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*Susanne R. Young, Secretary*

## **INTERAGENCY COMMITTEE ON ADMINISTRATIVE RULES (ICAR) AGENDA**

**Monday, February 8, 2021, 2:00 p.m.**

**Microsoft Teams Meeting**

**For public comment, please email [ADM.Secretary@vermont.gov](mailto:ADM.Secretary@vermont.gov)  
or call (802) 828-3322 to request call-in information.**

- Welcome
- Review and approval of the minutes from the December 14, 2020 meeting.
- Note any additions or deletions from the agenda.
- Note: An emergency rule titled 'Emergency Administrative Rules for Remote Hearings for the Board of Medical Practice' by the Department of Health was supported by ICAR Chair Clouser on 1/22/21.
- Public comment
- Presentation of the following proposed rules:
  1. Rules Governing the Licensing of Educators and the Preparation of Educational Professionals, Vermont Standards Board for Professional Educators
    - a. The proposed rule revisions support the VSBPE's mission. Specifically, the VSBPE is:
      - i. Providing clarification to current Rules regarding definition of terms.
      - ii. Combined endorsements 5440-76 Reading/English Language Arts Specialist and 5440-78 Reading /English Language Arts Coordinator in a single endorsement called the Specialized Literacy Professional (5440-79). The previous endorsements will be sunset.
      - iii. A new sub endorsement for Career Technical Educators for Driver and Traffic Safety Education (5440-17, L-1) was created. The holder of the CTE Driver and Traffic Safety Education sub endorsement L-1 is limited to grades 9-12 and holders are authorized to teach in a CTE setting under the auspices of a CTE center.
      - iv. Education Speech Language Pathologists and School Psychologists will now count as teaching experience towards an Administrative endorsement.
      - v. Removal of the word "initial" in Rule 5323 to allow a second "initial" license.
  2. Health Care Stop Loss Insurance (H-2009-02), Department of Financial Regulation
    - a. The proposed amendments to the rule:
      - i. increase minimum annual attachment points for claims incurred per individual;
      - ii. increase the minimum annual aggregate attachment points; and



- iii. limit higher attachment points for any individual or group of individuals within small employer groups to three times the attachment point chosen for the policy.

The next four proposed rules (#3-6) amends Parts 1, 5, 7 and 8 of the 8-part Health Benefits Eligibility and Enrollment (HBEE) rule. Parts 1, 5 and 7 were last amended effective January 15, 2019. Part 8 was last amended effective July 1, 2019.

3. Health Benefits Eligibility and Enrollment Rule, General Provisions and Definitions (Part 1), Agency of Human Services
4. Health Benefits Eligibility and Enrollment Rule, Financial Methodologies (Part 5), Agency of Human Services
5. Health Benefits Eligibility and Enrollment Rule, Eligibility and Enrollment Procedures (Part 7), Agency of Human Services
6. Health Benefits Eligibility and Enrollment Rule, State Fair Hearings and Expedited Eligibility Appeals (Part 8), Agency of Human Services
  
7. Rules Governing Medication-Assisted Treatment for Opioid Use Disorder, Agency of Human Services, Department of Health
  - a. This rulemaking amends the MAT Rule to (1) remove patient load limits that are determined at the federal level and change periodically; (2) Require providers with >100 clients to submit to the Department for review a continuity of care checklist to ensure they have an adequate plan for the continued care of their patients should there be an issue with a practitioner's ability to provide services; and (3) update terms, references, and formatting.
8. 10 V.S.A. App. § 122. Fish Management Regulation, Department of Fish and Wildlife Board
  - a. The proposed rule amendments will facilitate the proper management of fish. This amends an existing rule in multiple ways with a primary purpose of making fishing regulations simpler to follow while still maintaining necessary biological protections. The resulting amendment increases fishing opportunities.
9. Home Health Services, Agency of Human Services
  - a. The rule sets forth the criteria for Medicaid coverage for home health services under Vermont's Medicaid program. It amends current Medicaid Health Care Administrative Rule 4.231.
10. Durable Medical Equipment, Agency of Human Services
  - a. The rule sets forth the criteria for Medicaid coverage for durable medical equipment under Vermont's Medicaid program. It amends current Medicaid Health Care Administrative Rule 4.209.
11. Medical Supplies, Agency of Human Services
  - a. The rule sets forth the criteria for Medicaid coverage for medical supplies under Vermont's Medicaid program. It revises and will replace current Medicaid covered services rule 7504 as part of the sequential adoption of Health Care Administrative Rules (HCAR) designed to improve public accessibility and comprehension of the numerous rules concerning the operation of Vermont's Medicaid program.

12. Applied Behavior Analysis Services, Agency of Human Services

- a. The rule sets forth the criteria for Medicaid coverage for applied behavior analysis services under Vermont's Medicaid program. This is a new rule that reflects current existing policy.

- Next meeting date: Monday, March 8, 2021 at 2:00 p.m.
- Adjournment