



State of Vermont
Agency of Human Services
Office of the Secretary
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July 20, 2026

Hon. Trevor Squirrel, Chair
Legislative Committee on Administrative Rules
Vermont State House
Montpelier, Vermont 05602

Amendments to Final Proposed Rule

Dear Chairperson Squirrel and Members:

The Agency of Human Services is providing this letter at the request of Legislative Counsel to explain the changes made since the filing of the proposed rule. The changes are described below with language alterations in italics, where applicable.

Throughout, the words Applicant, Asylee, and Refugee have been capitalized where they represent the defined terms.

Section 5101 is amended. Definitions have been grouped as numbered sections under section a. The sub-paragraphs for the definitions of Asylee and Refugee were each consolidated into their parent definitions, which is a reversion to the formatting of the current rule.

Sections 5110 and 5120 are amended to remove parenthetical cross-references to definitions were removed at suggestion of legislative counsel.

Section 5110(a) is clarified in response to feedback from Legislative Counsel.

Any Applicant may apply for medical assistance through the state or its designated agency at any time, and eligibility must be determined no more than 45 days ~~from~~ *following* the date of application.

Section 5120(d) is amended in response to inquiry from Legislative Counsel, the “coverage” is used in place of “eligibility” to better distinguish between the date specified in 5120(d) and the date in 5120(e).

~~Eligibility~~ *Coverage* for RMA begins on the first day of the month of application.

Sections 5120(e) and (f) is amended in response to feedback form Legislative Counsel, to clarify the relationship between two sections, which dictate the start and length of the RMA Eligibility Period.

(e) The period of time in which an applicant is eligible to receive RMA benefits (*RMA Eligibility Period*) is:

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(f) The ~~current length of the RMA e~~Eligibility ~~p~~Period is determined annually by the director of the federal Office of Refugee Resettlement in accordance with 45 CFR §400.211.

Section 5120(e)(2) is amended in response to feedback from Legislative Counsel, superfluous language removed.

For Asylees, the eligibility period begins on the first day of the month in which they were granted asylum ~~in accordance~~.

Section 5120(g) is amended in response to feedback from Legislative Counsel.

A refugee who is enrolled in Medicaid and subsequently loses Medicaid eligibility because of increased earnings from employment must be transferred to RMA without any further eligibility determination if there is time remaining in the RMA eligibility period.

Section 5122(e) is amended in response to feedback from Legislative Counsel, language to clarify when the Applicant's income is calculated. Also, the term Refugee has been replaced with Applicant.

Income eligibility is calculated at the time of application. Any increase in earnings from employment while an Applicant ~~refugee~~ is receiving RMA does not affect the ~~refugee~~Applicant's continued medical assistance eligibility.

Section 5123(a) is amended in response to feedback from Legislative counsel.

RMA is the payer of last resort. If ~~when~~ a refugee is covered by employer-sponsored health insurance, any payment of RMA for that individual must be reduced by the amount of the third-party payment.