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SEN. CHRISTOPHER BRAY
SEN. VIRGINIA "GINNY" LYONS
SEN. DAVID WEEKS



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

STATE OF VERMONT

Legislative Committee on Administrative Rules (LCAR)

ADMINISTRATIVE RULES

MINUTES

January 9, 2025

The Joint Legislative Committee on Administrative Rules met on Thursday, January 9, 2025, beginning at 8:00 A.M. in room 267 of the Pavilion Office Building in Montpelier, Vermont.

The following members were present:

Sen. Christopher Bray
Sen. Virginia "Ginny" Lyons
Sen. David Weeks

Rep. Trevor Squirrelle, Chair
Sen. Seth Bongartz (former Rep.)
Rep. Mark Higley
Rep. Carol Ode

Staff present:

Damien Leonard
Emery Mattheis

Committee Counsel
Committee Assistant

Approval of prior minutes

On motion of Sen. Bongartz, the minutes of the December 5, 2024, meeting were approved.

Review of Rules

The Committee reviewed the following rules:

24-P45 - Vermont Criminal Justice Council/Vermont Criminal Justice Council Rules.

Kim McManus, Associate General Counsel, Vermont Criminal Justice Council, explained the rule and answered questions from the Committee.

This rule contains four additions to the existing Vermont Criminal Justice Council Rules, including training requirements for Advanced Roadside Impaired Driving Enforcement,

provisions relating to the Law Enforcement Officer's Code of Conduct, a clarification relating to Council meeting procedures, and a clarification regarding approval of training waivers.

On motion of Sen. Bray, the Committee approved the rule.

24-P41 - Office of Professional Regulation/Administrative Rules for Notaries Public.

Emily Tredeau, Staff Attorney, Office of Professional Regulation, explained the rule and answered questions from the Committee.

This rule creates standards for issuing commissions as well as special endorsements to notaries public to perform notarial acts on electronic records and for remotely located individuals.

On motion of Sen. Bray, the Committee approved the rule.

24-P36 - Agency of Human Services/Dental Services. Ashley Berliner, Director of Medicaid Policy, Agency of Human Services, explained the rule and answered questions from the Committee.

This rule amendment sets forth the criteria for coverage of dental services under Vermont's Medicaid program and incorporates rules relating to services for beneficiaries under age 21 and pregnant and postpartum women, medical and surgical services provided by dentists, and orthodontic services.

On motion of Sen. Bray, the Committee approved the rule.

24-P37 - Agency of Human Services/Dental Services for Beneficiaries Under Age 21, and Pregnant and Postpartum Women. Ashley Berliner, Director of Medicaid Policy, Agency of Human Services, explained the rule and answered questions from the Committee.

This rule amendment proposes to repeal Health Care Administrative Rule 4.203 (Dental Services for Beneficiaries Under 21, and Pregnant and Postpartum Women), which is being replaced by the new Dental Services Rule being adopted as part of 24-P36.

On motion of Sen. Bray, the Committee approved the rule.

24-P38 - Agency of Human Services/ Medical and Surgical Services of a Dentist.

Ashley Berliner, Director of Medicaid Policy, Agency of Human Services, explained the rule and answered questions from the Committee.

This rule amendment proposes to repeal Health Care Administrative Rule 4.204 (Medical and Surgical Services of a Dentist), which is being replaced by the new Dental Services Rule being adopted as part of 24-P36.

On motion of Sen. Bray, the Committee approved the rule.

24-P39 - Agency of Human Services/Orthodontic Treatment. Ashley Berliner, Director of Medicaid Policy, Agency of Human Services, explained the rule and answered questions from the Committee.

This rule amendment proposes to repeal Health Care Administrative Rule 4.205 (Orthodontic Treatment), which is being replaced by the new Dental Services Rule being adopted as part of 24-P36.

On motion of Sen. Bray, the Committee approved the rule.

24-P40 - Agency of Human Services/Chiropractic Services. Ashley Berliner, Director of Medicaid Policy, Agency of Human Services, explained the rule and answered questions from the Committee.

The proposed rule amends Health Care Administrative Rule 4.220 (Chiropractic Services), which sets forth the criteria for coverage of chiropractic services under Vermont's Medicaid Program. The proposal makes various technical and clarifying changes as well as changes to conform the rule to federal and State law and guidance.

On motion of Sen. Bray, the Committee approved the rule.

Adjournment and next meeting

The Committee adjourned at 8:42 A.M.

The next meeting of the Committee is scheduled for January 16, 2025, beginning at 8:00 A.M. in room 267 of the Pavilion Office Building in Montpelier, Vermont.

Respectfully submitted,

Damien Leonard
Committee Counsel

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