INTERAGENCY COMMITTEE ON ADMINISTRATIVE RULES (ICAR) MINUTES

Meeting Date/Location: May 9, 2022, virtually via Microsoft Teams
Members Present: Chair Douglas Farnham, Brendan Atwood, Diane Bothfeld, Jared Adler, Jennifer Mojo, Michael Obuchowski, and Donna Russo-Savage (left early)
Members Absent: Diane Sherman and John Kessler
Minutes By: Melissa Mazza-Paquette

- 2:02 p.m. meeting called to order, welcome and introductions.
- Review and approval of minutes from the April 11, 2022 meeting.
- Note: Emergency Rule Titled 'Nursing Home Rate Setting Staffing Adjustment' by the Agency of Human Services, Department of Vermont Health Access, was supported by ICAR Chair Farnham on 04/27/22.
  - This emergency rule addresses costs at nursing homes associated with increased nursing staffing costs by increasing the existing inflation factor in the Division of Rate Setting's rules to account for the increased inflation in nursing care costs since the beginning of state fiscal year 2022.
- No additions/deletions to agenda. Agenda approved as drafted.
- Public comment:
  - Public comments received from Sylvia Knight and Michael Bald.
- Presentation of Proposed Rules on pages 2-3 to follow.
  1. Transitional Housing Program Rules, Agency of Human Services, Department for Children and Families, page 2
  2. Vermont Water Quality Standards, Agency of Natural Resources, page 3
- Other business.
  - Discussion about ICAR's role in the rulemaking and authority structure in Vermont's government, equity and accessibility to all, and public notification.
    - Include item on the June 13, 2022 agenda for continued discussion and possible future action items:
      - Inter-agency/department communications on proposed filings.
      - Annual internal survey pertaining to anticipated upcoming proposed rules.
- Next scheduled meeting is Monday, June 13, 2022 at 2:00 p.m.
- 3:40 p.m. meeting adjourned.

Proposed Rule: Transitional Housing Program Rules, Agency of Human Services, Department for Children and Families

Presented By: Heidi Moreau and Nicole Toursignant

Motion made to accept the rule by Diane Bothfeld, seconded by Jen Mojo, and passed unanimously except for Brendan Atwood who abstained, with the following recommendations:

1. Proposed Filing Coversheet, #14-15: Update date. Include virtual option as well as access for the homeless population most impacted to participate.
2. Adopting Page: Seek guidance from the Office of the Secretary of State if the emergency rule should be referenced.
3. Public Input Maximization Plan: Update emergency rule language. Include public engagement from the homeless population.
4. Proposed Rule, page 7, TH-110 Security Deposit: Clarify who does what and when, such as how long the rental is and when individuals can expect the security deposit return.
5. Proposed Rule, page 10, TH-120 Recoupment, #2: Replace 'and' with 'or'.

Proposed Rule: Vermont Water Quality Standards, Agency of Natural Resources
Presented By: Hannah Smith, Pete LaFlamme, and Bethany Sargent

Motion made to accept the rule by Brendan Atwood, seconded by Diane Bothfeld, and passed unanimously except for Jen Mojo who abstained, with the following recommendations:

1. Proposed Filing Coversheet, #8: Correct numbering sequence.
2. Economic Impact Analysis, #9: Describe how the analysis was conducted, identifying relevant internal and or external sources of information to describe what was examined.
3. Environmental Impact Analysis, #9: Describe how the analysis was conducted, identifying relevant internal and or external sources of information to describe what was examined, including the environmental data set or framework.
4. Public Input Maximization Plan: Include reach out to the Agencies of Transportation and Agriculture, Food and Markets.
5. Proposed Rule, Footnotes, Page 64 of Clean Text: Committee accepted presenter's request to strike the 'o' footnote. Update link in footnote 'r'.