwithstanding any other provision of law, for the duration of a declared state of emergency and for up to 90 days after a declaration of a state of emergency has been rescinded or expires, the Commissioner may permit Class B driver training schools with a valid Virginia license to administer their in-class curriculum on an online platform subject to the requirements prescribed by the Commissioner. Notwithstanding the provisions of § 22.1-205, for the duration of a declared state of emergency and for up to 90 days after a declaration of a state of emergency has been rescinded or expires, the Commissioner may permit the parent/student driver education component of the driver's education course to be administered online subject to the requirements prescribed by the Commissioner.”

Explanation:

(This amendment provides the DMV Commissioner flexibility to allow driver training schools providing training and skills testing for regular driver’s license applicants to administer certain portions of the driver education curriculum on an online platform subject to requirements prescribed by the Commissioner during a declared state of emergency.)

Chief Patron: Krizek

Item 479.10 #11h

Central Appropriations

Central Appropriations

Language

Language:

Page 204, after line 9, insert:

"E.1. The Governor is authorized to use federal funds appropriated within this item to provide \$882,500 for the Virginia Mental Health Access Program."

Request to Amend House Bill 5005, as Introduced

Explanation:

(This amendment authorizes the use of federal COVID-19 relief funds to provide \$882,500 from the Coronavirus Aid, Relief and Economic Security Act (CARES) Act to enable the Virginia Mental Health Access Program (VMAP) to respond to the children's mental health crisis being experienced as a result of the COVID-19 pandemic. Since the start of the pandemic, primary care providers are seeing an increase in the number of children with mental health issues. The sudden and traumatic experiences of changes to daily routines, social isolation, increased family stress, and the challenges of virtual education have resulted in an escalating number of children with mental health disorders. In July, the Virginia Chapter of the American Academy of Pediatrics conducted a survey of primary care providers and found that 88% of respondents reported an increase in mental and behavioral health issues in children since the onset of COVID. VMAP is specifically designed for children and provides them with mental health services by expanding the existing workforce. It gives children's health care providers access to child psychiatrists, psychologists, social workers, and care navigation. This funding will allow VMAP to expand components of the program statewide, so that more children have access to these services.)

Chief Patron: Krizek

Item 482.20 #24h

Central Appropriations

FY20-21

FY21-22

Central Appropriations

\$500,000

\$0 GF

Language:

Page 205, line 1, strike "\$754,015,992" and insert "\$753,515,992".

Page 219, line 43, strike the first "\$1,000,000" and insert "\$500,000".

Explanation:

(This amendment restores \$500,000 from the general fund in new funding for the Pre- and Post-Incarceration Services (PAPIS) program approved by the 2020 General Assembly. The PAPIS program provides wrap-around services to individuals nearing or newly released from incarceration with the goal of reducing improving outcomes for individuals and reducing recidivism rates.)

Chief Patron: McQuinn

Item 145 #7h

Education

Direct Aid to Public Education

Language

Language:

Page 37, line 23 strike "\$5,300,000" and "\$5,300,000", and insert:

Request to Amend House Bill 5005, as Introduced

"\$4,100,000" and "\$4,100,000".

Page 72, line 50 strike "\$5,300,000" and "5,300,000" and insert:
"\$4,100,000" and "\$4,100,000".

Explanation:

(This amendment reduces school meals expansion funds by \$1.2 million each year. In the 2020-21 school year, additional schools began to participate in the federal Community Eligibility Provision to provide free lunches, reducing the cost of this initiative. A corresponding amendment in Item 482.20 restores funding for this program, which was unallotted in Chapter 1289. This program would expand eligibility for free meals to include students that are currently eligible for reduced-price meals.)

Chief Patron: McQuinn

Item 273 #1h

Finance

FY20-21

FY21-22

Department of Accounts Transfer
Payments

\$11,000,000

\$0 GF

Language:

Page 99, line 13, strike "\$583,895,000" and insert "\$594,895,000".

Page 99, after line 13, insert:

"F. Notwithstanding the provisions of §§ 58.1-816.B and 33.22600.1.B, Code of Virginia, and Item 452 B.1 of the 2020 Virginia Acts of Assembly any remaining state recordation tax revenues not deposited into the Hampton Roads Regional Trust Fund, not collected from localities in Planning District 8, and not set aside under the provisions of § 58.1-816.1. shall be apportioned and distributed quarterly to each county or city except for those counties or cities located in Planning District 8, by the Comptroller by multiplying the amount to be distributed by a fraction in which the numerator is the amount of the taxes imposed under §§ 58.1-801 through 58.1-809 and actually paid into the state treasury which are attributable to deeds and other instruments recorded in the county or city and the denominator is the amount of taxes imposed under §§ 58.1-801 through 58.1-809 actually paid into the state treasury. All distributions pursuant to clause (ii) shall be made on a quarterly basis within 30 days of the end of the quarter. Such quarterly distribution shall equal one quarter of the annual distribution amount set forth in subsection A available after the distribution required by clause (i). Each clerk of the court shall certify to the Comptroller, within 15 days after the end of the quarter, all amounts collected under §§ 58.1-801 through 58.1-809 and actually paid into the state treasury which are attributable to deeds and other instruments recorded in such county or city.

G. In order to carry out the provisions of § 58.1-816.B, Code of Virginia, there is hereby appropriated a sum sufficient amount of general fund revenues estimated at \$11,000,000 in the first year to apportioned and distributed quarterly to each county or city except for those counties or cities located in Planning District 8, by the Comptroller by manner and ratios

Request to Amend House Bill 5005, as Introduced

prescribed in Item 273 subsection F.”

Explanation:

(This amendment replaces the \$20 million distribution that was redirected to Hampton Roads Transit with any remaining transportation-dedicated recordation tax revenues and a one-time use of the general fund.)

Chief Patron: McQuinn

Item 482.20 #37h

Central Appropriations

FY20-21

FY21-22

Central Appropriations

\$5,300,000

\$5,300,000 GF

Language:

Page 205, line 1, strike "\$754,015,992" and insert "\$748,715,992".

Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,330,240,477".

Page 208, strike line 12.

Explanation:

(This amendment restores \$5.3 million each year from the general fund to implement expanded access to school meals. These funds were included in the budget passed in March, but subsequently unallotted in April due to the pandemic and eliminated in the introduced budget. A corresponding amendment to Item 145 decreases the cost of the program by \$1.2 million each year.)

Chief Patron: Reid

Item 131 #2h

Commerce and Trade

Virginia Employment Commission

Language

Language:

Page 33, after line 9, insert:

"G.1. During a declared State of Emergency, that results in more than a 100% year over year increase in unemployment insurance claims, the Virginia Employment Commission shall have the discretion to redirect staff resources from collecting erroneous overpayments, less than or equal to \$500 cumulative to a single individual, to processing new claims and adjudicating claims in question. The discretionary authority to redirect staff shall not apply to fraud investigations.

2. In the event the State of Emergency is greater than 30-days, at the conclusion of the State of Emergency, the Governor, at his discretion, may permanently waive the collection of all outstanding erroneous overpayments less than or equal to \$500 cumulatively overpaid to an

individual.

3. The Virginia Employment Commission shall implement a phone system that allows callers to enter into a callback queue which VEC staff will call through."

Explanation:

(This amendment provides the authority for the Virginia Employment Commission to redirect staff resources during a state of emergency from collecting over payments to claims processing. It also gives them the authority to waive the collections of overpayments less than or equal to \$500. Upon enrolling, Item 131 will be set out and enrolled appropriately.)

Chief Patron: Reid

Item 292 #2h

Health and Human Resources

Children's Services Act

Language

Language:

Page 108, after line 5, insert:

"No community policy management team receiving and disbursing funds under the Children's Services Act to pay for a student's placement in a private school serving students with disabilities shall reduce any previously agreed upon daily or monthly rate for the 2020-21 school year as long as the student's placement is in a private school serving students with disabilities that is continuing to provide a free and appropriate public education. Full or partial transition to remote learning or telehealth services due to a pandemic or declaration of a public health emergency by the Governor shall not be considered grounds for reducing a previously agreed upon daily or monthly rate or terminating or voiding a contract or purchase service order, nor shall it be grounds for amending a previously agreed upon individualized education plan (IEP) for a student with disabilities."

Explanation:

(This amendment adds language prohibiting the reduction of private day school rates for students with disabilities due to the use of remote learning or telehealth services during a pandemic or declared public health emergency. Language shall be set out in this item during enrolling.)

Chief Patron: Reid

Item 299 #1h

Health and Human Resources

Department of Health

Language

Language:

Request to Amend House Bill 5005, as Introduced

Page 109, line 3, strike "Not set out." and insert:

"Communicable Disease Prevention and Control (40500)	\$109,901,022	\$109,966,944
Immunization Program (40502)	\$8,147,521	\$8,161,841
Tuberculosis Prevention and Control (40503)	\$2,174,878	\$2,174,878
Sexually Transmitted Disease Prevention and Control (40504)	\$3,393,106	\$3,393,106
Disease Investigation and Control Services (40505)	\$5,682,596	\$5,734,198
HIV/AIDS Prevention and Treatment Services (40506)	\$88,359,214	\$88,359,214
Pharmacy Services (40507)	\$2,143,707	\$2,143,707
Fund Sources:		
General	\$11,317,437	\$11,383,359
Special	\$1,883,391	\$1,883,391
Federal Trust	\$96,700,194	\$96,700,194

Authority: §§ 32.1-11.1, 32.1-11.2, and 32.1-35 through 32.1-73, Code of Virginia; and P.L. 91-464, as amended, Federal Code.

A. Out of this appropriation, \$50,000 the first year and \$50,000 the second year from the general fund shall be used to purchase medications for individuals who have tuberculosis but who do not qualify for free or reduced prescription drugs and who do not have adequate income or insurance coverage to purchase the required prescription drugs.

B. Out of this appropriation, \$40,000 the first year and \$40,000 the second year from the general fund shall be provided to the Division of Tuberculosis Control for the purchase of medications and supplies for individuals who have drug-resistant tuberculosis and require treatment with expensive, second-line antimicrobial agents.

C. The requirement for testing of tuberculosis isolates set out in § 32.1-50 E, Code of Virginia, shall be satisfied by the submission of samples to the Division of Consolidated Laboratory Services, or such other laboratory as may be designated by the Board of Health.

D. Out of this appropriation, \$840,288 the first year and \$840,288 the second year from nongeneral funds shall be used to purchase the Tdap (tetanus/diphtheria/pertussis) vaccine for children without insurance.

E. Out of this appropriation, \$200,000 the first year and \$200,000 the second year from the general fund shall be provided to the State Pharmaceutical Assistance Program (SPAP) for insurance premium payments, coinsurance payments, and other out-of-pocket costs for individuals participating in the Virginia AIDS Drug Assistance Program (ADAP) with incomes between 135 percent and 300 percent of the federal poverty income guidelines and who are Medicare Part D beneficiaries.

F. The State Health Commissioner shall monitor patients who have been removed or diverted from the Virginia AIDS Drug Assistance Program due to budget considerations. At a minimum

Request to Amend House Bill 5005, as Introduced

the Commissioner shall monitor patients to determine if they have been successfully enrolled in a private Pharmacy Assistance Program or other program to receive appropriate anti-retroviral medications. The commissioner shall also monitor the program to assess whether a waiting list has developed for services provided through the ADAP program. The commissioner shall report findings to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees annually on October 1.

G. The Virginia Department of Health shall report for each month within 30 days after the end of each month, on the number of procedures approved for payment pursuant to § 32.1-92.2, Code of Virginia, and include a description of the nature of the fetal abnormality, to the extent permitted by law, as required for eligibility under § 32.1-92.2, Code of Virginia. The department shall report the information by letter to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees.

H. The Virginia Department of Health, in cooperation with the Department of Behavioral Health and Developmental Services (DBHDS), shall utilize \$1,600,011 each year from available federal funding in DBHDS, including the State Opioid Response Grant, as available, to purchase and provide opioid reversal drugs to support community rescue efforts for those who deal with vulnerable populations.

I. The Virginia Department of Health shall review and update their data collection and reporting protocols for COVID-19 or other infectious disease data to only report actual deaths not an extrapolated projection of deaths."

Explanation:

(This amendment adds language directing the Virginia Department of Health (VDH) to report only actual deaths in their COVID-19 or other infectious disease data collection and reporting protocols. This will ensure that when VDH provides the public with reporting on any infectious diseases (i.e. flu, COVID-19, etc.) that it is reported in a manner that can be easily understood by citizens who do not have a degree in statistical modeling or a doctorate in epidemiology. If VDH is already reporting using a statistical model from a federal center, such as the Centers for Disease Control and Prevention, that reporting may continue, but VDH must also report, in clear unambiguous terms, the actual deaths directly related to each disease. VDH shall share their data and methodology, such that any citizen, with a basic understanding of high school Algebra, should be able to replicate the results.)

Chief Patron: Reid

Item 355 #1h

Health and Human Resources

Department of Social Services

Language

Language:

Page 160, after line 45, strike "Not set out." and insert:

Request to Amend House Bill 5005, as Introduced

"Financial Assistance for Supplemental Assistance Services (49100)	\$83,257,450	\$83,257,450
General Relief (49101)	\$500,000	\$500,000
Resettlement Assistance (49102)	\$9,022,000	\$9,022,000
Emergency and Energy Assistance (49103)	\$73,735,450	\$73,735,450
Fund Sources:		
General	\$500,000	\$500,000
Federal Trust	\$82,757,450	\$82,757,450

Authority: Title 2.2, Chapter 54; Title 63.2, Code of Virginia; Title VI, Subtitle B, P.L. 97-35, as amended; P.L. 104-193, as amended, Federal Code.

The Department of Social Services shall establish a work group within the Office of New Americans Board to make recommendations related to workforce development for Virginia's Refugee Resettlement program. The work group shall examine the following: (i) areas of employment that individuals would be poised to enter but for barriers to entry, including but not limited to, medical fields under strain from COVID-19, (ii) barriers to entry (such as licensing) and opportunities to align state licensing requirements with foreign training, (iii) laws or regulations that should be amended to eliminate citizenship, immigration status, or language proficiency requirements for licensure, (iv) opportunities to expand access to apprenticeship programs, (v) opportunities for entrepreneurship, and (vi) tax incentives to facilitate employer hires of individuals. The department shall submit a report to the General Assembly by December 1, 2020 summarizing the study's findings and making recommendations for ways to strengthen workforce development opportunities for refugees and special immigrants, such as legislative, policy, administrative, or regulatory changes that should be considered."

Explanation:

(This amendment adds language directing the Department of Social Services to establish a work group within the Office of New Americans Board to make recommendations related to workforce development for Virginia's Refugee Resettlement program. The work group shall report to the General Assembly by December 1, 2020.)

Chief Patron: Reid

Item 391 #1h

Public Safety and Homeland Security

Secretary of Public Safety and Homeland Security

Language

Language:

Page 184, line 2, strike "Not set out." and insert:

"Administrative and Support Services (79900)	\$1,230,902	\$1,230,902
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Request to Amend House Bill 5005, as Introduced

General Management and Direction (79901)	\$1,230,902	\$1,230,902
Fund Sources:		
General	\$1,230,902	\$1,230,902

Authority: Title 2.2, Chapter 2, Article 8, and § 2.2-201, Code of Virginia.

A. The Secretary of Public Safety and Homeland Security shall present revised six-year state and local juvenile and state and local responsibility adult offender population forecasts to the Governor, the Chair of the House Appropriations and Senate Finance Committees, and the Chair of the House and Senate Courts of Justice Committees by October 15 of each year. The secretary shall ensure that the revised forecast for state-responsible adult offenders shall include an estimate of the number of probation violators included each year within the overall population forecast who may be appropriate for alternative sanctions.

B. The secretary shall continue to work with other secretaries to (i) develop services intended to improve the re-entry of offenders from prisons and jails to general society and (ii) enhance the coordination of service delivery to those offenders by all state agencies. The secretary shall provide a status report on actions taken to improve offender transitional and reentry services, as provided in § 2.2-221.1, Code of Virginia, including improvements to the preparation and provision for employment, treatment, and housing opportunities for those being released from incarceration. The report shall be provided to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees no later than November 15 of each year.

C. Included in the appropriation for this item is \$500,000 the first year and \$500,000 the second year from the general fund for the Commonwealth's nonfederal cost match requirement to accomplish the United States Corps of Engineers Regional Reconnaissance Flood Control Study for both the Hampton Roads and Northern Neck regions as authorized by the U.S. Congress. Any balances not needed to complete these studies may be used to conduct a comparable study in the Northern Virginia region.

D. The Secretary shall report on the requirements of Item 381 H. of Chapter 854, 2019 Acts of Assembly, by November 15, 2020.

E.1. The Secretary of Public Safety and Homeland Security shall continue the expanded work group established in Item 381 of Chapter 854, 2019 Acts of Assembly. The expanded work group shall examine the workload impact, as well as other fiscal and policy impacts, on the Commonwealth's public safety and judicial agencies as a whole. The Executive Secretary of the Supreme Court shall submit the recommendations of the working group to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by November 15, 2020. All state agencies and local subdivisions shall provide assistance as requested by the working group.

2. The expanded workgroup shall include representatives of the Supreme Court, the State Compensation Board, staff of the House Appropriations and Senate Finance and Appropriations Committees, Department of Criminal Justice Services, Commonwealth's Attorneys, local

Request to Amend House Bill 5005, as Introduced

governments, and other stakeholders deemed appropriate by the Secretary.

3. Prior to the preparation of the November 15, 2020 report, each Commonwealth's Attorney's office in a locality that employs body worn cameras, in conjunction with the law enforcement agency using body worn cameras, shall report to the Compensation Board and the workgroup the following information on a quarterly basis, in a format prescribed by the Board:

a. The number of hours of body worn camera video footage received from their law enforcement agencies. The number of hours should additionally be broken down into corresponding categories of felonies, misdemeanors and traffic offenses. Any recorded event that results in charges for two or more of the above categories shall be reported in the most serious category;

b. The number of hours spent in the course of redacting videos; and

c. Any other data determined relevant and necessary by the workgroup for this analysis.

F. The Secretary of Public Safety and Homeland Security shall establish an E-911 Border Response Workgroup. The Workgroup shall assess the deficiencies related to the timely routing of Emergency 911 (E911) calls to the appropriate public-safety answering point (PSAP) across either state or county borders. At a minimum, the workgroup should work with stakeholders to collect information on problems with the current system and processes; review mitigation solutions already implemented by localities and citizen groups; determine best practices; and provide inputs and recommendations to the General Assembly on technology, training, and compensation that would be necessary to address the identified deficiencies. The Secretary shall provide the recommendations of the Workgroup to the Governor and General Assembly no later than April 1, 2021."

Explanation:

(This amendment directs the Secretary of Public Safety and Homeland Security to establish an E-911 Border Response Workgroup to make recommendations to address identified inadequacies in the system and report its recommendations to the Governor and General Assembly no later than April 1, 2021.)

Chief Patron: Reid

Item 410 #1h

Public Safety and Homeland Security

Department of Emergency Management

Language

Language:

Page 187, line 28, strike "Not set out." and insert:

"Emergency Preparedness (77500)

\$29,279,639

\$26,779,639

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Financial Assistance for Emergency Management and Response (77501)	\$20,370,257	\$20,370,257
Emergency Training and Exercises (77502)	\$3,745,166	\$3,745,166
Emergency Planning Preparedness Assistance (77503)	\$2,976,091	\$476,091
Emergency Preparedness and Response (77504)	\$1,022,611	\$1,022,611
Emergency Management Regional Coordination (77506)	\$1,165,514	\$1,165,514
Fund Sources:		
General	\$4,318,594	\$1,818,594
Special	\$1,710,335	\$1,710,335
Federal Trust	\$23,250,710	\$23,250,710

Authority: Title 44, Chapters 3.2, 3.3, 3.4, §§ 44-146.13 through 44-146.28:1 and 44-146.31 through 44-146.40, Code of Virginia.

A. Included within this appropriation is the continuation of \$160,810 the first year and \$160,810 the second year from the Fire Programs Fund to support the department's hazardous materials training program.

B. This appropriation includes \$500,000 in the first year and \$500,000 in the second year from the general fund for the Department of Emergency Management to conduct multidisciplinary training, regional training and exercises related to man-made and natural disaster preparedness, including training consistent with the National Incident Management System (NIMS). Training shall involve, but is not to be limited to, local and state law enforcement, fire services, emergency medical services, public health agencies, and affected private and nonprofit entities, including colleges and universities. Training may be conducted with a state, local or federal agency or agencies having the capability or responsibility to coordinate or assist in emergency preparedness. The agency shall submit a report detailing the number and types of training and exercises conducted, the costs associated with such training and exercises, and challenges and barriers to ensuring that state and local agencies are ready and able to respond to emergencies and natural disasters. The report shall be submitted to the Governor, Secretary of Public Safety and Homeland Security, the Chairs of the House Appropriations and Senate Finance and Appropriations Committees, and the Department of Planning and Budget by November 1 of each year.

C.1. The Virginia Department of Emergency Management is directed to identify, review and maintain a comprehensive list of state owned supplies, equipment, commodities, and other resources that may be required in the event of state shelter activation and coordinate the use of such state assets and resources in support of shelter activation.

2. Notwithstanding any other provision of law, the State Coordinator, in consultation with all affected state agencies, shall review all statewide plans related to state shelters, including but not limited to plans developed by the Department of Social Services, institutions of higher education, and all other state agencies. The State Coordinator is responsible for ensuring all plans support a comprehensive and uniform approach to emergency response, are regularly

Request to Amend House Bill 5005, as Introduced

updated, and are aligned with the Commonwealth of Virginia Emergency Operations Plan.

3. Following receipt of procurement orders from the Department of Social Services, pursuant to Item 358, paragraph B of this act, the Virginia Department of Emergency Management shall be responsible for all logistics functions as outlined in the Commonwealth of Virginia Emergency Operations Plan in support of emergency response and recovery related to state shelter activation, including but not limited to tracking and monitoring; personnel assistance; managing of resources; and delivery of equipment, goods and services to state activated shelters. The Department shall perform these logistics functions in coordination with all other state agencies, local government, federal government, and private sector partners.

D. Out of this appropriation, \$2,500,000 the first year from the general fund shall be transferred to the Emergency Shelter Upgrade Assistance Fund, created pursuant to Senate Bill 350 of the 2020 General Assembly, to aid local governments in proactively preparing for emergency sheltering situations.

E. The Department of Emergency Management shall provide a report on the Commonwealth's "lessons learned" from the COVID-19 pandemic and how these lessons are being incorporated into future emergency and disaster planning efforts undertaken by the Department. The report shall also include the Commonwealth's preparedness plans for the following events: CBRNE Terrorist Attack, Critical Infrastructure Protection Attack, Global Pandemic, Hurricane (Direct Impact of Category 3 or greater), Nuclear Power Plant Meltdown, Nuclear Attack.) The report shall be provided to the General Assembly no later than June 30, 2021."

Explanation:

(This amendment directs the Department of Emergency management to provide a "lessons learned" report relating to the Commonwealth's COVID-19 response, and various other preparedness plans no later than June 30, 2021.)

Chief Patron: Reid

Item 479.10 #5h

Central Appropriations

Central Appropriations

Language

Language:

Page 204, after line 9, insert:

"E.1. The Governor is authorized to use the federal funds appropriated within this item to provide state agencies and institutions of higher education, and political subdivisions to provide public employees a guaranteed 80 hours of paid sick leave, reimbursed at 100% of salary, for employees who are diagnosed with COVID-19 or who have to quarantine because they have been in contact with someone diagnosed with COVID-19.

2. Furthermore, the Governor is authorized to establish a program, using available federal funds,

Request to Amend House Bill 5005, as Introduced

which provides reimbursement to social service agencies, homecare agencies, and other non-profit agencies providing essential services to provide employees a guaranteed 80 hours of paid sick leave, reimbursed at 100% of salary, for employees who are diagnosed with COVID-19 or who have to quarantine because they have been in contact with someone diagnosed with COVID-19."

Explanation:

(This amendment authorizes the use of federal COVID-19 relief funds to provide 80 hours of paid sick leave to all state employees, employees of political subdivisions, and specific social service/health care workers who are diagnosed with COVID-19 or who are required to quarantine as a result of being exposed to an individual diagnosed with COVID-19.)

Chief Patron: Reid

Item 479.10 #7h

Central Appropriations

Central Appropriations

Language

Language:

Page 204, after line 9, insert:

"E.1. The Governor is authorized to use the federal funds appropriated within this item to provide state agencies and institutions of higher education, and political subdivisions to provide hazardous duty pay to public and private employees deemed to be at risk of being infected with COVID-19 due to work requirements. Employees provided the hazardous duty pay shall include any K-12 staff or professional, who is returning to or directly supporting an in-person instructional environment, direct care social service/health care workers, poll workers; nurses; doctors; law enforcement officers; emergency first responders; and correctional officers. The hazardous duty pay shall continue until the Federal funding is exhausted; the Governor's Emergency Order is lifted or expires; or the COVID-19 mortality rate for the jurisdiction, where the individual serves, returns to a season flu-like rate, whichever comes first."

Explanation:

(This amendment authorizes the use of federal COVID-19 relief funds to provide hazardous duty pay to individuals in essential professions that are at risk of exposure to COVID-19 due to their work environment.)

Chief Patron: Reid

Item 482.20 #5h

Central Appropriations

FY20-21

FY21-22

Central Appropriations

\$54,750,000

\$25,000,000

GF

Language:

Request to Amend House Bill 5005, as Introduced

Page 205, line 1, strike "\$754,015,992" and insert "\$699,265,992".

Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,310,540,477".

Page 213, strike lines 46 through 49.

Explanation:

(This amendment restores funding for the In-State Undergraduate Tuition Moderation.)

Chief Patron: Reid

Item 482.20 #10h

Central Appropriations

Central Appropriations

Language

Language:

Page 206, strike lines 42 through 43.

Page 206, line 44, strike "\$3,000,000" and insert "\$1,000,000".

Explanation:

(This amendment fully restores funding for the Virginia Jobs Investments Program).

Chief Patron: Reid

Item 482.20 #11h

Central Appropriations

Central Appropriations

Language

Language:

Page 207, strike lines 26 through 27.

Page 207, line 28, strike "\$12,500,000" and insert "\$0".

Explanation:

(This amendment fully restores \$12.5 million of additional funding for the Virginia Business Ready Sites program in fiscal year 2021.)

Chief Patron: Reid

Item 482.20 #23h

Central Appropriations

FY20-21

FY21-22

Central Appropriations

\$253,376

\$262,491

GF

Language:

Page 205, line 1, strike "\$754,015,992" and insert "\$753,762,616".

Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,335,277,986".

Request to Amend House Bill 5005, as Introduced

Page 215, strike lines 36 and 37.

Explanation:

(This amendment restores \$253,376 the first year and \$262,491 the second year from the general fund increase Medicaid reimbursement for anesthesiologists to 70 percent of the equivalent Medicare rate in the fee for service and managed care programs. The intent of the 2019 General Assembly was to increase Medicaid reimbursement to 70 percent of the equivalent Medicare fee to physicians who were reimbursed less than 70 percent of Medicare rates. The anesthesiologists qualified for this increase but were inadvertently left out of the budget language. This ensures that the error is corrected. These funds were included in the budget passed in March, but subsequently unallotted in April due to the pandemic and eliminated in the introduced budget.)

Chief Patron: Rush

Item 313 #1h

Health and Human Resources

FY20-21

FY21-22

Department of Medical Assistance
Services

\$0
\$0

\$3,846,801 GF
\$3,846,801 NGF

Language:

Page 111, line 27, strike "\$17,137,554,276" and insert "\$17,145,247,878".

Page 145, after line 26, insert:

"The Department of Medical Assistance Services shall extend flexibility legally responsible individuals (parents of children under age 18 and spouses) to temporarily provide personal care/personal assistance services and be paid for those services during the COVID-19 emergency period and through June 30, 2022."

Explanation:

(This amendment extends flexibility for certain relative caregivers to provide personal care/personal assistance services through Medicaid home and community based waivers through June 30, 2022. Currently, the Department of Medical Assistance Services provides this flexibility during the COVID-19 emergency period; however this is set to expire on January 31, 2021.)

Chief Patron: Rush

Item 385 #1h

Natural Resources

FY20-21

FY21-22

Department of Historic Resources

\$100,000

\$0 GF

Language:

Request to Amend House Bill 5005, as Introduced

Page 180, line 40, strike "\$15,105,760" and insert "\$15,205,760".

Page 180, set out Item 385.

Page 180, after line 40, insert:

"X. Out of this appropriation, \$100,000 the first year from the general fund is designated to the Town of Christiansburg to support The Christiansburg Institute in completing a facilities and market study for the establishment of a museum and cultural attraction facility on the Institute's property in Christiansburg."

Explanation:

(This amendment provides \$100,000 from the general fund the first year for the Town of Christiansburg to assist The Christiansburg Institute in assessing the feasibility of establishing a museum and cultural attraction facility commemorating The Christiansburg Industrial Institute, which was the first high African American high school in Southwest Virginia.)

Chief Patron: Rush

Item 429 #1h

Public Safety and Homeland Security

Virginia Parole Board

Language

Language:

Page 191, line 10, strike "Not set out." and insert:

"Probation and Parole Determination (35200)	\$2,330,525	\$2,330,525
Adult Probation and Parole Services (35201)	\$2,330,525	\$2,330,525
Fund Sources:		
General	\$2,280,525	\$2,280,525
Federal Trust	\$50,000	\$50,000

Authority: Title 53.1, Chapter 4, Code of Virginia.

A. Notwithstanding the provisions of § 53.1-40.01, Code of Virginia, the Parole Board shall annually consider for conditional release those inmates who meet the criteria for conditional geriatric release set out in § 53.1-40.01, Code of Virginia, except that upon any such review the Board may schedule the next review as many as three years thereafter. If any such inmate is also eligible for discretionary parole under the provisions of § 53.1-151 et seq., Code of Virginia, the board shall not be required to consider that inmate for conditional geriatric release unless the inmate petitions the board for conditional geriatric release.

B. Notwithstanding the provisions of § 53.1-40.01, Code of Virginia, parole shall not be granted to persons convicted of murder as defined in § 18.2-32, Code of Virginia, in cases in which the person was convicted without the body of the victim being found."

Explanation:

Request to Amend House Bill 5005, as Introduced

(This amendment proposes to make ineligible for parole any individual convicted of murder in cases in which the individual was convicted of murder without the body of the victim being found.)

Chief Patron: Rush

Item C-76.20 #1h

Central Appropriations

Central Capital Outlay

Language

Language:

Page 231, after line 31, insert:

"1. Notwithstanding any other provision of law, the Director, Department of Planning and Budget, shall provide for the construction, renovation, or improvement of the projects listed below from proceeds previously authorized in Item C-68 of Chapter 1289, 2020 Acts of Assembly, prior to other projects contained in this Act except for those projects in Items C-64, C-65 and C-69. The projects are:

Agency Name / Project Title

Virginia State University (212)

Demolish / Replace Daniel Gym and Demolish Harris Hall (18333)

Norfolk State University (213)

Science Building Replacement (18385)

Longwood University (214)

Renovate / Expand Environmental Health & Safety Facilities Annex Building (18384)

Old Dominion University (221)

Construct Health Sciences Building (18335)

Radford University (217)

Renovate / Construction Center of Adaptive Innovation and Creativity (CAIC) (18386)

Richard Bland College (241)

Construct Center for Innovation and Educational Development (18337)

University of Virginia's College at Wise (246)

Renovate / Convert Wylie Library (18338)

Virginia Community College System (260)

Renovate Godwin Building, Annandale Campus, Northern Virginia (18087)

Replace Diggs / Moore / Harrison Complex, Hampton, Tomas Nelson (18341)

Construct Advanced Technical Training Center, Piedmont Virginia (18343)

2. Planning funds associated with these projects shall be transferred from the bond proceeds to the Central Capital Planning Fund in accordance with § 2.2-1520, Code of Virginia."

Explanation:

(This amendment provides for the construction, renovation or improvement projects currently approved in Chapter 1289, 2020 Acts of Assembly and previously planned. No additional debt

Request to Amend House Bill 5005, as Introduced

authorization is required. The language requires that as projects from this Act proceed to construction priority would be given to these projects for funding before any other projects in this Act with the exception of Maintenance Reserve (C-64), Capital Equipment (C-65) and Capital Project Supplements (C-69).)

Chief Patron: Rush

Item 4-2.01 #1h

Revenues

Nongeneral Fund Revenues

Language

Language:

Page 237, after line 10, insert:

"e) 1) The requirements for § 4-2.01 b.2.b), as it pertains to nonresident undergraduate students, are waived for new nonresident undergraduate students enrolled in Data Science and Technology, Science and Engineering, Healthcare, and Education programs at Norfolk State University, Virginia State University, the Virginia Military Institute or any public institution with nonresident undergraduate enrollment less than 15 percent.

2) Nonresident students attending an institution and participating on an athletic team may be considered resident students for the purposes of charging tuition and fees."

Explanation:

(This amendment provides out-of-state enrollment flexibility for public institutions of higher education.)

Chief Patron: Sickles

Item 114 #1h

Commerce and Trade

Department of Housing and Community Development

Language

Language:

Page 28, after line 32, insert:

"5. Notwithstanding the foregoing, the Department shall give priority consideration to, and not require investment from a private sector partner for, proposals that address an unserved or underserved community's lack of access to telehealth or virtual learning platforms."

Explanation:

(This amendment adds language to the Virginia Telecommunications Initiative requiring the Department of Housing and Community Development to prioritize broadband infrastructure projects that will address internet access for the purposes of telehealth and online learning. The language exempts telehealth or online learning focused projects from a requirement that the

Request to Amend House Bill 5005, as Introduced

private sector partner contribute to the costs of the project.)

Chief Patron: Sickles

Item 292 #1h

Health and Human Resources

Children's Services Act

Language

Language:

Page 108, after line 5, insert:

"No community policy management team receiving and disbursing funds under the Children's Services Act to pay for a student's placement in a private school serving students with disabilities shall reduce any previously agreed upon daily or monthly rate for the 2020-21 school year as long as the student's placement is in a private school serving students with disabilities that is continuing to provide a free and appropriate public education. Full or partial transition to remote learning or telehealth services due to a pandemic or declaration of a public health emergency by the Governor shall not be considered grounds for reducing a previously agreed upon daily or monthly rate or terminating or voiding a contract or purchase service order, nor shall it be grounds for amending a previously agreed upon individualized education plan (IEP) for a student with disabilities."

Explanation:

(This amendment adds language prohibiting the reduction of private day school rates for students with disabilities due to the use of remote learning or telehealth services during a pandemic or declared public health emergency. Language shall be set out in this item during enrolling.)

Chief Patron: Sickles

Item 299 #2h

Health and Human Resources

Department of Health

Language

Language:

Page 109, strike "Not set out." and insert:

"Communicable Disease Prevention and Control (40500)	\$109,901,022	\$109,966,944
Immunization Program (40502)	\$8,147,521	\$8,161,841
Tuberculosis Prevention and Control (40503)	\$2,174,878	\$2,174,878
Sexually Transmitted Disease Prevention and Control (40504)	\$3,393,106	\$3,393,106
Disease Investigation and Control Services (40505)	\$5,682,596	\$5,734,198
HIV/AIDS Prevention and Treatment Services (40506)	\$88,359,214	\$88,359,214

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Pharmacy Services (40507)	\$2,143,707	\$2,143,707
Fund Sources:		
General	\$11,317,437	\$11,383,359
Special	\$1,883,391	\$1,883,391
Federal Trust	\$96,700,194	\$96,700,194

Authority: §§ 32.1-11.1, 32.1-11.2, and 32.1-35 through 32.1-73, Code of Virginia; and P.L. 91-464, as amended, Federal Code.

A. Out of this appropriation, \$50,000 the first year and \$50,000 the second year from the general fund shall be used to purchase medications for individuals who have tuberculosis but who do not qualify for free or reduced prescription drugs and who do not have adequate income or insurance coverage to purchase the required prescription drugs.

B. Out of this appropriation, \$40,000 the first year and \$40,000 the second year from the general fund shall be provided to the Division of Tuberculosis Control for the purchase of medications and supplies for individuals who have drug-resistant tuberculosis and require treatment with expensive, second-line antimicrobial agents.

C. The requirement for testing of tuberculosis isolates set out in § 32.1-50 E, Code of Virginia, shall be satisfied by the submission of samples to the Division of Consolidated Laboratory Services, or such other laboratory as may be designated by the Board of Health.

D. Out of this appropriation, \$840,288 the first year and \$840,288 the second year from nongeneral funds shall be used to purchase the Tdap (tetanus/diphtheria/pertussis) vaccine for children without insurance.

E. Out of this appropriation, \$200,000 the first year and \$200,000 the second year from the general fund shall be provided to the State Pharmaceutical Assistance Program (SPAP) for insurance premium payments, coinsurance payments, and other out-of-pocket costs for individuals participating in the Virginia AIDS Drug Assistance Program (ADAP) with incomes between 135 percent and 300 percent of the federal poverty income guidelines and who are Medicare Part D beneficiaries.

F. The State Health Commissioner shall monitor patients who have been removed or diverted from the Virginia AIDS Drug Assistance Program due to budget considerations. At a minimum the Commissioner shall monitor patients to determine if they have been successfully enrolled in a private Pharmacy Assistance Program or other program to receive appropriate anti-retroviral medications. The Commissioner shall also monitor the program to assess whether a waiting list has developed for services provided through the ADAP program. The Commissioner shall report findings to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees annually on October 1.

G. The Virginia Department of Health shall report for each month within 30 days after the end of each month, on the number of procedures approved for payment pursuant to § 32.1-92.2,

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Code of Virginia, and include a description of the nature of the fetal abnormality, to the extent permitted by law, as required for eligibility under § 32.1-92.2, Code of Virginia. The department shall report the information by letter to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees.

H. The Virginia Department of Health, in cooperation with the Department of Behavioral Health and Developmental Services (DBHDS), shall utilize \$1,600,011 each year from available federal funding in DBHDS, including the State Opioid Response Grant, as available, to purchase and provide opioid reversal drugs to support community rescue efforts for those who deal with vulnerable populations.

I. The Virginia Department of Health shall amend its standing order for administering the influenza vaccine to adults and its standing order for administering the influenza vaccine to children. The amendments to both standing orders shall include dentists licensed by the Board of Dentistry as an eligible health care professional permitted to possess and administer the influenza vaccine. The Department shall make such amendments to both standing orders no later than October 15, 2020."

Explanation:

(This amendment adds language which allows dentists to administer the flu vaccine. Currently, a standing order from the Department of Health allows pharmacists, nurses and others health care providers to administer the flu vaccine. This would simply add dentists to the list of health care professionals that can administer the flu vaccine.)

Chief Patron: Sickles

Item 313 #2h

Health and Human Resources

FY20-21

FY21-22

Department of Medical Assistance
Services

\$11,152,785
\$11,152,785

\$0 GF
\$0 NGF

Language:

Page 111, line 28, strike "\$16,358,800,776" and insert "\$16,381,106,346".

Page 145, line 14, strike "for the period" and insert:

"until June 30, 2021 or three full months after the expiration".

Page 145, line 15, after "COVID-19", insert: ", whichever is later".

Explanation:

(This amendment adds \$11.2 million from the general fund and \$11.2 million in matching federal Medicaid funds to extend the \$20 per day add-on to Medicaid nursing and specialized care facility rates to at least June 30, 2021, or three months after revocation of the emergency declaration, whichever is later, to provide stability to the nursing home industry during the COVID-19 crisis with a three-month path to assess post-COVID-19 operations. By extending at least through June 30, 2021 this will allow work to ensue during the 2021 Regular Session

Request to Amend House Bill 5005, as Introduced

toward a permanent improvement to the payment methodology to recognize both the post-COVID-19 “new normal” and historic underfunding issues that have been highlighted in the COVID-19 crisis.)

Chief Patron: Sickles

Item 313 #3h

Health and Human Resources

Department of Medical Assistance Services

Language

Language:

Page 145, after line 26, insert:

"MMMMM. The Department of Medical Assistance Services (DMAS) shall modify the disbursement methodology for the State's allocation of federal CARES Act funding to nursing facilities and assisted living facilities. Specifically, DMAS shall (i) define eligible costs for reimbursement from this funding as COVID-related costs incurred since March 12, 2020, or as far back as the CARES Act allows, (ii) recognize the full Congressionally-approved uses of the CARES Act direct provider relief received by nursing facilities, including lost revenue, as legitimate obligations of those funds for purposes of administering the state allocation, and (iii) recognize the “obligation” of CARES Act direct provider relief funding as opposed to requiring an actual expenditure of the funds for purposes of administering the state allocation."

Explanation:

(This amendment directs the Department of Medical Assistance Services to modify the disbursement rules for the \$20 million in state-allocated CARES Act funding for assisted living facilities and approximately \$33 million in state-allocated CARES Act funding for nursing facilities to remove significant impediments to providers’ access to these funds. By limiting incurred costs to July 1, 2020 forward, significant unreimbursed COVID-costs from the inception of the crises for both assisted living and nursing facilities are being unnecessarily excluded from potential reimbursement. By essentially prohibiting the legitimate use of Congressionally-approved CARES Act direct provider relief for lost revenue, the disbursement methodology is requiring significant non-reimbursable COVID-related costs be accrued prior to accessing this much needed funding. Finally, due to the lack of guidance related to the CARES Act direct aid, funding may already be obligated but not spent; this would recognize that status for any “netting” in the state-allocation disbursement. In all cases, providers must justify (account for) funds received against COVID-related costs, and cannot pay for the same costs twice, therefore, these changes will not cause impropriety in the disbursement of the state-allocation.)

Chief Patron: Sickles

Item 322.10 #1h

Health and Human Resources

Request to Amend House Bill 5005, as Introduced

Grants to Localities

Language

Language:

Page 148, line 18, unstrike "322.10".

Page 148, line 39, unstrike:

"Notwithstanding the provisions of Chapters 607 and 683, 2017 Acts of Assembly, and."

Page 148, unstrike lines 40 through 44.

Explanation:

(This amendment restores language that was inadvertently stricken in the introduced budget which eliminates the requirement that Community Services Boards and Behavioral Health Authorities increase STEP-VA services beyond those that are funded in Chapter 854, 2019 Acts of Assembly, unless an appropriation is available and an allotment of funds is made. The budget passed in March provided additional funding outpatient services, peer support services, expanded crisis services and military and veteran's mental health services through STEP-VA, and when funding was unallotted in April due to the pandemic language was added eliminating the requirement to proceed with implementation of these services. The introduced budget eliminates funding for these additional services through STEP-VA.)

Chief Patron: Sickles

Item 350 #1h

Health and Human Resources

Department of Social Services

Language

Language:

Page 156, after line 29, insert:

"V. The Department of Social Services (DSS), the Department of Education (DOE) and the Virginia Department of Health (VDH), shall establish a task force to provide uniform guidance for health and safety to child care providers in all settings and across local health districts. The task force shall look at safety guidance from DSS and DOE, and consistent guidance and approaches offered by local health departments, and ensure that existing guidance is relevant to meet the needs of young children and to ensure best practices and consistency in all child care settings, including those offered in licensed and unlicensed care, schools, or other settings. The task force shall identify the additional resources needed to implement health and safety standards including, but not limited to, access to PPE and cleaning supplies and the need for additional nurses or community health workers to assist with the implementation of health and safety protocols."

Explanation:

(This amendment requires DSS, DOE and VDH to establish a task force to provide guidance for health and safety to child care providers in all settings and identify the added resources to implement health and safety standards.)

Request to Amend House Bill 5005, as Introduced

Chief Patron: Sickles

Item 356 #1h

Health and Human Resources

FY20-21

FY21-22

Department of Social Services

\$1,000,000

\$1,000,000 GF

Language:

Page 160, line 48, strike "\$60,357,967" and insert "\$61,357,967".

Page 160, line 47, strike "\$56,207,967" and insert "\$57,207,967".

Page 162, line 1, after "appropriation," insert:

"\$1,000,000 the first year and \$1,000,000 the second year from the general fund and".

Page 162, line 5, after "health" insert: "and behavioral health".

Page 162, line 5, strike "and".

Page 162, line 6, after "development programs", insert:

"and flexible direct assistance to sustain household basic needs including rent, mortgage, utilities, childcare, food and other expenses not addressed by other federal, state and local funds".

Explanation:

(This amendment provides \$1.0 million each year from the general fund for Northern Virginia Family Services to provide outreach and supportive services, mental health services, and direct financial assistance to families in crisis due to COVID-19 to address basic household needs such as rent, utilities, child care, food and other expenses not addressed by other federal, state and local funds. This funding adds to the \$1.0 million each year from the Temporary Assistance to Needy Families block grant provided in the current budget.)

Chief Patron: Sickles

Item 436 #2h

Transportation

Department of Motor Vehicles

Language

Language:

Page 198, after line 44, insert:

“Q. Notwithstanding any other provision of law, for the duration of a declared state of emergency and for up to 90 days after a declaration of a state of emergency has been rescinded or expires, the Commissioner may permit (1) Class B driver training schools and (2) computer-based driver education providers, as defined in § 46.2-1700, to administer the end-of-course driver's education test online subject to the requirements prescribed by the Commissioner. Notwithstanding any other provision of law, for the duration of a declared state of emergency and for up to 90 days after a declaration of a state of emergency has been rescinded or expires, the Commissioner may permit Class B driver training schools with a valid Virginia license to

Request to Amend House Bill 5005, as Introduced

administer their in-class curriculum on an online platform subject to the requirements prescribed by the Commissioner. Notwithstanding the provisions of § 22.1-205, for the duration of a declared state of emergency and for up to 90 days after a declaration of a state of emergency has been rescinded or expires, the Commissioner may permit the parent/student driver education component of the driver's education course to be administered online subject to the requirements prescribed by the Commissioner.”

Explanation:

(This amendment provides the DMV Commissioner flexibility to allow driver training schools providing training and skills testing for regular driver’s license applicants to administer certain portions of the driver education curriculum on an online platform subject to requirements prescribed by the Commissioner during a declared state of emergency.)

Chief Patron: Sickles

Item 479.10 #12h

Central Appropriations

Central Appropriations

Language

Language:

Page 145, after line 26, insert:

"E.1. The Governor is authorized to use the federal funds appropriated within this item to increase Medicaid personal care, respite and companion care rates to include a \$20 per patient per day supplement. Such supplement will be effective for the period of the Governor's Declaration of a State of Emergency due to COVID-19 through December 30, 2020. Such supplement shall be made through existing managed care capitation rates as a mandated specified rate increase for the period of the Governor's emergency declaration through December 30, 2020. The Department of Medical Assistance Services shall adjust capitation rates to account for the personal care, respite, and companion care supplement increase and reflect the duration of the Governor's emergency. The department shall have the authority to file all necessary regulatory authorities without delay, make any necessary contract changes, and implement these reimbursement changes without regard to existing regulations. The specified rate increase in this paragraph applies across fee-for-service and Medicaid managed care programs."

Explanation:

(This amendment authorizes the use of federal Coronavirus Relief Funds to increase rates by \$20 per patient per day for Medicaid personal care, respite care and companion care services for the duration of the Governor's declared emergency due to COVID-19 through December 30, 2020.)

Chief Patron: Sickles

Item 482.20 #6h

Request to Amend House Bill 5005, as Introduced

Central Appropriations	FY20-21	FY21-22	
Central Appropriations	\$1,172,091	\$3,289,890	GF

Language:

Page 205, line 1, strike "\$754,015,992" and insert "\$752,843,901".

Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,332,250,587".

Page 215, strike lines 15 through 16.

Explanation:

(This amendment restores funding to eliminate the current Medicaid requirement that legal permanent residents have 40 quarters (10 years) of work experience in order to be eligible for Medicaid benefits. Federal law requires five years of legal residence to qualify for Medicaid but Virginia requires 10 years of work experience, one of six states with such a requirement. These funds were included in the budget passed in March, but subsequently unallotted in April due to the pandemic and eliminated in the introduced budget.)

Chief Patron: Sickles Item 482.20 #13h

Central Appropriations	FY20-21	FY21-22	
Central Appropriations	\$6,794,541	\$6,984,788	GF

Language:

Page 205, line 1, strike "\$754,015,992" and insert "\$747,221,451".

Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,328,555,689".

Page 215, strike lines 34 and 35.

Explanation:

(This amendment restores \$6.8 million the first year and \$7.0 million the second year from the general fund for nursing facility reimbursement. Funding will increase the peer group adjustment factors used in nursing facility reimbursement in order to account for lower cost facilities inappropriately suppressing Medicaid rates for facilities with higher costs. These funds were included in the budget passed in March, but subsequently unallotted in April due to the pandemic and eliminated in the introduced budget.)

Chief Patron: Sickles Item 482.20 #18h

Central Appropriations	FY20-21	FY21-22	
Central Appropriations	\$1,114,936	\$2,116,376	GF

Language:

Request to Amend House Bill 5005, as Introduced

Page 205, line 1, strike "\$754,015,992" and insert "\$752,901,056".

Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,333,424,101".

Page 215, strike lines 22 and 23.

Explanation:

(This amendment restores \$1.1 million the first year and \$2.1 million the second year from the general fund to extend postpartum coverage for women in the FAMIS program from two months to 12 months. Women with income from 143 to 205 percent of the federal poverty level are currently eligible for coverage in the FAMIS program during pregnancy through 60 days postpartum. FAMIS is funded through the federal Children's Health Insurance Program with a 35 percent state match. These funds were included in the budget passed in March, but subsequently unallotted in April due to the pandemic and eliminated in the introduced budget.)

Chief Patron: Sickles

Item 482.20 #19h

Central Appropriations

FY20-21

FY21-22

Central Appropriations

\$0

\$7,599,696 GF

Language:

Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,327,940,781".

Page 215, line 44, strike the second "\$7,599,696" and insert "\$0".

Explanation:

(This amendment restores \$7.6 million the second year from the general fund to increase Medicaid reimbursement to residential psychiatric facilities. The rates paid to these facilities, unlike other institutional providers (hospitals, nursing facilities, etc.), have not increased since 2008 and have not been adjusted for inflation. These facilities serve only children in a clinically and medically-necessary active treatment program designed to provide necessary support and address mental health, behavioral, substance abuse, cognitive and training needs in order to prevent or minimize the need for more intensive outpatient treatment, per federal regulations. These funds were included in the budget passed in March, but subsequently unallotted in April due to the pandemic and eliminated in the introduced budget.)

Chief Patron: Sickles

Item 482.20 #20h

Central Appropriations

FY20-21

FY21-22

Central Appropriations

\$6,245,286

\$6,245,286 GF

Language:

Page 205, line 1, strike "\$754,015,992" and insert "\$747,770,706".

Request to Amend House Bill 5005, as Introduced

Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,329,295,191".

Page 215, strike lines 46 and 47.

Explanation:

(This amendment restores \$6.2 million each year from the general fund to increase Medicaid reimbursement for skilled and private duty nursing to 80 percent of the benchmark rate effective July 1, 2020. This shall apply to skilled nursing services provided through the Developmental Disability Waiver programs and private duty nursing services including congregate nursing services provided in the Commonwealth Coordinated Care Plus Waiver, the Developmental Disability Waiver programs and the Early and Periodic Screening, Diagnostic and Treatment program. This amendment increases the skilled nursing rates by 16.1 percent and private duty nursing rates by an average of 11.6 percent. These funds were included in the budget passed in March, but subsequently unallotted in April due to the pandemic and eliminated in the introduced budget.)

Chief Patron: Sickles

Item 482.20 #52h

Central Appropriations

FY20-21

FY21-22

Central Appropriations

\$0

\$22,037,077 GF

Language:

Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,313,503,400".

Page 215, line 30, strike "\$22,037,077" and insert "\$0".

Explanation:

(This amendment restores \$22.0 million the second year from the general fund to increase provider rates for services provided through the current Medicaid Developmental Disability Waiver programs using updated data measures available, including wage assumptions, to 100 percent of the rate model benchmark. These funds were included in the budget passed in March, but subsequently unallotted in April due to the pandemic and eliminated in the introduced budget.)