



**STATE OF VERMONT**  
LEGISLATIVE JOINT FISCAL OFFICE

TO: Joint Fiscal Committee  
FROM: Nolan Langweil & Robin Lunge  
RE: Global Commitment & Choices for Care Waiver Extension Options  
DATE: 6/25/09

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The purpose of this memo is to respond to a question concerning Vermont's renewal options for both the Global Commitment to Health and the Choices for Care Medicaid waivers. Both waivers were granted under Section 1115 of the Social Security Act as demonstration project waivers (waivers). As you know, the Agency of Human Services (AHS) intends to extend the current waivers rather than negotiate a new waiver. According to federal law:

- ❖ During the six month period ending one year prior to the expiration of the waiver, the chief executive office of the State which is operating the project may submit to the Secretary of Health and Human Services (HHS), a written request for an extension up to 3 years.
- ❖ The extension of the waiver project shall be on the same terms and conditions (including applicable terms and conditions relating to quality and access of services, budget neutrality, data and reporting requirements, and special population protections) that applied to the project before it's extension.
- ❖ The terms and conditions for both the Global Commitment and Choices for Care waivers allow Vermont to amend the waiver provisions (although the procedures for doing so are different for each waiver). This preserves Vermont's flexibility to request changes, if necessary, to comply with or react to federal health care reform after the state knows the final result.

Both waivers expire at the end of September 2010. As a result, the letter of intent to extend both waivers must be received by HHS October 1, 2009. As provided for in Sec. 16 of No.3 of the Acts of the 2009 Special Session, the Secretary of AHS shall present a proposal on the waiver extensions to the Health Access Oversight Committee (HAOC) for its consideration. The HAOC shall make a recommendation to the Joint Fiscal Committee (JFC). Only after it's approved by JFC may the secretary send it to CMS. It must be signed by the Governor prior to transmittal to HHS.