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Kristin L. Clouser, Secretary

INTERAGENCY COMMITTEE ON ADMINISTRATIVE RULES (ICAR) AGENDA **Wednesday, February 22, 2023, 2:00 p.m.**

To attend virtually via Microsoft Teams, please [click here to join the meeting](#) for full meeting audio and visual. If you require a call-in option to participate (e.g., computer does not have a microphone), dial 802-828-7667 and enter Phone Conference ID: 106 522 523#.

Physical meeting location suspended until July 1, 2024 due to [Open Meeting Law temporary provisions](#).

- Welcome
- Review and approval of the minutes from the [January 9, 2023 meeting](#)
- Note any additions or deletions from the agenda
- Note: An emergency rule titled 'Rules Governing Medication-Assisted Treatment for Opioid Use Disorder' by the Agency of Human Services, Department of Health, was supported by ICAR Chair Brown on 01/31/23.
 1. On December 29, 2022, Congress eliminated the federal requirement for healthcare providers who dispense medication for substance use disorder to obtain an "X Waiver" prior to dispensing buprenorphine and ended the program that issued those waivers. However, the legislation does not impact current state regulations; the current Vermont MAT regulations still require providers to obtain this X Waiver (which is no longer obtainable) in order to dispense buprenorphine to treat substance use disorder. This emergency rule eliminates the X Waiver requirements. Doing so will ensure Vermont's MAT regulations do not inhibit access to MAT providers by those in need.
- Public comment
- Presentation of the following proposed rules:
 1. 2022 Vermont Residential Rental Housing Health & Safety Code, Department of Public Safety, Division of Fire Safety
 - The primary intent and focus of this rule is to update and transfer responsibility of the Vermont Residential Rental Housing Rule from the Department of Health to the Department of Public Safety, Division of Fire Safety. These rules are only amended to identify address changes and contact information. These rules otherwise are not changed.
 2. Inflation Adjustment for Private Non-Medical Institutions, Agency of Human Services, Department of Vermont Health Access
 - The rule adds an inflation adjustment to Vermont's PNMI Medicaid rates that will ease financial burdens on providers.



3. District Quality Standards, Agency of Education

- The proposed rules describe core elements inherent in a high quality system of local education delivery. The rules identify critical (i) business practices (in re: budgeting & accounting, risk management & internal controls, personnel management, and data management); (ii) facilities management and safety practices; and (iii) governance priorities, protocols, and processes. The proposed rules describe a system of self-evaluation, publication of metrics, and Agency provision of necessary support and oversight for school districts/supervisory unions/supervisory districts to attain the stated standards. The rules are written to acknowledge that although § 165 speaks of "districts," other statutes assign responsibility for duties related to business, facilities, and governance to (i) supervisory unions to perform on behalf of their member school districts and (ii) supervisory districts (i.e., single school districts that serve as their own supervisory unions) to perform on their own behalf.

4. Reach Up Eligibility Rules, Agency of Human Services, Department for Children and Families

- The proposed rule reorganizes and renumbers the Reach Up Eligibility rules to conform to a standard outline format, updates terminology, updates statutory references, and replaces deficit-based language with strengths-based language (for example, using the term "engagement" instead of "compliance"). Substantive changes to the content of the rule include:(1) allowing temporary absences to be approved when a child is voluntarily placed outside of the home (rule 2228.2); (2)removing the requirement that participants with over 60 months of assistance must complete a two-week period of compliance before benefits are approved and eliminating the two-month break in benefits for such participants (rule 2234.2); and (3) allowing pregnant individuals with substance use disorders to qualify for benefits under the high-risk pregnancy criteria (rule 2235).

5. Reach Up Services Rules, Agency of Human Services, Department for Children and Families

- The proposed rule reorganizes and renumbers the Reach Up Services rules to conform to a standard outline format, updates terminology, updates statutory references, and replaces deficit-based language with strengths-based language (for example, using the term "engagement" instead of "compliance"). The proposed rule eliminates the independent medical review process for medical deferments as required by Act 133 of 2022. Additional substantive changes to the content of the rule include:(1) Adding a provision to the good cause rule giving the Department discretion to determine whether a situation should be considered good cause for non-engagement (rule 2331.2);(2) Making the conciliation process available to households that have received 60+ months of assistance (rule 2332.1); and (3) Removing the one-time-per-year limit on conciliations and allowing participants to utilize the conciliation process for each instance of non-engagement (rule 2332.1).

- Other business
- Next meeting date: Monday, March 13, 2023 at 2:00 p.m.
- Adjournment

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