

ADMINISTRATIVE RULES

MINUTES

July 10, 2014

The Joint Legislative Committee on Administrative Rules met on Thursday, July 10, 2014, beginning at 10:00 a.m. in the Ethan Allen Room of the State House in Montpelier, Vermont.

The following members were present:

Rep. Richard Marek, Vice Chair
Rep. Patsy French
Rep. Robert Krebs
Rep. Linda Myers

Sen. Mark Macdonald, Chair
Sen. Diane Snelling

Staff present:

Jennifer Carbee (for Aaron Adler)
Katie Pickens

Committee Counsel
Committee Assistant

The minutes of the meeting of June 26, 2014 were approved.

The committee reviewed the following rules:

14-P14 – Agency of Human Services, Department for Children and Families/Health Benefits Eligibility and Enrollment (HBEE). Selina Hickman, Policy Director for the Department of Vermont Health Access, gave a summary and history of the rule to date. The outstanding objection from advocates at the June 26, 2014 committee meeting was eligibility for long-term care, and is addressed in a memo dated July 3, 2014 from Mark Larson, Commissioner for the Department of Vermont Health Access, to Sen. Mark MacDonald, Chair, Legislative Committee on Administrative Rules. The memo of July 3, 2014 also responded to questions and concerns by committee members at the June 26th LCAR meeting.

Leslie Wisdom, General Counsel for the Department for Children and Families, stated the objection by Vermont Legal Aid advocates is based on a misunderstanding of the eligibility requirements. She asked for approval of the rule by the committee as soon as possible.

Howard Stalnaker, Assistant Attorney General, and Sara Lane, Supervisor for Choices for Care, for the Department of Disabilities, Aging and Independent Living (DAIL), stated that DAIL supported the rule.

Trinka Kerr, Chief Health Care Advocate for the Health Care Advocate Project at Vermont Legal Aid (VLA), indicated Vermont Legal Aid no longer objects to the rule, although they still have concerns.

Sen. MacDonald thanked all parties for their efforts in coming to agreement on the outstanding issues pertaining to the rule.

Sen. Snelling stated she remains concerned about implementation of the rule, but would not vote against the rule.

On a motion by Rep. Marek, the committee unanimously approved the rule with amendments outlined in the July 3, 2014 memo from Commissioner Larson to Sen. MacDonald.

Other Business. Sen. MacDonald announced the cancellation of the July 24th meeting due to an insufficient number of rules having been received for that meeting.

The next meeting of the committee is scheduled for August 7, 2014, beginning at 10:00 a.m. in the Ethan Allen Room of the State House in Montpelier, Vermont.

Respectfully submitted,

Jennifer Carbee
Committee Counsel