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*Susanne R. Young, Secretary*

**INTERAGENCY COMMITTEE ON ADMINISTRATIVE RULES (ICAR) AGENDA**  
**Monday, October 11, 2021, 2:00 p.m.**

**Virtual Option: Via Microsoft Teams**

**Physical Location: Pavilion Building, 109 State Street, 5<sup>th</sup> Floor, Montpelier, VT 05609**

**To join in-person or for virtual public comment, please email [ADM.Secretary@vermont.gov](mailto:ADM.Secretary@vermont.gov) or call (802) 828-3322 to request information.**

- Welcome
- Review and approval of the minutes from the [September 8, 2021](#) meeting
- Note any additions or deletions from the agenda
- Approval of draft changes to updated pre-filing ICAR forms discussed at the [9/7/21](#) and [9/8/21](#) meetings
- Note: The following emergency rules were supported by ICAR Chair Clouser:
  - 1) ‘Rule on Rulemaking’ by the Office of the Secretary of State’ on September 23, 2021
    - a) This emergency filing will allow the continuation of electronic submission of APA filings by email with a "conformed signature" until the permanent rule can be adopted and implemented. The benefits of electronic submission and continued reduction of in-person contact continue to be desirable as the COVID-19 pandemic persists. This amendment will also remove a requirement to notify ICAR and LCAR 30 days before the SOS makes changes to the filing forms and make some minor formatting and housekeeping changes which will also be present in the permanent rule.
  - 2) ‘PUC Emergency Rule 2.500 COVID-19 Emergency Procedures’ by the Public Utility Commission on October 7, 2021
    - a) 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 third extension of the emergency rule filed in April 2020. Because the office will reopen and we will resume typical mail processing while this rule is in place, we have made a change to Rule 2.503 to permit electronic or paper filing rather than requiring electronic only.
  - 3) ‘Child Care Licensing Regulations: Center Based Child Care and Preschool Programs’ by the Agency of Human Services, Department for Children and Families on October 7, 2021
    - a) Rule 2.7 (Rule Variance) is amended to exempt rules 3.5 (Nondiscriminatory Enrollment), 4.7 (Communicating CBCCPP Policies and Procedures), 6.1.4.3 (Respect for Diversity), and 6.2.5.1 (Quality of Interactions).



- 4) 'Licensing Regulations for Afterschool Child Care Programs' by the Agency of Human Services, Department for Children and Families on October 7, 2021
    - a) Rule 3.15 is amended to include non-discriminatory enrollment language found in both the Center Based Child Care and Preschool Program (CBCCPP) licensing regulations and Registered and Licensed Family Child Care Homes (FCCH) licensing regulations. Rule 4.7 is amended to include the non-discrimination assurance language found in both the CBCCPP and FCCH licensing regulations. Rule 8.6 is amended to include the respect for diversity language found in both the CBCCPP and FCCH licensing regulations. Rule 18.66 (Rule Variance) is amended to exempt rules 3.15, 4.7, and 8.6.
  - 5) 'Licensing Regulations for Registered and Licensed Family Child Care Homes' by the Agency of Human Services, Department for Children and Families on October 8, 2021
    - a) Rule 2.7 (Rule Variance) is amended to exempt rules 3.4 (Nondiscriminatory Enrollment), 4.7 (Communicating CBCCPP Policies and Procedures), 6.1.4.3 (Respect for Diversity), and 6.2.3 (Quality of Interactions).
- Public comment
  - Presentation of the following proposed rule:
    - 1) Recognized Accrediting Agencies and Relationship with Other Entities, State Board of Education
      - a) First, the State Board proposes to repeal Rule 7320 effective July 1, 2024 to move towards the Board's goal of either (i) identifying relevant accrediting agencies within the Rule 2200 Series itself, rather than by a cross-reference in Rule 2223 to Rule 7320, or (ii) amending the 2200 Series to include substantive requirements and a process by which the Board would recognize accrediting agencies. Second, the Board proposes to repeal all other rules within the Rule 7000 Series effective 15 days after the amendment's adoption per 3 V.S.A. § 845 in order to eliminate rules that provide no independent information, but instead cite other statutes and rules.
    - 2) Rules of the Board of Medical Practice, Department of Health
      - a) The proposed rule does the following:
        - i) Updates the qualifications for physician licensure;
        - ii) Revises provisions regarding the circumstances under which a Board licensee's employer must report unprofessional conduct to the Board;
        - iii) Modifies the Board's powers and duties, and the Board's complaint, investigation, and hearing processes and creates a non-disciplinary financial penalty of up to \$250 for violations of statutes and Board rules of an administrative nature;
        - iv) Amends the requirements for Physician Assistants;
        - v) Allows for reciprocity of licensure from any other state when in good standing; and
        - vi) Allows the Board to conduct hearings remotely when needed.
  - Next meeting date: Monday, November 8, 2021 at 2:00 p.m.
  - Adjournment

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