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Sarah Clark, Interim Secretary

Interagency Committee on Administrative Rules (ICAR) Agenda
Monday, October 14, 2024, 2:00 p.m.

To attend virtually via Microsoft Teams, please [click here to join the meeting](#) for full meeting audio and visual. Meeting ID: 258 213 386 215#, Passcode: krX4KR. If you require a call-in option to participate (e.g., the computer does not have a microphone), dial 802-828-7667 and enter Phone Conference ID: 829 388 718#.

Effective July 1, 2024, meetings will be held electronically per [S.55](#) signed into law by Governor Scott on May 30, 2024.

- Welcome
- Review and approval of the [minutes](#) from the August 12, 2024 meeting
- Note any additions or deletions from the agenda
- Note: The proposed emergency rule titled 'Emergency Administrative Rules for Notaries Public and Remote Notarization', provided by the Office of Professional Regulation, was once again not supported on 08/26/24 by ICAR Chair Brown (previously not supported on 03/12/24). In his response, ICAR Brown stated "As the state and federal COVID emergencies have ended, adequate time has passed since this emergency rule was previously supported by ICAR five times beginning in 2020 and the most recent being in September 2023, and since the flooding, I feel adequate time has been allowed for proper rulemaking to occur, and therefore do not feel there is an imminent peril to public health, safety, or welfare sufficient to justify adoption of this emergency rule."
- Public comment
- Presentation of the following proposed rules:
 - 1) Updates to the Hazard Communication Standard, Department of Labor
 - a) The modifications to the Hazard Communication Standard (HCS), proposed in this rule making, include revised criteria for classification of certain health and physical hazards, revised provisions for updating labels, new labeling provisions updating labels, new labeling provisions for small containers, new provisions related to trade secrets, technical amendments related to the contents of safety data sheets (SDSs), and related revisions to definitions of terms used in the standard.
 - 2) Administrative Rules of the Board of Dental Examiners, Secretary of State, Office of Professional Regulation
 - a) These rules generally update standards for dentists, dental hygienists, and dental assistants. The standards specify scope of practice and licensing standards for dental therapists (a new license type since the last rule update), and for public-health dental



hygienists; update practice requirements for the use of anesthesia; incorporate fast-track licensure and uniform processes for licensure of internationally educated dentists; creates standards for the use of new non-invasive techniques by dental hygienists.

3) Council Rules, Vermont Criminal Justice Council

a) The proposed amendments contain four additions to our Rule. The first addition is the training requirement for law enforcement officers regarding Advanced Roadside Impaired Driving Enforcement (ARIDE) and a mechanism to apply for an indefinite waiver for officers who do not regularly engage in traffic enforcement duty such as the head of a law enforcement agency. (Rule 22(b) and 23). The second addition are rules for the content, implementation and modification of the newly legislated Law Enforcement Officers' Code of Conduct (Act 124). (Rule 28). The third addition is the Council's clarification that it conducts its meetings per Robert's Rules of Order. (Rule 4a). Lastly, the fourth amendment clarifies that the entity that "reviews" a waiver is the same entity that "approves" the waiver within the Council's training waiver rule. (Rule 23)

4) Critical Incident Management System – Home and Community-Based Services, Agency of Human Services

a) The proposed rulemaking outlines Vermont Medicaid's obligations according to federal law in establishing, managing, and upholding an incident management system designed to safeguard the well-being of individuals enrolled in home and community-based services sanctioned under the Global Commitment to Health Waiver. The proposed rulemaking aligns with the federal law stipulating the essential components of such a system, which includes the identification, reporting, prioritization, investigation, resolution, tracking, and analysis of critical incidents.

5) Person-centered Planning – Home and Community-Based Services, Agency of Human Services

a) This proposed rulemaking aligns with federal regulation for person-centered planning in delivering home and community-based services under the Global Commitment to Health Waiver, approved by CMS. The proposed rule establishes the requirements for the planning process, service plans, annual reviews, and the required documentation for modifications to the additional qualities of a home and community-based setting.

- Other business
- Next meeting date: Monday, November 15, 2024 at 2:00 p.m.
- Adjournment

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