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Kristin L. Clouser, Secretary

INTERAGENCY COMMITTEE ON ADMINISTRATIVE RULES (ICAR) MINUTES

Meeting Date/Location: November 14, 2022, virtually via Microsoft Teams

Members Present: Chair Douglas Farnham, Brendan Atwood, Diane Bothfeld, Jared Adler, Jennifer Mojo, John Kessler, Diane Sherman, Donna Russo-Savage, Michael Obuchowski (left at 3:10 PM), Incoming Chair Sean Brown

Minutes By: Melissa Mazza-Paquette

- 2:00 p.m. meeting called to order, welcome and introductions.
 - Note: Agency of Administration Chief Operating Officer Sean Brown has been appointed to serve as chair of ICAR effective December 1, 2022.
- Review and approval of minutes from the [October 10, 2022](#) meeting.
- No additions/deletions to agenda. Agenda approved as drafted.
- No public comments made.
- Presentation of Proposed Rules on pages 2-3 to follow.
 - Independent External Review of Health Care Service Decisions, Department of Financial Regulation
 - Rule 4.500 Safety of Hydroelectric Dams, Vermont Public Utility Commission
- Chair Farnham shared his gratitude for his involvement with ICAR as this was his last meeting, and thanked members for their service and the importance of the work of ICAR.
- Next scheduled meeting is December 12, 2022 at 2:00 p.m.
- 3:19 p.m. meeting adjourned.

Proposed Rule: Independent External Review of Health Care Service Decisions, Department of Financial Regulation

Presented By: Sebastian Arduengo

Motion made to accept the rule by Mike Obuchowski, seconded by John Kessler, and passed unanimously except for Diane Sherman who abstained, with the following recommendations:

1. Include Incorporation by Reference form to reference to reliability on other governing bodies, rules or regulations.
2. Use an appropriate consistent word throughout filing for 'insured'.
3. Proposed Filing Coversheet, #7: Reference 'health benefit plan' where defined.
4. Proposed Filing Coversheet, #9: Clarify to include insureds as well.
5. Proposed Filing Coversheet, #10: Clarify for consistency 'issuers'.
6. Proposed Filing Coversheet, #14 and Public Input Maximization Plan: Include virtual option/meeting(s) if applicable.
7. Proposed Filing Coversheet, #15: Complete once known.
8. Adopting Page, #4: Include title.
9. Economic Impact Analysis, #8: Use 'negligible' or 'de minimis' instead of 'minimal'.
10. Public Input Maximization Plan #3: Note that health care providers, etc. will continue to provide these types of updated information to their consumers/patients.
11. Proposed Rule: Change effective date to January 1, 2023 from 2022. Remove duplicates of 'IRO' and 'independent review organizations' in multiple places, such as in Section 5 (M) 1.

Presented By: Micah Howe

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

1. Economic Impact Analysis #6: Include potential costs or cost range, and frequency.
2. Economic Impact Analysis #7: Include number of inspections to undergo.
3. Environmental Impact Analysis, #4: Expand to include reasoning such as its separately regulated.
4. Environmental Impact Analysis, #9: Incorporate positive impacts.
5. Public Input Maximization Plan: Include virtual option information.
6. Annotated Rule 4.510 (C): Clarify in #8 of the Proposed Filing Coversheet that this would be hazard classifications, guidance, or system assessment.
7. Economic Impact Statement: Review last rate increase information from at least one dam and add to show how it may or may not impact electric rates.