



## INTERAGENCY COMMITTEE ON ADMINISTRATIVE RULES (ICAR) MINUTES

**Meeting Date/Location:** January 14, 2019, Pavilion Building, 5<sup>th</sup> floor conference room, 109 State Street, Montpelier, VT 05609

**Members Present:** Chair Brad Ferland, Dirk Anderson, Ashley Berliner, Diane Bothfeld, Jennifer Mojo, John Kessler, Matt Langham, Steve Knudson and Clare O'Shaughnessy

**Members Absent:** None

**Minutes By:** Melissa Mazza-Paquette

- 2:00 p.m. meeting called to order, welcome and introductions.
- Review and approval of minutes from the December 10, 2018 meeting.
- No additions/deletions to agenda. Agenda approved as drafted.
- No public comments made.
- 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 Proposed Rules on pages 2-6 to follow.
  1. Health Benefits Eligibility and Enrollment Rule, State Fair Hearings and Expedited Eligibility Appeals (Part 8), Agency of Human Services, page 2
  2. Rule 5.300 Energy Efficiency Charge, Vermont Public Utility Commission, page 3
  3. 9-1-1 Requirements for Enterprise Communications Systems, Vermont Enhanced 9-1-1 Board, page 4
  4. Manufacturer Fee Rule, Vermont Department of Health, page 5
  5. Rule 1-2018-03, Short-Term, Limited Duration Health Insurance, Department of Financial Regulation, page 6
- Next scheduled meeting is February 11, 2019 at 2:00 p.m.
- 3:30 p.m. meeting adjourned.

**Proposed Rule:** Health Benefits Eligibility and Enrollment Rule, State Fair Hearings and Expedited Eligibility Appeals (Part 8), Agency of Human Services

**Presented by:** Addie Strumolo

Motion made to accept the rule by Steve Knudson, seconded by Diane Bothfeld, and passed unanimously except for Ashley Berliner who abstained, with the following recommendations:

1. Proposed Rule Filing, page 4, #12: Quantify the financial impact.
2. Economic Impact Analysis, page 2, #3: Include information, such as the number affected, delays and costs to constituents.
3. Public Input Strategy, page 1, #4: Enter date.

**Proposed Rule:** Rule 5.300 Energy Efficiency Charge, Vermont Public Utility Commission  
**Presented by:** Elizabeth Schilling, Tom Knauer, and Mike Tousley

Motion made to accept the rule by Dirk Anderson, seconded by Ashley Berliner, and passed unanimously, with the following recommendations:

1. Proposed Rule Coversheet, page 4, #12 and Economic Impact Analysis, page 2, #3: Add a range of how many net metering customers will be affected if determined. Add estimated cost per a \$100 monthly invoice.
2. Proposed Rule Coversheet, page 5, #14: Recommend holding more than one hearing.
3. Economic Impact Analysis, page 3, #5: Include the number of schools available if known. Summarize the main rationale discussed in the addendum if appropriate.
4. Public Input, page 1, #3: Complete.

**Proposed Rule:** 9-1-1 Requirements for Enterprise Communications Systems, Vermont Enhanced 9-1-1 Board

**Presented by:** Barb Neal

Motion made to accept the rule by John Kessler, seconded by Jen Mojo, and passed unanimously with the following recommendations:

1. Proposed Rule Coversheet, page 3, #7: Add the word 'as' in the second sentence between 'rules' and 'are'. Define ANI prior to using the acronym and include the acronym in parenthesis (ANI).
2. Proposed Rule Coversheet, page 4, #12: Include '(ECS)' after 'Enterprise Communications System'. Add a comma after 'requirements' and insert 'and' after comma before 'are' in the first sentence. Clarify the third sentence and offer a range or type of cost if known.
3. Proposed Rule Coversheet, page 5, #16: Add 'Enhanced 9-1-1 Compliance Grant'.
4. Economic Impact Analysis, page 3, #5: Remove the word 'schools' from the second to last sentence as the process applies to others as well.
5. Environmental Impact Analysis, page 1, #6: Reword sentence to make clearer.
6. Public Input, page 1, #3 and #4: Include strategy.

**Proposed Rule:** Manufacturer Fee Rule, Vermont Department of Health

**Presented by:** Shayla Livingston

Motion made to accept the rule by Diane Bothfeld, seconded by Matt Langham, and passed unanimously except for Ashley Berliner who abstained, with the following recommendations:

1. Proposed Rule Coversheet, pages 3 and 4, #14: Include Street Address and Zip Code.
2. Proposed Rule Coversheet, page 4, #16: Include 'Pharmaceutical Fees' and 'Pharmaceutical Manufacturer'.

**Proposed Rule:** Rule 1-2018-03, Short-Term, Limited Duration Health Insurance, Department of Financial Regulation

**Presented by:** Emily Brown and Phil Keller

Motion made to accept the rule by John Kessler, seconded by Ashely Berliner, and passed unanimously except for Steve Knudson who abstained, with the following recommendations:

1. Proposed Rule Coversheet, page 5, #14: Spell out 'DFR'.
2. Proposed Rule Coversheet, page 5, #16: Include 'STLDI' and 'VHC'.
3. Economic Impact Analysis, page 2, #8: Consider including some distinction or comparison to COBRA.