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*Kristin L. Clouser, Secretary*

## **INTERAGENCY COMMITTEE ON ADMINISTRATIVE RULES (ICAR) AGENDA** **Monday, October 10, 2022, 2:00 p.m.**

To attend virtually via Microsoft Teams, please [click here to join the meeting](#) for full meeting audio and visual. If you require a call-in option to participate (e.g., computer does not have a microphone), dial 802-828-7667 and enter Phone Conference ID: 114 423 325#.

Physical meeting location suspended until January 15, 2023 due to [Open Meeting Law temporary provisions](#).

- Welcome
- Review and approval of the minutes from the [September 12, 2022](#) meeting
- Note any additions or deletions from the agenda
- Public comment
- The following emergency rules were supported by ICAR Chair Farnham:
  - Transitional Housing Program Emergency Rules, Agency of Human Services, Department for Children and Families, on 09/22/22
    - The purpose of the Transitional Housing Program is to offer more stability to households experiencing homelessness. The Transitional Housing Program provides financial assistance to eligible households for up to 18 months in the form of direct monthly payments to motel and hotel owners who have executed an Occupancy Agreement with an eligible household. This emergency rule is substantially similar to the emergency rule adopted March 31, 2022, with the following additions: (1) language addressing the use of state funding; (2) deadline of October 1, 2022 for new applications; and (3) limit of \$5,250 on monthly financial assistance and \$3,300 on security deposits (the limit on security deposits was implemented via procedures when the Department adopted the first emergency rule).
  - The Board of Medical Practice Emergency Rule, Agency of Human Services, Department of Health, on 09/30/22
    - COVID-19 disrupted access to nationwide testing required to become a Vermont MD. D Delayed access caused some applicants to exceed a time limitation in the rule. The proposed rule extends the time limit for applicants affected by the disruption.
  - PUC Emergency Rule 2.500 COVID-19 Emergency Procedures, Public Utility Commission, on 09/30/22
    - This emergency rule amends various filing and procedural requirements and provides alternative procedures to reduce or eliminate in-person contact between members of the public and Commission staff or other members of the public to reduce the risk of exposure to the COVID-19 virus. This serves as a fifth extension of the emergency rule filed in April 2020. A number of measures included in this revised emergency rule have proven beneficial to those who appear before and interact with the Commission. The Commission is



undertaking a process of adopting policies and promulgating permanent rules, where appropriate, so that the remaining measures in this revised emergency rule could either be phased out or incorporated into permanent rules. This emergency rule modifies three permanent Commission rules. All three of those rules are in various stages of rulemaking. The provisions in this revised emergency rule will be superseded when permanent rules regarding those measures take effect.

- Presentation of the following proposed rules:
  - Licensing Regulations for Foster Homes in Vermont, Agency of Human Services, Department for Children and Family Services
    - This rule adds language prohibiting a foster parent from discriminating against a foster child based on race, religion, color, national origin, sex, sexual orientation, gender identity, age, disability, or political beliefs. The rule also adds language requiring foster parents to support children in wearing hairstyles, clothing, and accessories affirming of the child's racial, cultural, tribal, religious, or gender identity. The rule prohibits DCF from granting variances to the nondiscrimination provisions of the rules. The rule corrects typographical and grammatical errors that are present in the current rule.
  - Telehealth, Agency of Human Services
    - This rule sets forth the criteria for Medicaid coverage and reimbursement for covered services delivered via Telehealth under Vermont's Medicaid program. It amends current Medicaid Health Care Administrative Rule 3.101 Telehealth.
  - Prosthetic and Orthotic Devices, Agency of Human Services
    - This rule sets forth the criteria for Medicaid coverage of and reimbursement for prosthetic and orthotic devices under Vermont's Medicaid program. It is part of the sequential adoption of Health Care Administrative Rules designed to improve public accessibility and comprehension of the numerous rules concerning the operation of Vermont's Medicaid program.
  - Podiatry Services, Agency of Human Services
    - This rule sets forth the criteria for Medicaid coverage and reimbursement for podiatry services under Vermont's Medicaid program. It revises and will replace current Medicaid covered services rule 7308 Podiatry Services as part of the sequential adoption of Health Care Administrative Rules designed to improve public accessibility and comprehension of the numerous rules concerning the operation of Vermont's Medicaid program.
  - Transplantation Services, Agency of Human Services
    - This rule sets forth the criteria for Medicaid coverage of transplantation services under Vermont's Medicaid program. It revises and will replace current Medicaid covered services rule 7305 Covered Organ and Tissue Transplants as part of the sequential adoption of Health Care Administrative Rules designed to improve public accessibility and comprehension of the numerous rules concerning the operation of Vermont's Medicaid program.
  - Vermont Commercial Building Energy Standards, Department of Public Service
    - The provisions of these standards regulate the design of building envelopes for adequate thermal resistance and low air leakage and the design and selection of mechanical, ventilation, electrical, service water heating and illumination systems and equipment which will enable effective use of energy in commercial building construction.

- Vermont Residential Building Energy Standards Amendments, Department of Public Service
  - The provisions of these standards regulate the design of building envelopes for adequate thermal resistance and low air leakage and the design and selection of mechanical, ventilation, electrical, service water heating and illumination systems and equipment which will enable effective use of energy in residential building construction.
- Other business
- Next meeting date: Monday, November 14, 2022 at 2:00 p.m.
- Adjournment

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