



INTERAGENCY COMMITTEE ON ADMINISTRATIVE RULES (ICAR) MINUTES

Meeting Date/Location: January 8, 2024, virtually via Microsoft Teams
Members Present: Chair Sean Brown, Jared Adler, Jennifer Mojo, Diane Sherman, Michael Obuchowski, and Nicole Dubuque
Members Absent: John Kessler
Minutes By: Melissa Mazza-Paquette

- 2:00 p.m. meeting called to order, welcome and introductions.
- Review and approval of [minutes](#) from the November 13, 2023 meeting.
- No additions/deletions to agenda. Agenda approved as drafted.
- No public comments made.
- Presentation of Proposed Rules on pages 2-12 to follow.
 1. Administration of Nonemergency Involuntary Psychiatric Medications, Department of Mental Health, page 2
 2. Vital Records Rule, Department of Health, page 3
 3. VPharm Coverage, Department of Vermont Health Access, page 4
 4. Rules Governing the Importation of Domestic Animals, Including Livestock and Poultry, Vermont Agency of Agriculture, Food & Markets, page 5
 5. Antidegradation Implementation Rule, Agency of Natural Resources, page 6
 6. Reach Up Eligibility Rules, Department for Children and Families, page 7
 7. Reach Up Services Rules, Department for Children and Families, page 8
 8. Reach First Rules, Department for Children and Families, page 9
 9. Postsecondary Education Program Rules, Department for Children and Families, page 10
 10. Private Nonmedical Institution Rules Simplification, Department of Vermont Health Access, page 11
 11. Nursing Home Reimbursement Rule Simplification, Department of Vermont Health Access, page 12
- Next scheduled meeting is Monday, February 23, 2024 at 1:00 p.m.
- 3:38 p.m. meeting adjourned.

Proposed Rule: Administration of Nonemergency Involuntary Psychiatric Medications, Department of Mental Health

Presented By: Karen Barber

Motion made to accept the rule as presented without any recommendations by Sean Brown, seconded by Nicole Dubuque, and passed unanimously except for Jared Adler who abstained.

Proposed Rule: Vital Records Rule, Department of Health

Presented By: Natalie Weill

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

1. Proposed Coversheet:
 - a. #8: Begin by stating what the overall rule does - can use language from the purpose of the rule.
 - b. #12: Include the group of individuals who are incarcerated out-of-state here and in the Economic Impact Analysis.
 - c. #14: Update dates per the APA process.

Proposed Rule: VPharm Coverage, Department of Vermont Health Access

Presented By: Danielle Fuoco

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

1. Proposed Filing – Coversheet:
 - a. #8: Define ‘VPharm’ at the end of the 1st sentence.
 - b. #12 and #3 of the Economic Impact Statement: Use consistent language in both responses.
 - c. #14: Update dates per APA process.

Proposed Rule: Rules Governing the Importation of Domestic Animals, Including Livestock and Poultry, Vermont Agency of Agriculture, Food & Markets

Presented By: Kaitlynn Levine

Motion made to accept the rule by Mike Obuchowski, seconded by Sean Brown, and passed unanimously except for Nicole Dubuque who abstained, with the following recommendations:

1. Title Page: Proposed rule must be signed by Agency Secretary Anson Tebbetts prior to moving forward with LCAR.
2. Economic Impact Analysis, #3: Include the estimated costs and benefits anticipated. May use language from #8, Concise Summary on the Proposed Coversheet, and address the cost neutral balance.
3. Public Input Maximization Plan, #3: Define the stakeholders and distribution lists.

Proposed Rule: Antidegradation Implementation Rule, Agency of Natural Resources

Presented By: Hannah Smith, Peter LaFlamme, and Bethany Sargent

Motion made to accept the rule by Sean Brown, seconded by Jared Adler, and passed unanimously except for Jen Mojo who abstained, with the following recommendations:

1. Proposed Filing – Coversheet:
 - a. #8: Define 'WQS' if spacing allows.
 - b. #9: Remove '1' prior to 'states' in 1st sentence.
2. Public Input Maximization Plan, #3: Clarify who the stakeholders are.

Proposed Rule: Reach Up Eligibility Rules, Agency of Human Services, Department for Children and Families

Presented By: Heidi Moreau and Erin Oalican

Motion made to accept the rule by Jen Mojo, seconded by Mike Obuchowski, and passed unanimously with the following recommendation:

1. Public Input Maximization Plan, #3: Include participants noted in #4.

Proposed Rule: Reach Up Services Rules, Agency of Human Services, Department for Children and Families

Presented By: Heidi Moreau and Erin Oalican

Motion made to accept the rule by Sean Brown, seconded by Diane Sherman, and passed unanimously with the following recommendation:

1. Public Input Maximization Plan, #3: Include participants noted in #4.

Proposed Rule: Reach First Rules, Agency of Human Services, Department for Children and Families

Presented By: Heidi Moreau and Erin Oalican

Motion made to accept the rule by Sean Brown, seconded by Mike Obuchowski, and passed unanimously with the following recommendation:

1. Public Input Maximization Plan, #3: Include participants noted in #4.

Proposed Rule: Postsecondary Education Program Rules, Agency of Human Services, Department for Children and Families

Presented By: Heidi Moreau and Erin Oalican

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

1. Proposed Filing – Coversheet, #8: Define ‘PSE’.
2. Public Input Maximization Plan, #3: Include participants noted in #4.

Presented By: James LaRock

Motion made to accept the rule by Sean Brown, seconded by Jared Adler, and passed unanimously except with the following recommendations:

1. Proposed Filing – Coversheet:
 - a. #7: Provide a detailed explanation of where the authority is to adopt this without rulemaking,
 - b. #8: Include more detail; a summary of substantive changes. Clarify why the rule is necessary. Define what is being kept in the rule and what is going into the manual.
2. Throughout the proposed rule filing: Clarify where necessary that you're retaining part of the rule.

Presented By: James LaRock

Motion made to accept the rule by Sean Brown, seconded by Nicole Dubuque, and passed unanimously with the following recommendations:

1. Proposed Filing – Coversheet:
 - a. #7: Provide a detailed explanation of where the authority is to adopt this without rulemaking,
 - b. #8: Include more detail; a summary of substantive changes. Clarify why the rule is necessary. Define what is being kept in the rule and what is going into the manual.
2. Throughout the proposed rule filing: Clarify where necessary that you're retaining part of the rule.