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Susanne R. Young, Secretary

INTERAGENCY COMMITTEE ON ADMINISTRATIVE RULES (ICAR)
AGENDA

Monday, May 13, 2019, 2:00 p.m.
Pavilion Auditorium, 109 State Street, Montpelier

- Welcome
- Review and approval of the minutes from the April 8, 2019 meeting
- Note any additions or deletions from the agenda
- Public comment
- Presentation of the following proposed rules:
 1. Vermont Hemp Rules, Agency of Agriculture, Food and Markets
 - a. This rule establishes: registration requirements for cultivators and processors of hemp and hemp infused products; requirements for testing for contaminants and potency including establishing the ratio of cannabidiol to tetrahydrocannabinol for a crop to qualify as hemp, and using genetic testing to make a taxonomic determination that a crop is considered hemp; requirements of record keeping, and labeling of products for consumer protection and quality control; that the Agency will collect information from registrants for research purposes and that the information is protected under 6 V.S.A. Section 61; and a Vermont brand and grades.
 2. Refugee Medical Assistance, Agency of Human Services
 - a. This proposed rulemaking amends the Refugee Medical Assistance rule which was last amended effective October 1, 2008. This proposed rule establishes criteria for eligibility and coverage under the Refugee Medical Assistance program.
 3. Vermont Residential Building Energy Standards (RBES), Public Service Department
 - a. The provisions of these standards regulate the design of building envelopes for adequate thermal resistance and low air leakage and the design and selection of mechanical, ventilation, electrical, service water heating and illumination systems and equipment which will enable effective use of energy in residential building construction. It is intended that these provisions provide flexibility to permit the use of innovative approaches and techniques to achieve effective utilization of energy.



4. Vermont Commercial Building Energy Standards (CBES), Department of Public Service
 - a. The provisions of these standards regulate the design of building envelopes for adequate thermal resistance and low air leakage and the design and selection of mechanical, ventilation, electrical, service water-heating and illumination systems and equipment which will enable effective use of energy in commercial building construction. It is intended that these provisions provide flexibility to permit the use of innovative approaches and techniques to achieve effective utilization of energy.
5. 2019 Vermont Materials Management Plan: Reducing Solid Waste and Increasing Recycling and Composting, Agency of Natural Resources
 - a. The intended impact of the 2019 Materials Management Plan (MMP or plan) is to reduce Vermont's waste generation and improve the state's recycling and composting rates. It also strives to provide convenient options for safe disposal of household hazardous waste, rather than being landfilled. This 2019 MMP amends the previous Plan, which was adopted in 2014, and changes the structure and layout of the previous Plan to make it more concise. Sections include: Introduction, Statutory Authority, Vermont's Waste, Plan Priorities, Market and Facilities Assessment, Solid Waste Implementation Plan Requirements and Approval Process, and Performance Standards for both the Agency and municipal solid waste management entities (SWMEs) for the five-year Plan period.
6. Prescribed Drugs, Agency of Human Services
 - a. This proposed rulemaking amends the Department of Vermont Health Access (DVHA) Rule 7502 titled "Prescribed Drugs" which establishes prescribed drug coverage for the Medicaid program. At the same time, the Agency of Human Services (AHS) is filing a proposed rule repeal of DVHA Rule 7501 titled "Pharmaceuticals, Medical Supplies and Equipment - General Information" with necessary content from this rule incorporated into the amended Prescribed Drugs rule. The Prescribed Drugs rule will be part of the sequential adoption of Health Care Administrative Rules (HCAR 4.207) designed to improve public accessibility and comprehension of the numerous rules concerning the operation of Vermont's Medicaid program. In addition, refill limits are being changed from 5 to 11 refills per prescription.
7. Pharmaceuticals, Medical Supplies and Equipment - General Information, Agency of Human Services
 - a. This proposed rulemaking repeals the Department of Vermont Health Access (DVHA) Rule 7501 titled "Pharmaceuticals, Medical Supplies and Equipment - General Information." At the same time, the Agency of Human Services (AHS) is filing a proposed rule amendment to DVHA Rule 7502 titled "Prescribed Drugs" which establishes prescribed drug coverage for the Medicaid program and includes necessary content from Rule 7501. The Prescribed Drugs rule will be part of the sequential adoption of Health Care Administrative Rules (HCAR 4.207) designed to improve public accessibility and comprehension of the numerous rules concerning the operation of Vermont's Medicaid program.

8. Gender Affirmation Surgery for the Treatment of Gender Dysphoria, Agency of Human Services
 - a. The proposed rule sets forth the criteria for coverage of gender affirmation surgery for the treatment of gender dysphoria under Vermont's Medicaid program. It is a new rule and is included as part of the sequential adoption of Health Care Administrative Rules designed to improve public accessibility and comprehension of the numerous rules concerning the operation of Vermont's Medicaid program.
9. VPharm Prescribed Drugs, Agency of Human Services
 - a. This proposed rulemaking amends VPharm Rule 5447 titled "Prescribed Drugs" which establishes prescribed drug coverage for the VPharm program. This VPharm Prescribed Drugs rule amendment aligns with federal and state guidance and law, improves clarity, and makes technical corrections. In addition, refill limits are being changed from 5 to 11 refills per prescription.
10. Vermont Wetland Rules, Agency of Natural Resources
 - a. This rule amendment proposes to classify the Beaver Meadows Wetland Complex, in Ripton Vermont, as a Class I wetland. The proposed Class I change appears in Appendix A of the Rule.

- Next meeting date: Monday, June 10, 2019 at 2:00 p.m.
- Adjournment