



State of Vermont
Agency of Administration
109 State Street
Montpelier, VT 05609-0201
www.aoa.vermont.gov

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

Office of the Secretary

INTERAGENCY COMMITTEE ON ADMINISTRATIVE RULES (ICAR) MINUTES

Meeting Date/Location: February 10, 2020, Pavilion Building, 5th floor conference room, 109 State Street, Montpelier, VT 05609

Members Present: Chair Brad Ferland, Dirk Anderson, Diane Bothfeld, Jennifer Mojo, John Kessler, Matt Langham, Steve Knudson, Shayla Livingston, and Clare O'Shaughnessy via phone

Members Absent: Ashley Berliner

Minutes By: Melissa Mazza-Paquette

- 2:00 p.m. meeting called to order, welcome and introductions.
- Review and approval of minutes from the January 13, 2020 meeting.
- No additions/deletions to agenda. Agenda approved as drafted.
- No public comments made.
- Presentation of Proposed Rules on pages 2-6 to follow.
 1. Vermont Dam Safety Rule, Agency of Natural Resources, page 2
 2. Health Benefits Eligibility and Enrollment Rule, General Provisions and Definitions (Part 1), Agency of Human Services, page 3
 3. Health Benefits Eligibility and Enrollment Rule, Financial Methodologies (Part 5), Agency of Human Services, page 4
 4. Health Benefits Eligibility and Enrollment Rule, Eligibility and Enrollment Procedures (Part 7), Agency of Human Services, page 5
 5. Health Benefits Eligibility and Enrollment Rule, State Fair Hearings and Expedited Eligibility Appeals (Part 8), Agency of Human Services, page 6
- Next scheduled meeting is March 9, 2020 at 2:00 p.m.
- 3:03 p.m. meeting adjourned.

**Proposed Rule: Vermont Dam Safety Rule, Agency of Natural Resources
Presented by Ben Green and Hannah Smith**

Motion made to accept the rule by Diane Bothfeld, seconded by John Kessler, and passed unanimously except for Jen Mojo who abstained, with the following recommendations:

1. Overall: Provide clarity to costs involved to Dam owners including fees when the Department of Environmental Conservation cannot perform an inspection, categorizing costs to the State, and costs relative to a new hire versus hiring independent inspectors.
2. Proposed Rule Coversheet, page 4, #9: Change ‘and’ to ‘as’ in the second line.
3. Proposed Rule Coversheet, page 5, #12: Define periodic and comprehensive inspections, including the process, costs, approximate number of dams per category, and timeframe.
4. Economic Impact Analysis, pages 1-3, #3: Correct spelling of ‘existi’. Remove ‘Landowners downstream of dams’ as it’s redundant. Correct spelling of ‘bu’. Clarify which standards are being established in the second to last sentence.
5. Economic Impact Analysis, page 3, #4-5: Reconcile the two answers for consistency.
6. Economic Impact Analysis, page 3, #6: Add language to the end such as “to any greater extent on other businesses.”
7. Environmental Impact Analysis, page 2, #9: Provide an explanation. Perhaps change the sentence to “This analysis is based on the best available information from....”.
8. Public Input, page 2, #5: Use lower case ‘o’ in ‘Conservancy’ and ‘Contractors’.
9. Text, page 8: Consider removing “***HOLD SPACE FOR PHASE II DEFINITIONS***”
10. Text, page 12, §43-110 1. A. (1): Consider language change as it relates to July 1, 2020.

**Proposed Rule: Health Benefits Eligibility and Enrollment Rule, General Provisions and Definitions
(Part 1), Agency of Human Services
Presented by Addie Strumolo and Robin Chapman**

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

1. Provide a consistent list of acronyms defined in each part of the proposed rules.
2. Adopting Page, page 1, #4: Include title.
3. Public Input, page 1, #3: Update and include steps such public hearing information and website link for copies to interested parties.

**Proposed Rule: Health Benefits Eligibility and Enrollment Rule, Financial Methodologies (Part 5),
Agency of Human Services
Presented by Addie Strumolo and Robin Chapman**

Motion made to accept the rule by John Kessler, seconded by Jen Mojo, and passed unanimously except for Shayla Livingston who abstained, with the following recommendations:

1. Provide a consistent list of acronyms defined in each part of the proposed rules.
2. Adopting Page, page 1, #4: Include title.
3. Public Input, page 1, #3: Update and include steps such public hearing information and website link for copies to interested parties.

Proposed Rule: Health Benefits Eligibility and Enrollment Rule, Eligibility and Enrollment Procedures (Part 7), Agency of Human Services
Presented by Addie Strumolo and Robin Chapman

Motion made to accept the rule by Dirk Anderson, seconded by Diane Bothfeld, and passed unanimously except for Shayla Livingston who abstained, with the following recommendations:

1. Provide a consistent list of acronyms defined in each part of the proposed rules.
2. Adopting Page, page 1, #4: Include title.
3. Public Input, page 1, #3: Update and include steps such public hearing information and website link for copies to interested parties.

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 and Robin Chapman

Motion made to accept the rule by Matt Langham, seconded by Jen Mojo, and passed unanimously except for Shayla Livingston who abstained, with the following recommendations:

1. Provide a consistent list of acronyms defined in each part of the proposed rules.
2. Adopting Page, page 1, #4: Include title.
3. Public Input, page 1, #3: Update and include steps such public hearing information and website link for copies to interested parties.