



**March 25, 2026**

**To: Legislative Committee on Administrative Rules**

**From: Kaili Kuiper, State Long-Term Care Ombudsman; Mike Fisher and Marjorie Stinchombe, Co-Directors of the Office of the Health Care Advocate; Leah Burdick, Staff Attorney, Elder Law Project**

**Re: 25P021 Proposed Home Health Agency Designation and Operation Rules**

We are writing to update LCAR on the position of the Long-Term Care Ombudsman Program, Office of the Health Care Advocate, and Elder Law Project at Vermont Legal Aid regarding the proposed Home Health Agency Designation and Operating Rules.

Kaili Kuiper met with representatives of DAIL and the Designated agencies earlier this week. They were unwilling to agree to any changes in the rule. DAIL did agree to provide the Long-Term Care Ombudsman Program with monthly data on the number of home health services Vermonters on Choices for Care are receiving compared to the number of services in their care plans. We appreciate that this will allow the Ombudsman Program to monitor changes in Choices for Care members' access to home care. DAIL also disclosed that they are starting the process of amending the Choices for Care program manual and they will consider including some of our suggestions there.

While we remain concerned about the implications of these rule changes, Vermont Legal Aid is withdrawing our earlier request for LCAR to object to the rule.