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*Susanne R. Young, Secretary*

## **INTERAGENCY COMMITTEE ON ADMINISTRATIVE RULES (ICAR)**

### **AGENDA**

**Friday, August 9, 2019, 2:00 p.m.**  
**Pavilion 5<sup>th</sup> Floor Conference Room**

- Welcome
- Review and approval of the minutes from the July 8, 2019 meeting
- An Emergency Rule filed with the LCAR was supported by Deputy Secretary of Administration/Chair Ferland on 7/30/19 for the Agency of Human Services, Department of Health titled 'Rules of the Board of Medical Practice'.
- Note any additions or deletions from the agenda
- Public comment
- Presentation of the following proposed rules:
  1. Rule 4.400, The Renewable Energy Standard Rule, Vermont Public Utility Commission
    - a. The RES requires electric utilities to acquire specified amounts of renewable energy and to achieve fossil-fuel and greenhouse gas reductions by implementing energy transformation projects. The RES is divided into three Tiers. Tier I requires utilities to procure renewable energy equal to 55% of their annual retail electric sales for the year 2017, increasing by 4% every third January 1 thereafter, eventually reaching 75% in 2032. Tier II requires utilities to procure renewable energy equal to 1% of their annual retail electric sales from new distributed renewable generation resources under 5 MW in 2017, increasing by 3/5 a percent each year thereafter, eventually reaching 10% in 2032. Tier III requires utilities to procure additional distributed renewable generation eligible for Tier II or to achieve fossil-fuel reductions from energy transformation projects equal to 2% of their annual retail electric sales in 2017, increasing by 2/3 a percent each year thereafter, eventually reaching 12% in 2032.
  2. Child Support Guidelines, Agency of Human Services, Department of Children and Families, Office of Child Support
    - a. This rule revises the three tables used to calculate child support. These include the two tables for converting gross income to available income (called the Tax Conversion Tables) and the Intact Family Expenditures Table, which estimates a family's expenditures on children. The proposed Gross to After Tax Income Tables consider the 2019 Federal and Vermont state tax rates. The Intact Family Expenditures table has been revised to reflect the most recently available detailed information on household expenditures.
  3. Business Entity Limited Lines Producer for Self-Storage Insurance License (I-2019-02), Department of Financial Regulation



- a. The proposed rule establishes a new license type for self-storage insurance. The purpose of this rule is to establish a business entity limited lines producer license for the sale of self-storage insurance and to set forth requirements for the sale of self-storage insurance by an owner and its employees and authorized representatives. The rule governs the sale of self-storage insurance by an owner and its employees and authorized representatives.
4. Choices for Care, Agency of Human Services, Department of Disabilities, Aging and Independent Living
  - a. The proposed rule sets forth the criteria for Medicaid coverage and reimbursement -for Choices for Care services under Vermont's Medicaid program. It revises and will replace the current Choices for Care 1115 Long-term Care Medicaid Waiver Regulations. The rule will be adopted and incorporated into the Health Care Administrative Rules, which are designed to improve public accessibility and comprehension of the numerous rules concerning the operation of Vermont's Medicaid program.
5. Rules of the Board of Medical Practice, Agency of Human Services, Department of Health
  - a. The proposed rule updates the standard for acceptance of foreign medical schools that will qualify a physician for licensure in Vermont.
6. Rules Governing Inspection of Motor Vehicles, Agency of Transportation, Department of Motor Vehicles
  - a. Seeking to amend the existing rules governing the inspection of motor vehicles. The rule as recently adopted inadvertently excluded inspection criteria for tires and wheels on trailers. This filing is to add "wheels and tires" to the Trailer section on page number 111. Remove "4a - exterior sun visor" on page 97 as it is not addressed in Federal Regulations. On page 112 corrected an advisory to be in agreement with 49 CFR 393.11 - remove "40 feet long or" and add "than 30 feet". Recent passage of Act 59 (H.529) requires modifying the language from "1996 and newer vehicles" to "vehicles 16 years old or newer" on page 53 of the Periodic Inspection Manual in the On-Board Diagnostics (OBDII) Test section under "Applicability".
7. Audiology Services, Agency of Human Services
  - a. The rule sets forth the criteria for Medicaid coverage and reimbursement for audiology services under Vermont's Medicaid program. It amends current Health care Administrative Rule 4.213 Audiology Services.
8. Eyewear and Vision Care Services, Agency of Human Services
  - a. The rule sets forth the criteria for Medicaid coverage and reimbursement for eyewear and vision care services under Vermont's Medicaid program. It amends current Health Care Administrative Rule 4.214 Eyewear and Vision Care Services.

9. Dental Services for Beneficiaries Under Age 21, and Pregnant and Postpartum Women, Agency of Human Services
    - a. The rule sets forth the criteria for Medicaid coverage and reimbursement for dental services for beneficiaries under age 21, and pregnant and postpartum women under Vermont's Medicaid program. It amends current Health Care Administrative Rule 4.203 Dental Services for Beneficiaries Under Age 21 and Pregnant and Postpartum Women.
  10. Dental Services for Beneficiaries Age 21 and Older, Agency of Human Services
    - a. The rule sets forth the criteria for Medicaid coverage and reimbursement for dental services for beneficiaries age 21 and older under Vermont's Medicaid program. It amends current Health Care Administrative Rule 4.202 Dental Services for Beneficiaries Age 21 and Older.
  11. Medicaid Cost Sharing, Agency of Human Services
    - a. The rule sets forth the criteria for Medicaid coverage and reimbursement for cost sharing under Vermont's Medicaid program. It amends current Health Care Administrative Rule 6.100 Medicaid Cost Sharing.
  12. Medically Complex Nursing Services, Agency of Human Services
    - a. The rule sets forth the criteria for Medicaid coverage and reimbursement for medically complex nursing services under Vermont's Medicaid program. It revises and will replace current Medicaid covered services rule 7412 High Technology Nursing Services 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.
  13. In-Home Lactation Consultation Services, Agency of Human Services
    - a. The rule sets forth the criteria for Medicaid coverage and reimbursement for in-Home lactation consultation services under Vermont's Medicaid program.
- Next meeting date: Monday, September 9, 2019 at 2:00 p.m.
  - Adjournment