



State of Vermont

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INTERAGENCY COMMITTEE ON ADMINISTRATIVE RULES (ICAR)

AGENDA

Monday, August 13, 2018, 2:00 p.m.

Pavilion 5th Floor Conference Room

- Welcome
- Review and approval of the minutes from the July 9, 2018 meeting
- Note: The following Emergency Rules were granted by Deputy Secretary of Administration/Chair Ferland:
 - Rule Governing the Prescribing of Opioids for Pain by the Agency of Human Services, granted on July 11, 2018
 - Groundwater Protection Rule and Strategy by the Agency of Natural Resources, granted on July 12, 2018
 - Investigation and Remediation of Contaminated Properties Rule by the Agency of Natural Resources, granted on July 12, 2018
 - Fully-Insured Multiple Employer Welfare Arrangements and Association Health Plans (1-2018-01), granted on August 2, 2018
- Note any additions or deletions from the agenda
- Public comment
- Presentation of the following proposed rules:
 - Health Eligibility & Enrollment (Parts 1-5, 7), Agency of Human Services
 - Health Benefits Eligibility and Enrollment Rule, General Provisions and Definitions (Part 1)
 - Health Benefits Eligibility and Enrollment Rule, Eligibility Standards (Part 2)
 - Health Benefits Eligibility and Enrollment Rule, Nonfinancial Eligibility Requirements (Part 3)
 - Health Benefits Eligibility and Enrollment Rule, Special Rules for Medicaid Coverage of Long-Term Care Services and Supports – Eligibility and Post-Eligibility (Part 4)
 - Health Benefits Eligibility and Enrollment Rule, Financial Methodologies (Part 5)
 - Health Benefits Eligibility and Enrollment Rule, Eligibility and Enrollment Procedures (Part 7)
 - These proposed rulemakings amend the Health Benefits Eligibility and Enrollment (HBEE) rules which were last amended effective January 1, 2018. The parts of HBEE that are being amended at this time are as follows: General Provisions and Definitions (Part 1), Eligibility Standards (Part 2),



Nonfinancial Eligibility Requirements (Part 3), Special Rules for Medicaid Coverage of Long-Term Care Services and Supports - Eligibility and Post-Eligibility (Part 4), Financial Methodologies (Part 5), and Eligibility and Enrollment Procedures (Part 7). There are no substantive changes to Part 4 which is undergoing rulemaking solely. due to a change in the format of the rule. Parts 6 and 8 are not being amended and are not included in this rulemaking.

- Stormwater Management Rule, Agency of Natural Resources
 - This Rule is being repealed because it is being replaced by the Ch. 22 Stormwater Permitting Rule, which is a comprehensive rule for regulating all stormwater discharges.
- Fully-Insured Multiple Employer Welfare Arrangements and Associated Health Plans, Department of Financial Regulation
 - In June 2018, the U.S. Department of Labor (DOL) released its final rule relating to the creation of Association Health Plans (AHPs). The rule allows small businesses to band together by geography or industry to provide health care coverage to their members as if they were a single large employer. The DOL's final rule allows states significant flexibility in regulating AHPs. To promote the stability of Vermont's health insurance markets and to ensure that Vermonters who join AHPs receive affordable coverage and the benefits to which they are entitled under state and federal law, this rule establishes a regulatory framework that requires fully-insured AHPs to provide comprehensive health insurance plans that protect their members and do not compete unfairly with the comprehensive coverage offered on Vermont Health Connect (VHC). It also contains licensing and rating requirements and extends the Commissioner's statutory examination authority to include oversight of fully insured AHPs.
- Next meeting date: Monday September 10, 2018 at 2:00 p.m.
- Adjournment