



INTERAGENCY COMMITTEE ON ADMINISTRATIVE RULES (ICAR) MINUTES

Meeting Date/Location: October 10, 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

Minutes By: Melissa Mazza-Paquette

- 2:01 p.m. meeting called to order, welcome and introductions.
- Review and approval of minutes from the [September 12, 2022](#) meeting.
- No additions/deletions to agenda. Agenda approved as drafted.
- No public comments made.
- The following emergency rules were supported by ICAR Chair Farnham (*note the summaries may be found on the agenda*):
 - Transitional Housing Program Emergency Rules, Agency of Human Services, Department for Children and Families, on 09/22/22
 - The Board of Medical Practice Emergency Rule, Agency of Human Services, Department of Health, on 09/30/22
 - PUC Emergency Rule 2.500 COVID-19 Emergency Procedures, Public Utility Commission, on 09/30/22
- Presentation of Proposed Rules on pages 3-9 to follow.
 1. Licensing Regulations for Foster Homes in Vermont, Agency of Human Services, Department for Children and Family Services, page 3
 2. Telehealth, Agency of Human Services, page 4
 3. Prosthetic and Orthotic Devices, Agency of Human Services, page 5
 4. Podiatry Services, Agency of Human Services, page 6
 5. Transplantation Services, Agency of Human Services, page 7
 6. Vermont Commercial Building Energy Standards, Department of Public Service, page 8
 7. Vermont Residential Building Energy Standards Amendments, Department of Public Service, page 9
- No other business.
- Next scheduled meeting is November 14, 2022 at 2:00 p.m.
- 3:47 p.m. meeting adjourned.

Proposed Rule: Licensing Regulations for Foster Homes in Vermont, Agency of Human Services,
Department for Children and Family Services

Presented By: Jennifer Myka

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

1. Proposed Filing Coversheet, #3: Include URL.
2. Proposed Filing Coversheet, #8: Incorporate the name of the rule and clarify the changes.
3. Proposed Filing Coversheet, #12: Provide more detail pertaining to how the rule was operationalized.
4. Proposed Filing Coversheet: Be consistent throughout with the word 'adoption' or 'adopting'.
5. Proposed Rule, Section 2, 020 (a): Include a definition for the word 'Department'.
6. Proposed Rule, Section 1, 010: Note; The underline and cross through shifted to the left.
7. Proposed Rule, #201.6: Preference for 'substance abuse' to be changed to 'substance misuse'.

Proposed Rule: Telehealth, Agency of Human Services

Presented By: Hillary Hill

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

1. Be consistent throughout the rule with ‘telehealth’ whether it’s capitalized or not.
2. Proposed Filing Coversheet, #8: As this summary is visible to the public, incorporate the changes, including the information from #9 of the Economic Impact Analysis.
3. Proposed Filing Coversheet, #15: Update the date.

Proposed Rule: Prosthetic and Orthotic Devices, Agency of Human Services
Presented By:

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

1. Be consistent throughout the rule with ‘telehealth’ whether it’s capitalized or not.
2. Proposed Filing Coversheet, #8: As this summary is visible to the public, incorporate the changes, including the information from #9 of the Economic Impact Analysis.
3. Proposed Filing Coversheet, #15: Update the date.

Proposed Rule: Podiatry Services, Agency of Human Services

Presented By:

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

1. Be consistent throughout the rule with ‘telehealth’ whether it’s capitalized or not.
2. Proposed Filing Coversheet, #8: As this summary is visible to the public, incorporate the changes, including the information from #9 of the Economic Impact Analysis.
3. Proposed Filing Coversheet, #15: Update the date.

Proposed Rule: Transplantation Services, Agency of Human Services

Presented By:

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

1. Be consistent throughout the rule with ‘telehealth’ whether it’s capitalized or not.
2. Proposed Filing Coversheet, #8: As this summary is visible to the public, incorporate the changes, including the information from #9 of the Economic Impact Analysis.
3. Proposed Filing Coversheet, #15: Update the date.

Motion made to accept the rule by Diane Sherman, seconded by Brendan Atwood, and passed unanimously with the following recommendations:

1. Provide the year when referring to the ICC standards.
2. Proposed Filing Coversheet, #8: Include the date when the update occurred, what was updated, what is being done beyond the ICC, and explain the importance. Clearly identify that this is the Commercial rule – as it's written now, it's the same as the Residential rule.
3. Proposed Filing Coversheet, #12: Provide an overview of the cost and benefit. Define 'modest'.
4. Economic Impact Analysis, #3: Clarify units and title in the chart, and include references and footnotes.
5. Define acronyms early and often.
6. Economic Impact Analysis: Include parallel data to ICC.
7. Economic Impact Analysis: Clearly identify who benefits from the economic impacts. Perhaps include a narrative separating the affecting parties.
8. Environmental Impact Analysis, #9: Identify the sources of information used and the analysis done.
9. Administrative Procedures
10. Public Input Maximization Plan, #4: Remove duplicates.

Presented By: Ben Civiletti, Barry Murphy and Kelly Launder

Motion made to accept the rule by Diane Bothfeld, seconded by Mike Obuchowski, and passed unanimously with the following recommendations:

1. Incorporate relevant feedback from the Vermont Commercial Building Energy Standards – stated below for reference:
 - a. Provide the year when referring to the ICC standards.
 - b. Proposed Filing Coversheet, #8: Include the date when the update occurred, what was updated, what is being done beyond the ICC, and explain the importance. Clearly identify that this is the Commercial rule – as it’s written now, it’s the same as the Residential rule.
 - c. Proposed Filing Coversheet, #12: Provide an overview of the cost and benefit. Define ‘modest’.
 - d. Economic Impact Analysis, #3: Clarify units and title in the chart, and include references and footnotes.
 - e. Define acronyms early and often.
 - f. Economic Impact Analysis: Include parallel data to ICC.
 - g. Economic Impact Analysis: Clearly identify who benefits from the economic impacts. Perhaps include a narrative separating the affecting parties.
 - h. Environmental Impact Analysis, #9: Identify the sources of information used and the analysis done.
 - i. Public Input Maximization Plan, #4: Remove duplicates.