

SEN. MARK A. MACDONALD, VICE CHAIR  
SEN. CHRISTOPHER BRAY  
SEN. VIRGINIA "GINNY" LYONS  
SEN. DAVID WEEKS



REP. TREVOR SQUIRRELL, CHAIR  
REP. SETH BONGARTZ  
REP. MARK HIGLEY  
REP. CAROL ODE

## STATE OF VERMONT

### Legislative Committee on Administrative Rules (LCAR)

ADMINISTRATIVE RULES

MINUTES

May 16, 2024

The Joint Legislative Committee on Administrative Rules met on Thursday, May 16, 2024, beginning at 10:00 a.m. in room 11 of the State House in Montpelier, Vermont.

The following members were present:

Sen. Mark A. MacDonald, Vice Chair  
Sen. Christopher Bray  
Sen. Virginia "Ginny" Lyons  
Sen. David Weeks (remote)

Rep. Trevor Squirrel, Chair  
Rep. Seth Bongartz  
Rep. Mark Higley (remote)  
Rep. Carol Ode

Staff present:

Damien Leonard  
Charlene Dindo  
Lindsey Schreier

Committee Counsel  
Committee Assistant  
Administrative Assistant

#### Approval of prior minutes

On motion of Sen. Mark A. MacDonald, the minutes were approved.

#### Review of Rules

The Committee reviewed the following rules:

#### 24-P05 - Department Vermont Health Access/Private Nonmedical Institution Rules

Simplification. James LaRock, Lawyer, Department of Vermont Health Access, explained the rule and answered questions from the Committee.

This rule strikes the Division of Rate Setting's existing standalone rules on establishing payment rates for private nonmedical institutions and replaces them with updated rules as part of the Agency of Human Services' Health Care Administrative Rules.

On motion of Sen. Virginia “Ginny” Lyons, the rule was approved with changes.

**24-P06 - Department of Vermont Health Access/Nursing Home Reimbursement Rule Simplification.** James LaRock, Lawyer, Department of Vermont Health Access, explained the rule and answered questions from the Committee.

This rule strikes the Division of Rate Setting’s existing standalone rules on establishing payment rates for nursing homes and replaces them with updated rules as part of the Agency of Human Services’ Health Care Administrative Rules.

On motion of Sen. Virginia “Ginny” Lyons, the rule was approved with changes.

**23-P45 - Department for Children and Families/Seasonal Fuel Assistance Rules.** Richard Giddings, Director of Heating and Utility Assistance Program, Department for Children and Families, and Philip Back, Policy Advisor, Department for Children and Families, explained the rule and answered questions from the Committee.

This rule makes administrative changes to add two subsections that were inadvertently omitted from the existing rule.

On motion of Sen. Christopher Bray, the rule was approved.

**24-P04 - Agency of Agriculture, Food & Markets/Rules Governing the Importation of Domestic Animals, Including Livestock and Poultry.** Kaitlynn Levine, Assistant State Veterinarian, and Dr. Kristin Haas, State Veterinarian, Agency of Agriculture, Food and Markets, explained the rule and answered questions from the Committee.

This rule updates the existing rule to address changes in disease epidemiology and testing, as well as to align the rule with USDA disease programs, technological changes, and requirements for disease traceability in the Vermont statutes.

On motion of Sen. Christopher Bray, the rule was approved with changes.

**24-P01 - Department of Health/Regulations for Lead Control.** Meg McCarthy, Department of Health, and Brendan Atwood, Public Health Policy Director, Department of Health, explained the rule and answered questions from the Committee.

This rule updates the requirements for work practices, licensing, and training for lead-based paint activities and renovation, repair, painting, and maintenance activities to prevent the creation of lead hazards that cause lead poisoning.

On motion of Sen. Christopher Bray, the rule was approved with changes.

**24-P03 - Department of Health Access/VPharm Coverage.** Ashley Berliner, Director of Medicaid Policy, Department of Vermont Health Access, explained the rule and answered questions from the Committee.

This rule amends VPharm rule 5450, which establishes coverage for the VPharm program, to align the rule with federal and State guidance and law.

On motion of Sen. Christopher Bray, the rule was approved.

**Committee Discussion: Review LCAR Nonsession Meeting Schedule.**

The Committee approved the nonsession meeting schedule.

**Adjournment and next meeting**

The Committee adjourned at 11:19 a.m.

The next meeting of the Committee is scheduled for May 30, 2024, beginning at 10:00 a.m. in room 11 of the State House in Montpelier, Vermont.

Respectfully submitted,

*Damien Leonard*

Damien Leonard  
Committee Counsel

cc: APA Clerk, Secretary of State  
ICAR, Agency of Administration