



groState of Vermont
Agency of Human Services
280 State Drive, Center Building
Waterbury, VT 05671-1000

Global Commitment Register

November 30, 2022

GCR 22-098
PROPOSED

Medicaid Investment: Balanced and Restorative Justice Program

Policy Summary:

The Vermont Medicaid program proposes to establish a Medicaid health-related investment for the Balanced and Restorative Justice (BARJ) program overseen by the Department for Children and Families.

BARJ is an innovative initiative for justice-involved youth to prevent recidivism. The target group includes eligible individuals between the ages 10-22 who are involved in, or at serious risk of involvement with the juvenile justice system. The BARJ program provides restorative interventions that reduce or eliminate further involvement in the juvenile justice system.

Vermont's Global Commitment to Health Section 1115 Demonstration waiver authorizes expenditures, within annual limits, for public health, health care, and health-related investments. This investment is an innovative program that benefits low-income, uninsured, underinsured individuals and Medicaid beneficiaries in Vermont. This change affords federal matching funds for BARJ services.

Effective Date:

January 1, 2023

Authority/Legal Basis:

[Global Commitment to Health Waiver](#): Waiver authority #5 [Section 1902(a)(13), 1902(a)(30)]; Special Term and Condition #6.8.

Population Affected:

Youth ages 10-22 involved in, or at risk for involvement, in the juvenile justice system.

Fiscal Impact:

The estimated gross annualized budget impact is \$1,569,051.

Public Comment Period:

November 30, 2022 – December 30, 2022

Send comments to:
Medicaid Policy Unit
280 State Drive, Center Building
Waterbury, VT 05671-1000

Or submit via e-mail to AHS.MedicaidPolicy@vermont.gov.

To be added to the GCR email list, send an email to AHS.MedicaidPolicy@vermont.gov.

Additional Information:

The new investment template for the BARJ program can be found on the following pages.

ATTACHMENT S

New Investment Application Template

For each new investment, the state must submit the following information to CMS as described in STC 11.6.

Date	9.12.22
Investment Title	Balanced and Restorative Justice Program
Estimated Amount	\$1,569,051
Time Period	Beginning January 1, 2023
Department	Department for Children and Families, Family Services Division (FSD)
Category	Provide public health approaches, investments in social determinants of health, and other innovative programs that benefit low-income, uninsured, underinsured individuals and Medicaid beneficiaries in Vermont.
Project Objective, Targeted Outcomes, and Impact to Health Equity	
<p>The purpose of this program is to provide restorative services that focus on improving life outcomes for youth who have committed a delinquent act. The focus is on accountability and competency development of the youth, community safety, while including the victims and the community in repairing the harm caused.</p> <p>The Balanced and Restorative Justice (BARJ) program offers a variety of supports and services that vary depending on the individual needs of the youth and family, including connecting the youth and family to other necessary supports that will increase their well-being. The BARJ program works with youth to support them in:</p> <ol style="list-style-type: none"> 1. Building upon their protective factors; 2. Building upon their self-regulation in natural settings; and 3. Not committing new offenses. <p>A targeted health outcome measure for the BARJ program is the percentage of justice-involved individuals who do not commit offenses while in the program.</p> <p>This program impacts health equity because involvement in the criminal justice system is a risk factor for future harm. Most often, youth commit delinquent act because of unaddressed mental health needs, including unresolved childhood trauma. By addressing the harm caused, but also the underlying factors that impacted the behavior, this program keeps youth from getting deeper into the criminal justice system. In Vermont, there are a disproportionate number of youth of color involved with the juvenile justice system. BARJ increases the ability of youth of color to get the services they need to be successful members of society.</p>	
Project Description	
<p>This must include descriptions of specific terms associated with eligibility, benefits and services, and how the state intends to operationalize the program (e.g., population served, provider types, provider qualifications, methodology for incentive payments)</p>	
<p>The BARJ program is an arm of the child welfare system that provides support to youth who are at-risk for involvement in the justice system or have been adjudicated and may or may not be on probation with DCF- Family Services. The primary goal of the BARJ program is to support youth involved in, or at risk of becoming involved in the justice system by providing restorative interventions that reduce or eliminate further involvement in the system.</p>	
Service Activities:	

Attachment S

1. Restorative Process

Restorative processes give victims and community members an opportunity to interact with youth to discuss the harms caused and the actions needed to repair the damage caused by the acts.

2. Screening

Contractor will provide Youth Assessment and Screening Instrument (YASI) pre-screening to determine risk and coordinate protocols for referring youth to services based on risk and needs.

3. Case Management

Case management services provide youth and families with coordination of services that are individualized and may include but are not limited to:

- a. attendance at family and school team meetings;
- b. therapeutic treatment meetings;
- c. one-to-one support to youth and family;
- d. community-based visits, including in the home;
- e. attendance at case plan reviews;
- f. attendance at court hearings;
- g. drug and alcohol testing; and
- h. curfew checks.

4. Restorative Skills Development

Restorative Skills Development are groups and/or activities that may include:

- a. conflict resolution;
- b. social skills development;
- c. problem solving and decision making;
- d. community service/service learning;
- e. victim and community impact; and
- f. respectful communication;

5. Prevention and Community Outreach

- a. Community based activities and prevention efforts.

6. Staff Training

- a. Contractor will support attendance at training or other educational opportunities that are necessary to provide the services above.

The target group includes eligible individuals between the ages 10-22 who are assessed as at risk of abuse or neglect as define in 33 V.S.A. § 5102 and who are involved in, or at serious risk of involvement with the juvenile justice system.

Provider Agencies Must:

1. Hire and train staff with experience working with the target population.
2. Ensure staff are trained in restorative justice principals and the administration of an evidence-based screening instrument.
3. Have responsibility for planning and coordinating statewide juvenile justice and delinquency prevention services in accordance with Vermont Statutes.

Case Manager Qualifications

1. Have a bachelor's degree or equivalent experience in the following needs-based service planning, service coordination and monitoring, and ongoing assessment and treatment plan revisions,
2. Have training and skills in program activities including administration of an evidence-based screening instrument, crisis intervention, case management, developing intervention plans, working with families and individuals, and courts, prosecutors, Juvenile Defenders, and law enforcement entities.

How does the state ensure there is no duplication of federal funding?

There is no other service like this offered in the state, therefore there is no risk of duplication of federal funds for

the same service.
Source of non-federal share
State General Fund
How does the state ensure that the investment does not include any activities listed in STC 11.6 (Investment Approval Process)?
Medicaid will ensure that none of the prohibited activities are funded through the contract and financial reconciliation process. The contract terms indicate what specifically the state is purchasing. The prohibited activities fall outside of the scope of this contract and because those items will not be included, they will not be paid through these contracts. Contractors will be required to submit detailed financial reports prior to payment, which will be used to verify that none of the prohibited activities are included. The Grants and Contracts unit will not pay an invoice if any of the prohibited activities are included.
The state assures that in reporting cost, the state and providers must adhere to 45 CFR §75 Uniform Administration Requirements, Cost Principles, and Audit Requirements for Health and Human Services (HHS) Awards and 42 CFR §413 Principles of Reasonable Cost Reimbursement. Pursuant to 45 CFR §75.302(a) the state must have proper fiscal control and accounting procedures in place to permit the tracing of funds to a level of expenditures adequate to establish that such funds have not been used in violation of applicable statutes. Costs must be supported by adequate source documentation.