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*Susanne R. Young, Secretary*

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

### **AGENDA**

**Monday, January 14, 2019, 2:00 p.m.**  
**Pavilion 5<sup>th</sup> Floor Conference Room**

- Welcome
- Review and approval of the minutes from the December 10, 2018 meeting
- Note any additions or deletions from the agenda
- Public comment
- Note: The following Emergency Rules were granted by Deputy Secretary of Administration/Chair Ferland:
  - Rule granted on 1/2/19: Emergency Rule for Self-Insured Multiple Employer Welfare Arrangements and Associated Health Plans (I-2018-02-E), Department of Financial Regulation
  - Rule granted on 1/14/19: Emergency Rule for Groundwater Protection Rule and Strategy by the Agency of Natural Resources
  - Rule granted on 1/14/19: Emergency Rule for Investigation and Remediation of Contaminated Properties Rule by the Agency of Natural Resources
- Presentation of the following proposed rules:
  1. Health Benefits Eligibility and Enrollment Rule, State Fair Hearings and Expedited Eligibility Appeals (Part 8), Agency of Human Services
    - a. This proposed rulemaking amends Part 8 of the 8-part Health Benefits Eligibility and Enrollment (HBEE) rule which was last amended effective January 1, 2018. Parts 1-5 and 7 of HBEE were filed as separate rulemakings and are expected to be adopted as final rules that will be effective January 15, 2019.
  2. Rule 5.300 Energy Efficiency Charge, Vermont Public Utility Commission
    - a. The EEC supports the energy efficiency work of Vermont's energy efficiency utilities ("EEUs") - Efficiency Vermont; Burlington Electric Department; and Vermont Gas Systems, Inc. The Rule establishes the methodologies for calculating the EEC rates to meet the EEU budgets. (EEU budgets are determined through a separate Commission process.) The EEC rates are applied to the amount of electricity and natural gas a customer consumes to determine the individual EEC amounts for that customer.
  3. 9-1-1 Requirements for Enterprise Communications Systems, Vermont Enhanced 9-1-1 Board



- a. The public expects that a 9-1-1 call made from any device anywhere in the state will be routed to the appropriate Public Safety Answering Point (PSAP) with accurate location information so that a dispatchable location can be provided to emergency responders. The purpose of this rule is to define the 9-1-1 requirements for all Enterprise Communications Systems (ECS), also referred to as privately owned telephone systems or multi-line telephone systems, that provide access to the Public Switched Telephone Network (PSTN) for end users within the State of Vermont.
4. Manufacturer Fee Rule, Vermont Department of Health
    - a. This rulemaking changes the Department that collects the fee from each pharmaceutical manufacturer or labeler of prescription drugs from the Department of Vermont Health Access to the Department of Health. The underlying Rule provides the basis for collecting a fee.
  5. Rule 1-2018-03, Short-Term, Limited Duration Health Insurance, Department of Financial Regulation
    - a. On August 3, 2018, the U.S. Departments of Labor, Health and Human Services, and Treasury released a final rule allowing health insurers to lengthen the maximum duration and number of permissible renewals of short-term, limited-duration health insurance plans (STLDI). The final rule allows the states significant flexibility in regulating STLDI. In accordance with the requirements of 8 V.S.A. § 4084a, this rule sets forth rules and procedures governing the filing, sale, marketing, and issuance of STLDI in Vermont. This rule protects Vermont consumers by ensuring that STLDI provides robust benefits and clear disclosure of its limitations compared to ACA-compliant health care policies and other types of minimum essential coverage. It promotes the stability of Vermont's health insurance markets, including Vermont Health Connect (VHC), by ensuring that STLDI is sold only to bridge temporary gaps in coverage and not as comprehensive health care coverage.

- Next meeting date: Monday, February 11, 2019 at 2:00 p.m.
- Adjournment