



STATE OF VERMONT
JOINT FISCAL OFFICE

MEMORANDUM

To: James Reardon, Commissioner of Finance & Management
From: Nathan Lavery, Fiscal Analyst
Date: November 29, 2010
Subject: JFO #2477

No Joint Fiscal Committee member has requested that the following item be held for review:

JFO #2477 — \$135,000 grant from the U.S. Department of Health and Human Services to Banking, Insurance, Securities and Health Care Administration. This grant will be used to increase the capacity for consumer assistance activities of the existing health care ombudsman program in Vermont. [JFO received 11/23/10]

The Governor's approval may now be considered final. We ask that you inform the Secretary of Administration and your staff of this action.

cc: Michael Bertrand, Commissioner



STATE OF VERMONT
JOINT FISCAL OFFICE

MEMORANDUM

To: Joint Fiscal Committee Members
From: Nathan Lavery, Fiscal Analyst
Date: November 23, 2010
Subject: Grant Request

Enclosed please find one (1) request that the Joint Fiscal Office has received from the administration.

JFO #2477 — \$135,000 grant from the U.S. Department of Health and Human Services to Banking, Insurance, Securities and Health Care Administration. This grant will be used to increase the capacity for consumer assistance activities of the existing health care ombudsman program in Vermont. **Expedited review of this item has been requested. Joint Fiscal Committee members will be contacted by November 29 with a request to waive the statutory review period and accept this item.**

[JFO received 11/23/10]

In accordance with the procedures for processing such requests, we ask you to review the enclosed and notify the Joint Fiscal Office (Nathan Lavery at 802-828-1488; nlavery@leg.state.vt.us) if you have questions or would like an item held for Joint Fiscal Committee review.

cc: James Reardon, Commissioner
Michael Bertrand, Commissioner

State of Vermont
 Department of Finance & Management
 109 State Street, Pavilion Building
 Montpelier, VT 05620-0401

Agency of Administration

[phone] 802-828-2376
 [fax] 802-828-2428

**STATE OF VERMONT
 FINANCE & MANAGEMENT GRANT REVIEW FORM**

Grant Summary:	The purpose of this grant is to enhance and increase the capacity for consumer assistance activities of the existing health care ombudsman program in Vermont. This is especially important because the Affordable Care Act involves complex changes to current health care system.			
Date:	10/25/2010			
Department:	BISHCA			
Legal Title of Grant:	Affordable Care Act (ACA) - Consumer Assistance Program Grant			
Federal Catalog #:	93.519			
Grant/Donor Name and Address:	Office of Consumer Information and Insurance Oversight, US Department of Health and Human Services, 7501 Wisconsin Ave., West Tower, Room 10-15 Bethesda, MD 20814-6519			
Grant Period:	From:	To:		
	10/15/10	10/14/2011		
Grant/Donation	\$135,000			
	SFY 1	SFY 2	SFY 3	Total
Grant Amount:	\$101,250	\$33,750	\$	\$135,000
Position Information:	# Positions	Explanation/Comments		
	0			
Additional Comments:	Expedited review of this ACA related grant has been requested because the ACA grant requires that any contracts with outside contractors be in place within 45 days (by November 29,2010). This BISHCA Grant includes a contract with Legal Assistance.			

Department of Finance & Management	<i>10/25/10</i>	(Initial)
Secretary of Administration	<i>TP / 10/26/10</i>	(Initial)
Sent To Joint Fiscal Office	<i>11/23/10</i>	Date

RECEIVED
 NOV 23 2010
JOINT FISCAL OFFICE

VERMONT GRANT ACCEPTANCE REQUEST		Priority Level (check one box):		
Affordable Care Act (Form AA-1-ACA)		Expedited 14 Days <input checked="" type="checkbox"/> Normal 30 days <input type="checkbox"/>		
BASIC GRANT INFORMATION				
1. Agency:				
2. Department:		BISHCA		
3. Program:		Health Care Administration Division Consumer Assistance		
4. Legal Title of Grant:		Affordable Care Act (ACA) - Consumer Assistance Program Grant		
5. Federal Catalog #:		93.519		
6. Grant/Donor Name and Address: Department of Health and Human Services Office of Consumer Information and Insurance Oversight 7501 Wisconsin Ave., West Tower, Room 10-15 Bethesda, MD 20814-6519				
7. Grant Period:		From: 10/15/2010	To: 10/14/2011	
8. Purpose of Grant: Enhance Health Care Ombudsman program				
9. Impact on existing program if grant is not Accepted: Enhancements will not done to the existing program.				
10. BUDGET INFORMATION				
	SFY 1	SFY 2	SFY 3	Comments
Expenditures:	FY 2011	FY 2012	FY	
Personal Services	\$101,250	\$33,750	\$	
Operating Expenses	\$	\$	\$	
Grants	\$	\$	\$	
Total	\$101,250	\$33,750	\$	
Revenues:				
State Funds:	\$	\$	\$	
Cash	\$	\$	\$	
In-Kind	\$	\$	\$	
Federal Funds:	\$101,250	\$33,750	\$	
(Direct Costs)	\$	\$	\$	
(Statewide Indirect)	\$	\$	\$	
(Departmental Indirect)	\$	\$	\$	
Other Funds:	\$	\$	\$	
Grant (source)	\$	\$	\$	
Total	\$101,250	\$33,750	\$	
Appropriation No:	2210040000	Amount:	\$135000	
			\$	
			\$	
			\$	
			\$	
			\$	
			\$	

		Total \$135,000
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PERSONAL SERVICE INFORMATION

11. Will monies from this grant be used to fund one or more Personal Service Contracts? Yes No
 If "Yes", appointing authority must initial here to indicate intent to follow current competitive bidding process/policy.
 Appointing Authority Name: Michael Bertrand Agreed by: CMD/Acting (initial)

12. Limited Service Position Information:	# Positions	Title
Total Positions		

12a. Equipment and space for these positions: Is presently available. Can be obtained with available funds.

13. AUTHORIZATION AGENCY/DEPARTMENT

I/we certify that no funds beyond basic application preparation and filing costs have been expended or committed in anticipation of Joint Fiscal Committee approval of this grant, unless previous notification was made on Form AA-1PN (if applicable):	Signature: <u>Christina M Oliver</u>	Date: <u>10/19/10</u>
	Title: Deputy Commissioner/Acting Commissioner	
	Signature:	Date:
	Title:	

14. SECRETARY OF ADMINISTRATION

<input checked="" type="checkbox"/> Approved:	(Secretary or designee signature) <u>[Signature]</u>	Date: <u>6/25/10</u>
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15. ACTION BY GOVERNOR

<input checked="" type="checkbox"/> Check One Box: Accepted	(Governor's signature) <u>[Signature]</u>	Date: <u>11/23/10</u>
<input type="checkbox"/> Rejected		

16. DOCUMENTATION REQUIRED

Required GRANT Documentation	
<input type="checkbox"/> Request Memo	<input type="checkbox"/> Notice of Donation (if any)
<input type="checkbox"/> Dept. project approval (if applicable)	<input type="checkbox"/> Grant (Project) Timeline (if applicable)
<input type="checkbox"/> Notice of Award	<input type="checkbox"/> Request for Extension (if applicable)
<input type="checkbox"/> Grant Agreement	<input type="checkbox"/> Form AA-1PN attached (if applicable)
<input type="checkbox"/> Grant Budget	

End Form AA-1

Hartrich,Toni

From: Barton, Sandy
Sent: Monday, October 25, 2010 11:20 AM
To: Hartrich,Toni
Subject: Expedited Review Ombudsman Grant

Toni - BISHCA requests expedited JFC review of the Affordable Care Act - consumer Assistance Program Grant because the grant calls for a 45 day deadline (November 29, 2010) to have a contract in place if we are going to use outside contractors. As noted in our summary cover memo the Department plans to contract with Vermont Legal Aid, Inc. who currently provides Health Care Ombudsman services. The contract will increase and enhance the capacity for consumer assistance activities of the existing program.

Please let me know if you need further information.

Sandyb

Sandy Barton, Director
Administrative Services
Banking, Insurance, Securities and Health Care Administration
89 Main Street
Montpelier, VT 05620-3101
802-828-2379
Sandy.Barton@state.vt.us



State of Vermont
Department of Banking, Insurance,
Securities and Health Care Administration
89 Main Street
Montpelier, VT 05620-3101
www.bishca.state.vt.us

Consumer Assistance Only:
Insurance: 1-800-964-1784
Health Care Admin.: 1-800-631-7788
Securities: 1-877-550-3907

To: James Reardon, Commissioner, Department of Finance and Management

From: Christine Oliver, Deputy Commissioner, HCA *CMO*

Date: October 19, 2010

Re: ACA Consumer Assistance Program Grant

The Office of Consumer Education and Insurance Oversight Office pursuant to the Affordable Care Act ("ACA") offered grants, one per state or territory, to assist consumers with their rights provided under ACA. The minimum award per application is \$120,000 and will be based on the population of the state or territory. No new state positions are requested, nor is there any continuing funding requirement. The State of Vermont, through the Department of Banking, Insurance, Securities and Health Care Administration (BISHCA), proposes to increase and enhance the capacity for consumer assistance activities of the existing health care ombudsman program in Vermont. BISHCA has contracted with Vermont Legal Aid, Inc. (VLA), a statewide non-profit, to provide consumer assistance services through its Office of Health Care Ombudsman (HCO) for over a decade.

The HCO currently helps about 2500 Vermont health care consumers each year through its statewide toll-free hotline and website. VLA has five offices across the state providing access for walk-in clients. The HCO office, which is based in Burlington, has four health care advocates who answer the hotline and provide consumers with information, advice, representation and referrals regarding health care and health insurance issues. The HCO's services are available to all Vermonters regardless of income, resources or insurance status.

Individuals currently call the HCO to get assistance with commercial insurance plans, state and federal programs as well as hybrid state and federal programs. The HCO provides callers with information, advice and referrals. It educates them on their rights and responsibilities with respect to their insurance and about state and federal health care reforms. HCO advocates also directly intervene on behalf of consumers to resolve enrollment, eligibility and access problems. Because it is independent of state government, HCO advocates can assist or represent beneficiaries in both commercial and public program appeals. The HCO also coordinates its work with other projects at VLA



Banking
802-828-3307

Insurance
802-828-3301

Captive Insurance
802-828-3304

Securities
802-828-3420

Health Care Admin.
802-828-2900

James Reardon, Commissioner

October 19, 2010

Page 2

Re: ACA Consumer Assistance Program Grant

and refers eligible individuals for representation by its attorneys. The HCO influences public policy by providing administrative and legislative advocacy on behalf of Vermont consumers in collaboration with many other consumer organizations. This grant will enable it to expand these policy and sentinel functions.

This grant will allow the HCO to expand its services by hiring at least one additional advocate and increasing the hours of its part-time staff attorney. This grant would allow the HCO to significantly increase its services and better respond to the increasing number of Vermonters needing help with health care and health insurance issues. With this grant, the HCO will also have the ability to expand its services to resolve problems with obtaining premium tax credits and other benefits provided by the Affordable Care Act (ACA).

The HCO already collects, tracks, and quantifies data on problems and inquiries encountered by consumers and has the capacity and expertise to meet any additional data collection and reporting requirements. In addition, the HCO currently follows strict protocols designed to protect its clients' privacy and confidential information and can readily adapt those existing protocols to meet any additional privacy requirements.

This grant will help Vermont better respond to the critical needs of health care consumers, particularly in light of the welcome, but more complex, changes mandated by the ACA. Vermont has a strong consumer assistance program already up and running which has demonstrated its effectiveness over the past ten years. This funding would add desperately needed capacity to respond to the new challenges facing health care consumers.

Please let me know if further information is needed.

CO/svb

New Affordable Care Act grants to help put patients in control of their health care
Nearly \$30 million in grants will fund State consumer assistance programs to help consumers see benefits of Patient's Bill of Rights

The U.S. Department of Health and Human Services (HHS) today announced new Consumer Assistance Grants program awards of nearly \$30 million to help States and territories put patients in charge of their health care. These grants will support States' efforts to establish or strengthen consumer assistance programs that provide direct services to consumers with questions or concerns regarding their health insurance.

"The Affordable Care Act's Patient's Bill of Rights gives people important benefits and ends the worst insurance company abuses," said Secretary Kathleen Sebelius. "These grants will help ensure consumers' rights are protected, and they are another way the new law is putting patients, not insurance companies, in charge of their health care."

These new grants will allow States, who are in some cases partnering with local non-profits, to help strengthen and enhance ongoing efforts in the States and local communities to protect consumers from some of the worst insurance industry practices. Altogether, 35 States, four territories and the District of Columbia applied for and will receive grant awards.

The grants will build on other programs and initiatives recently announced by HHS to help consumers make decisions about their care, including www.HealthCare.gov, where consumers already can find health insurance options customized to their needs and location as well as other information about their benefits and rights under the Affordable Care Act. State consumer assistance programs also will help consumers act on their new right to appeal if their insurance plan denies them coverage. Specifically, these grants will:

- Help consumers enroll in health coverage;
- Help consumers file complaints and appeals against health plans;
- Educate consumers about their rights and empower them to take action; and
- Track consumer complaints to help identify problems and strengthen enforcement.

A fact sheet and summary of how each State or territory will use the new resources can be found at <http://www.healthcare.gov/news/factsheets/CAPGrants.html>.

Consumer Assistance Grants have the potential to benefit millions of Americans. These grants will fund programs that will support consumers both now as we transition to a more competitive, patient-centered health insurance marketplace in 2014 and once that new marketplace is established.

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Note: All HHS press releases, fact sheets and other press materials are available at <http://www.hhs.gov/news>.

Department of Health and Human Services

Office of the Secretary

Office of Consumer Information and Insurance Oversight

Grants, Contracts and Integrity Division
7501 Wisconsin Ave West Tower
Room 10-15
Bethesda, MD 20814-6519

NOTICE OF GRANT AWARD
AUTHORIZATION (Legislation/Regulations)
Section 2793 of the Public Health Service Act (Section 1002 of the Affordable Care Act)

1. DATE ISSUED (Mo./Day/Yr.) 10/15/2010	2. CFDA NO. 93.519
3. SUPERCEDES AWARD NOTICE dated except that any additions or restrictions previously imposed remain in effect unless specifically rescinded	
4. GRANT NO. 1 CAPCA110002-01-00 Formerly:	5. ADMINISTRATIVE CODES SCA
6. PROJECT PERIOD Mo./Day/Yr. From 10/15/2010	Through 10/14/2011
7. BUDGET PERIOD Mo./Day/Yr. From 10/15/2010	Through 10/14/2011

8. TITLE OF PROJECT (OR PROGRAM) (Limit to 56 spaces)
Affordable Care Act (ACA) -Consumer Assistance Program Grants

9. GRANTEE NAME AND ADDRESS
a. Vermont Department of Insurance
b. 89 Main St
c.
d. Montpelier e. VT f. 05602-3168

10. DIRECTOR OF PROJECT (PROGRAM DIRECTOR/PRINCIPLE INVESTIGATOR)
(LAST NAME FIRST AND ADDRESS)
Tina Kerr
89 Main St
Montpelier, VT 05602
Phone: 800-917-7787

11. APPROVED BUDGET (Excludes HHS Direct Assistance)	
I HHS Grant Funds Only	
II Total project costs including grant funds and all other financial participation (Select one and place NUMERAL in box)	II
a. Salaries and Wages	0
b. Fringe Benefits	0
c. Total Personnel Costs	0
d. Consultants Costs	0
e. Equipment	0
f. Supplies	0
g. Travel	0
h. Patient Care - Inpatient	0
i. Patient Care - Outpatient	0
j. Alterations and Renovations	0
k. Other	0
l. Consortium/Contractual Costs	135,000
m. Trainee Related Expenses	0
n. Trainee Stipends	0
o. Trainee Tuition and Fees	0
p. Trainee Travel	0
q. TOTAL DIRECT COSTS	135,000
r. INDIRECT COSTS (rate of)	0
s. TOTAL APPROVED BUDGET	\$ 135,000
t. SBIR Fee	
u. Federal Share	\$ 135,000
v. Non-Federal Share	\$ 0

12. AWARD COMPUTATION FOR GRANT	
a. Amount of HHS Financial Assistance (from item 11.u)	135,000
b. Less Unobligated Balance From Prior Budget Periods	0
c. Less Cumulative Prior Award(s) This Budget Period	0
d. AMOUNT OF FINANCIAL ASSISTANCE THIS ACTION	135,000

13. RECOMMENDED FUTURE SUPPORT (Subject to the availability of funds and satisfactory progress of the project):			
YEAR	TOTAL DIRECT COSTS	YEAR	TOTAL DIRECT COSTS
a. 2		d. 5	
b. 3		e. 6	
c. 4		f. 7	

14. APPROVED DIRECT ASSISTANCE BUDGET (IN LIEU OF CASH):	
a. AMOUNT OF HHS Direct Assistance	0
b. Less Unobligated Balance From Prior Budget Periods	
c. Less Cumulative Prior Award(s) This Budget Period	
d. AMOUNT OF DIRECT ASSISTANCE THIS ACTION	0

15. PROGRAM INCOME SUBJECT TO 45 CFR PART 74, SUBPART F, OR 45 CFR 92.25, SHALL BE USED IN ACCORD WITH ONE OF THE FOLLOWING ALTERNATIVES: (Select one and place LETTER in box.)	
a. DEDUCTION	
b. ADDITIONAL COSTS	b
c. MATCHING	
d. OTHER RESEARCH (Add / Deduct Option)	
e. OTHER (See REMARKS)	

16. THIS AWARD IS BASED ON AN APPLICATION SUBMITTED TO, AND AS APPROVED BY, HHS ON THE ABOVE TITLED PROJECT AND IS SUBJECT TO THE TERMS AND CONDITIONS INCORPORATED EITHER DIRECTLY OR BY REFERENCE IN THE FOLLOWING:
a. The grant program legislation cited above.
b. The grant program regulation cited above.
c. This award notice including terms and conditions, if any, noted below under REMARKS.
d. HHS Grants Policy Statement including addenda in effect as of the beginning date of the budget period.
e. 45 CFR Part 74 or 45 CFR Part 92 as applicable.
In the event there are conflicting or otherwise inconsistent policies applicable to the grant, the above order of precedence shall prevail. Acceptance of the grant terms and conditions is acknowledged by the grantee when funds are drawn or otherwise obtained from the grant payment system.

REMARKS: (Other Terms and Conditions Attached - Yes No)

Funds in the amount of ninety percent (90%) of the total grant award are hereby restricted. Please see Item 8 of the Programmatic Terms and Conditions for specific details. Refer to the following Award Attachments: 1) Standard Terms and Conditions 2) Programmatic Terms and Conditions.

GRANTS MANAGEMENT OFFICER: (Signature) (Name - Typed/Print) Michelle Feagins (Title) Senior Grants Management Specialist

17. OBJ CLASS	4121	18. CRS - EIN	1036000264D8	19. LIST NO.	CONG. DIST.:	00
FY-CAN		DOCUMENT NO.	ADMINISTRATIVE CODE	AMT ACTION FIN ASST	AMT ACTION DR ASST	
20. a.	1-199REB8	b. CAPCA0002A	c. SCA	d. 135,000	e.	0
21. a.		b.	c.	d.	e.	
22. a.		b.	c.	d.	e.	

AWARD ATTACHMENTS

Vermont Department of Insurance

1 CAPCA110002-01-00

1. Standard Terms and Conditions
2. Programmatic Terms and Conditions

Office of Consumer Information and Insurance Oversight (OCIO)

Affordable Care Act - Consumer Assistance Program Grants

Standard Terms and Conditions

- I. The HHS/Office of Consumer Information and Insurance Oversight (OCIO) Program Official.** The Program Official assigned with responsibility for technical and programmatic questions from the Grantee is Eliza Bangit (Eliza.Bangit@hhs.gov).
- II. The HHS/OCIO Grants Management Specialist.** The Grants Management Specialist assigned with the responsibility for the financial and administrative aspects (non-programmatic areas) of grants administration questions from the Grantee is Michelle Feagins in the Division of Grants Management (Michelle.Feagins@hhs.gov).
- III. The HHS Grants Policy Statement (HHS GPS).** This grant is subject to the requirements of the HHS GPS that are applicable to the Grantee based on your recipient type and the purpose of this award. This includes any requirements in Part I and II (available at <http://www.hhs.gov/grantsnet/adminis/gpd/index.htm>) of the HHS GPS that apply to an award.
- IV. Cost Principles for State, Local and Indian Tribal Governments (OMB Circular A-87).** This grant is subject to the requirements as set forth in Title 2 Part 225, State, Local, and Indian Tribal Governments (previously A-87).
- V. Subaward Reporting and Executive Compensation:** As required by the Federal Funding Accountability and Transparency Act of 2006 (Pub. L. 109-282), as amended by section 6202 of Public Law 110-252, recipients must report information for each subaward of \$25,000 or more in Federal funds and executive total compensation for each of your five most highly compensated executives for the preceding completed fiscal year as outlined in Appendix A to 2 CFR Part 170. Information about the Federal Funding and Transparency Act Subaward Reporting System (FSRS) is available at www.fsrs.gov.

All prime grantees must provide a DUNS number in order to be able to register in FSRS as a prime grantee user. If your organization does not have a DUNS number, you will need to obtain one from Dun & Bradstreet. Call D&B at 866-705-5711 if you do not have a DUNS number. Once you have obtained a DUNS Number from D&B, you must then register with the Central Contracting Registration (CCR) at www.ccr.gov. Organization must report executive compensation as part of the registration profile at www.ccr.gov by the end of the month following the month in which this award is made, and annually thereafter. After you have completed your CCR registration, you will now be able to register in FSRS as a prime grantee user.

The Grants Management Specialist assigned to monitor the subaward reports and Executive Compensation is Iris Grady (grantsmanagement@hhs.gov).

**Department of Health and Human Services (HHS)
Office of Consumer Information and Insurance Oversight (OCIIO)**

Affordable Care Act - Consumer Assistance Program Grants

Catalog of Federal Domestic Assistance (CFDA) Number: 93.519

Programmatic Terms and Conditions

- I. Acceptance Letter and Assurance:** The grant award is subject to the recipient providing OCIIO a letter as acknowledgment of award and all Standard and Programmatic Terms and Conditions (PTCs), within thirty (30) days of the date of issuance of the award package. By accepting this grant award, the Grantee agrees to ensure that the project is administered in accordance with the grant requirements as indicated in the PTCs, and the Grantee agrees to comply with the requirements of the grant funding opportunity announcement as well as all applicable Federal laws and HHS policies.
- II. Budget and Project Period:** The project period and budget period are from October 15, 2010 through October 14, 2011. No grant funds shall be used for expenses incurred prior to October 15, 2010.
- III. Key Personnel Changes:** The Grantee is required to notify the OCIIO Project Officer and the OCIIO Grants Management Officer within thirty (30) days of any personnel changes affecting the grant's Project Director, Assistant Project Director, or the Financial Officer.
- IV. Collaborative Responsibilities:** Grantees are required to participate in scheduled trainings, activities, and communications with OCIIO staff, as well as other Grantees, to identify and share "best practices" for consumer assistance and advocacy. Additionally, the Office of Consumer Support in OCIIO will be working with each Grantee on an individual basis to ensure that program activities are aligned with the requirements of the Affordable Care Act and advance the directives of this grant program.
- V. Database Use:** Grantees may choose to use the OCIIO-provided database, although they are required to report on specified data elements (see below). The database will allow Grantees to collect and track casework and required data elements. Starting in January 2011, the database will allow users to generate data collection reports required by OCIIO.
- VI. Privacy of Personally Identifiable Information:** As stated on page 8 of the funding opportunity announcement, the Grantee must have a mechanism in place to protect a consumer's personal information and a process to protect consumer information entered in the Database.

VII. Data Collection Reports: Grantees are required to collect and report data to OCIIO on the types of problems and inquiries encountered by consumers, characteristics of consumers and their problems, and other elements. OCIIO staff will work with Grantees to develop a process for collecting the types of information necessary to generate the reports required by OCIIO. The Office of Consumer Support will provide extensive technical assistance, training, and resource manuals to all Grantees over the course of the grant period to fulfill the data reporting requirements.

Grantees must submit data collection reports to OCIIO on the following dates:

1. Data from October 15, 2010 – April 15, 2011: due April 29, 2011
2. Data from April 16, 2011 – July 15, 2011: due July 29, 2011
3. Data from July 16, 2011 – October 14, 2011: due October 28, 2011

Grantees must also respond to requests and provide data on consumer assistance activities as needed by OCIIO.

VIII. Contract or Agreement between the State and the Non-Governmental Organization (NGO): If the Grantee intends to contract with an NGO, the Grantee will only be allowed to draw down up to ten percent (10%) of the total grant award, until it can show that a contract/agreement has been formalized between the State and the NGO. The Grantee has forty-five (45) days from the date of the Notice of Grant Award to present a copy of the contract/agreement to the OCIIO Project Officer. If the Grantee does not adhere to this timeline, funds will be restricted and no further funds will be released to Grantee until the Grantee is in compliance with the intent of the funding opportunity announcement. (See page 7 of the funding opportunity announcement.)

IX. Revised Budget: If the Grantee previously received a request from OCIIO Grant Specialists to submit a revised budget (e.g., a revised SF-424A, budget narrative and project narrative) or a clarification of the proposed budget, these documents must be submitted within thirty (30) days of the start of the project and budget periods. OCIIO reserves the right to withhold funds until these documents are approved. Additionally, OCIIO reserves the right to withhold funds if the Grantee does not provide the required documents within the deadline. OCIIO will notify Grantee as to whether the documents have been approved within thirty (30) days from the date the revised documents are received by OCIIO.

X. Advocacy: Grantees may use grant funds for existing consumer assistance capabilities or programs. However, they are required to expand upon (as opposed to refinance) those capabilities or programs. Grantees must demonstrate, over the course of the grant period, its commitment to advocate vigorously on behalf of consumers in both the filing of complaints and appeals (both internal and external

appeals) and enrolling consumers in health insurance coverage and group health plans, including self-insured plans.

XI. Uses of Grant Funds: All funds provided under this grant must be used by the Grantee exclusively for the Consumer Assistance Program Grants as defined in Section 1002 of the Affordable Care Act, and as described in the grant funding opportunity announcement. If the Grantee uses these funds for any other purpose or fails to obtain the prior written approval of the OCIO Project Officer for any modifications, then all funds provided under this grant may be required to be returned to the United States Treasury.

XII. Future Grant Awards: If additional funding is made available for Consumer Assistance Program Grants in the future, OCIO will consider the Grantee's past performance as one of the critical factors for determining whether to award additional funds to the Grantee. Special emphasis will be placed on the Grantee's data collection reports, including timeliness and adherence to reporting requirements.

XIII. Financial Reports:

1. **Quarterly Reports:** Effective January 1, 2010, Grantees are required to report cash transaction data via the Payment Management System (PMS) using the Federal Financial Report (FFR or Standard Form 425) cash transaction data elements. The FFR must be filed within thirty (30) days of the end of the quarter (instead of the 45 days allowed for filing the PSC 272). Reporting cash transaction data using the FFR replaces the use of the Federal Cash Transaction Report (SF-272/SF272A). Additional information and training are available on the Division of Payment Management website: <http://www.dpm.psc.gov/>.

A Quick Reference Guide for completing the FFR in the PMS is at http://www.dpm.psc.gov/grant_recipient/guides_forms/ffr_quick_reference.aspx

2. **Annual Report:** The Grantee is required to submit one Financial Status Report (FSR) to the OCIO Grant Specialist, with a copy to the OCIO Project Officer. An FSR (SF 269A – Short Form) is required from the Grantee within ninety (90) days of the end of the project period. Records of expenditures and any program income generated must be maintained in accordance with the provisions of 45 CFR § 74.53 or § 92.42. The Grantee will submit the FSR to the OCIO Grant Specialist listed on this Notice of Grant Award with a copy to the OCIO Project Officer. (The SF-269A may be accessed at the following site: <http://www.whitehouse.gov/omb/grants/sf269a.pdf>)

All quarterly and annual reports must be submitted electronically.

Budget Narrative

Personnel-	<p>The personnel funds total \$58,110.79 and are distributed as follows:</p> <table border="0"> <tr> <td>One Health Care Counselor (1957.5 Hours @ \$17.93 per hour)</td> <td style="text-align: right;">\$ 35,097.98</td> </tr> <tr> <td>Health Care Attorney (609.79 Hours @ \$30.82 per hour)</td> <td style="text-align: right;">\$ 18,793.73</td> </tr> <tr> <td>Clerical Support (236.76 Hours @ \$17.82)</td> <td style="text-align: right;">\$ 4,447.16</td> </tr> </table>	One Health Care Counselor (1957.5 Hours @ \$17.93 per hour)	\$ 35,097.98	Health Care Attorney (609.79 Hours @ \$30.82 per hour)	\$ 18,793.73	Clerical Support (236.76 Hours @ \$17.82)	\$ 4,447.16														
One Health Care Counselor (1957.5 Hours @ \$17.93 per hour)	\$ 35,097.98																				
Health Care Attorney (609.79 Hours @ \$30.82 per hour)	\$ 18,793.73																				
Clerical Support (236.76 Hours @ \$17.82)	\$ 4,447.16																				
Fringe Benefits-	<p>The fringe benefit figure of \$38,165.30 is the proportionate share of fringe benefits for the above staff and associated secretarial support at VLA. It includes health benefits, life insurance, legal malpractice, worker's compensation, unemployment, long and short term disability insurance, pension contribution and a proportional share of family leave provided to all staff members pursuant to the VLA personnel manual.</p>																				
Travel-	<p>The estimated travel expense of \$544.23 is based on 1,088.46 miles at the federal reimbursement rate of 50 cents a mile.</p>																				
Supplies-	<p>The proportionate share of the annual cost of office supplies, equipment, fixtures and postage assigned to the above staff is equal to \$ 1,137.63.</p>																				
Contractual	N/A																				
Construction-	N/A																				
Other Costs-	<p>Other costs include the proportionate share of overhead costs for the above staff and some direct costs divided as follows: (Computer Network, Programming and Support include the cost of programming and encrypting reports to HHS).</p> <table border="0"> <tr> <td>Occupancy</td> <td style="text-align: right;">\$ 9,966.95</td> </tr> <tr> <td>Telephone</td> <td style="text-align: right;">\$ 160.75</td> </tr> <tr> <td>Law Library</td> <td style="text-align: right;">\$ 659.27</td> </tr> <tr> <td>Translation Service</td> <td style="text-align: right;">\$ 87.54</td> </tr> <tr> <td>Training</td> <td style="text-align: right;">\$ 333.01</td> </tr> <tr> <td>Depreciation</td> <td style="text-align: right;">\$ 688.88</td> </tr> <tr> <td>Project Reports</td> <td style="text-align: right;">\$ 80.59</td> </tr> <tr> <td>Computer Network, Programming and Support</td> <td style="text-align: right;">\$ 9,000.00</td> </tr> <tr> <td>Equipment Rental, Maintenance and Repair</td> <td style="text-align: right;"><u>\$ 788.37</u></td> </tr> <tr> <td></td> <td style="text-align: right;">\$ 21,765.36</td> </tr> </table>	Occupancy	\$ 9,966.95	Telephone	\$ 160.75	Law Library	\$ 659.27	Translation Service	\$ 87.54	Training	\$ 333.01	Depreciation	\$ 688.88	Project Reports	\$ 80.59	Computer Network, Programming and Support	\$ 9,000.00	Equipment Rental, Maintenance and Repair	<u>\$ 788.37</u>		\$ 21,765.36
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Indirect Charges-	<p>Vermont Legal Aid had a federally approved indirect rate of 12.76% some years ago. We are in the process of updating it with another federal agency. The costs covered by an indirect rate of 12.76% total \$15,276.69.</p>																				
Total Costs -	\$135,000.00																				



State of Vermont
Department of Banking, Insurance,
Securities and Health Care Administration
89 Main Street
Montpelier, VT 05620-3101
www.bishca.state.vt.us

Consumer Assistance Only:
Insurance: 1-800-964-1784
Health Care Admin.: 1-800-631-7788
Securities: 1-877-550-3907

MEMORANDUM

TO : James H. Douglas, Governor

FROM : Michael Bertrand, Commissioner *MB*

DATE : October 15, 2010

SUBJECT: APPOINTMENT OF ACTING COMMISSIONER OF BANKING,
INSURANCE, SECURITIES AND HEALTH CARE ADMINISTRATION

This is to appoint the following Deputy Commissioners as Acting Commissioner of BISHCA for the period of October 18, 2010 through October 22, 2010 while I attend the Fall National Meeting of the National Association of Insurance Commissioners in Orlando, Florida:

Deputy Commissioner of HCA, Christine Oliver: October 18, 19 and 21
Deputy Commissioner of Captives, David Provost: October 20
Deputy Commissioner of Banking, Thomas Candon: October 22

These appointments authorize Deputy Commissioners Oliver, Provost and Candon to take all such actions as are necessary to fulfill the powers and duties of the office of the Commissioner in my absence, including, but not limited to executing contracts, adoption of administrative rules and issuing orders.

cc: Susanne Young, Legal Counsel to the Governor
Tim Hayward, Chief of Staff
Thomas Candon, Deputy Commissioner of Banking, Securities
Kenneth McGuckin, Acting Deputy Commissioner of Insurance
David Provost, Deputy Commissioner of Captives
Christine Oliver, Deputy Commissioner of HCA
Herbert W. Olson, General Counsel

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