



State of Vermont
Agency of Administration
Office of the Secretary
Pavilion Office Building
109 State Street
Montpelier, VT 05609-0201
www.aoa.vermont.gov

[phone] 802-828-3322
[fax] 802-828-3320

Susanne R. Young, Secretary

INTERAGENCY COMMITTEE ON ADMINISTRATIVE RULES (ICAR)
AGENDA

Monday, September 10, 2018, 2:00 p.m.
Pavilion 5th Floor Conference Room

- Welcome and introductions
- Review and approval of the minutes from the August 13, 2018 meeting
- Note any additions or deletions from the agenda
- Public comment
- Presentation of the following proposed rules:
 1. Amendments to Subchapter XI, Low Emission Vehicle Program, Vermont Air Pollution Control Regulations, Agency of Natural Resources
 - a. The Agency is proposing an amendment to its low emission vehicle (LEV) rules, which incorporate by reference California's motor vehicle emission standard regulations. Vermont first adopted California's vehicle emission standards in 1996, and the Agency periodically amends its LEV rules to remain consistent with California's emission standards. California is amending its rules to clarify that vehicle manufacturers may not substitute compliance with federal greenhouse gas (GHG) emissions standards in order to comply with California GHG emissions standards. These amendments will incorporate this change into the Vermont LEV rules.
 2. Rule Governing the Prescribing of Opioids for Pain, Agency of Human Services
 - a. This rulemaking amends the existing Rule Governing the Prescribing of Opioids for Pain and provides legal requirements for the appropriate prescribing of opioids for patients in end-of-life care. This provision has been in existence since July 1, 2017 under an emergency rulemaking. There are also additions to the definitions section that clarify intent but do not change the meaning of the rule. Similarly, clarification was added to Section 7 regarding the prescribing of naloxone in high-risk circumstances.



3. Regulations for the Designation and Operation of Home Health Agencies, Agency of Human Services, Department of Disabilities, Aging & Independent Living
 - a. This proposed rule amends the Regulations for the Designation and Operation of Home Health Agencies, which were last amended July 1, 2007. Given the extensive modifications to the existing Rule, AHS and DAIL are proposing a strike-all. The proposed rule seeks to address both technical and substantive issues. Examples of the former include re-organizing existing content and editing for enhanced clarity. Substantive changes include adding and deleting definitions; modifying definitions to replicate federal definitions where appropriate; modifying terminology; to avoid redundancy, deleting provisions that are required by the Federal Conditions of Participation (CoPs), with which all agencies must comply; and amending and clarifying the appeals provisions.
 4. Wastewater and Potable Water Supply Rules, Agency of Natural Resources
 - a. The Wastewater System and Potable Water Supply Rules were last updated in 2007. This rule amendment incorporates legislative directives adopted subsequent to the last rule update, including but not limited to requirements that permit applicants notify other landowners of pending applications, that groundwater potable water sources be tested for water quality prior to use, and that surface water can be used as a source for potable water supplies serving single-family residences. The amendment also consolidates the standards for potable water supplies into one rule; establishes new water quality sampling requirements; expands the options for the design of wastewater systems to include technologies and practices that have been proven effective in the field; and creates additional permitting exemptions to reduce administrative burdens on the public. The amendment also comprehensively reorganizes and revises the rule to increase clarity and promote understanding.
- Next meeting date: Monday, October 8, 2018 at 2:00 p.m.
 - Adjournment