



## INTERAGENCY COMMITTEE ON ADMINISTRATIVE RULES (ICAR) MINUTES

**Meeting Date/Location:** April 11, 2022, virtually via Microsoft Teams

**Members Present:** Chair Douglas Farnham, Brendan Atwood, Diane Bothfeld, Jared Adler, Jennifer Mojo, John Kessler, Diane Sherman, Michael Obuchowski and Donna Russo-Savage

**Members Absent:** None

**Minutes By:** Melissa Mazza-Paquette

- 2:02 p.m. meeting called to order, welcome and introductions of new ICAR members: Jared Adler, Department of Labor; and Donna Russo-Savage, Agency of Education
- Review and approval of minutes from the [March 29, 2022](#) meeting
- No additions/deletions to agenda. Agenda approved as drafted.
- The following emergency rules were supported by ICAR Chair Farnham:
  - ‘Transitional Housing Program Emergency Rules’, Agency of Human Services, Department for Children and Families, on 03/31/22
    - The purpose of the Transitional Housing Program is to offer more stability to households experiencing homelessness. The Transitional Housing Program will provide financial assistance to eligible households for up to 18 months in the form of direct monthly payments to motel and hotel owners who have executed an Occupancy Agreement with an eligible household. Eligible households include households experiencing homelessness category one or two as defined by the Department of Housing and Urban Development (HUD) with income at or below 80% of the Area Median Income (AMI) in the town in which the household is seeking housing. Recipients of Transitional Housing Program assistance must participate in Coordinated Entry - the system to refer and connect households to housing assistance – to find long term housing. The Transitional Housing Program will be funded by the federal Emergency Rental Assistance Program (ERAP) and will conform to all federal law and guidance governing ERAP.
  - ‘Access to Health Care Services Related to COVID-19’, Department of Financial Regulation, on 04/01/22
    - The emergency rule requires health insurers to provide continuing coverage of COVID-19 diagnosis, testing (including rapid antigen testing), and treatment without member cost-sharing.

- 'Reportable and Communicable Diseases Emergency Rule', Agency of Human Services, Department of Health, on 04/01/22
  - This rulemaking does the following:
    - 1) Adds COVID-19 and multisystem inflammatory syndrome in children to the list of reportable diseases;
    - 2) Adds SARS-CoV-2 to the list of reportable laboratory findings and requires that all results be reported including positive, negative, and indeterminate.
    - 3) Adds race and ethnicity data as required reporting content;
    - 4) Adds the definition of electronic reporting to clarify approved methods of reporting and establishes a basis to share data between the Department and Vermont Information Technology Leaders (VITL);
    - 5) Adds standardization procedures for administrative specimen collection;
    - 6) Clarifies the timeframe for reporting laboratory findings to the Department;
    - 7) Removes certain animal diseases from the list of reportable diseases;
    - 8) Reorganizes sections for clarity.

Formal rulemaking is already underway, which will include the proposed changes to this emergency rule.

- 'PUC Emergency Rule 2.500 COVID-19 Emergency Procedures', Public Utility Commission, on April 7, 2022
- No public comments made.
- Presentation of Proposed Rules on pages 3-4 to follow.
  1. Rules and Regulations: Visitor Conduct and Fees and Charges for State Park Services and Commercial Activities on Department Lands, Agency of Natural Resources, page 3
  2. Rule 2.000 Rules of Practice, Public Utility Commission, page 4
- Next scheduled meeting is May 9, 2022 at 2:00 p.m.
- 3:20 p.m. meeting adjourned.

**Proposed Rule: Rules and Regulations: Visitor Conduct and Fees and Charges for State Park Services and Commercial Activities on Department Lands, Agency of Natural Resources  
Presented By: Nate Mckeen and Rochelle Skinner**

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

1. Proposed Rule Coversheet, #12: Clarify “are centered” language.
2. Proposed Rule Coversheet, #14: Include information to attend virtually.
3. Proposed Rule Coversheet, #16: Add ‘boat slips’, ‘moorings’ and ‘Stone Hut’.
4. Adopting Page, #4: Complete.
5. Economic Impact Analysis: Include a simple table of comparison data to neighboring states, and how much money it’ll generate both in and out of state. Include a link in the rule filing to the analysis on your website.
6. Public Input Maximization Plan: Clarify the timing of distribution of information through the channels listed and public hearing.
7. Annotated Text, page 9, #2(b): Include language of what will happen if it's not paid in one lump sum (i.e., it's subject to regular fees).
8. Not mentioned during the meeting but subsequently communicated to presenters:
  - a. Economic Impact, #8: If appropriate, change ‘state’s’(singular) in the last sentence on page two pertaining to “neighboring state’s park fees” to states’ (multiple).
  - b. Economic Impact, #8: Clarify the following sentence where italicized: “The alternative to increasing state park camping prices is *to rely on more General Fund* for the additional \$1.5 million per year to support the operation and maintenance of Vermont's 55 state parks.” Perhaps to read something like “rely more on the General Fund for the additional \$1.5M” or “rely on more General Fund monies for the additional \$1.5M”.
  - c. Public Input Maximization Plan, #3: The parenthetical “825,000 unique users” is missing the closing parenthetical.
  - d. Check for consistency throughout the filing, such as the following examples:
    - i. Sometimes when an answer is a single sentence it ends in a period and sometimes it doesn’t.
    - ii. The Economic Impact form refers both to the ‘General Fund’ in #8 and the ‘general fund’ in #9.

**Proposed Rule: Rule 2.000 Rules of Practice, Public Utility Commission**  
**Presented By: John Cotter**

Motion made to accept the rule by Brendan Atwood, seconded by Diane Bothfeld, and passed unanimously except for Mike Obuchowski who left the meeting early therefore did not vote, with the following recommendations:

1. Proposed Rule Coversheet, #16: Change 'Commission' to spell out 'Public Utility Commission'.
2. Proposed Rule Coversheet #8: In (3) and (4) provide a succinct summary of how the rules are changing to facilitate participation and include what the procedural changes around COVID-19 were focused on.
3. Include ways that the rule was changed to increase the likelihood of public participation in the hearings themselves.
4. Proposed Rule, page 24, #2.216: Consider clarifying language to include virtual participation.
5. If appropriate, clarify that the rule follows the Supreme Court and how that impacts your proceedings and how you're interpreting that.
6. If appropriate, clarify that if a change is implemented by an order, is that change then integrated into the text, so others don't have to look at the text and then look at a series of orders as well.
7. Proposed Rule, #2.104: If appropriate, switch language order of 'Commission order' and 'Commission rule'.