

## PROPOSED STATE RULES

By law, public notice of proposed rules must be given by publication in newspapers of record. The purpose of these notices is to give the public a chance to respond to the proposals. The public notices for administrative rules are now also available online at <https://secure.vermont.gov/SOS/rules/>. The law requires an agency to hold a public hearing on a proposed rule, if requested to do so in writing by 25 persons or an association having at least 25 members.

To make special arrangements for individuals with disabilities or special needs please call or write the contact person listed below as soon as possible.

To obtain further information concerning any scheduled hearing(s), obtain copies of proposed rule(s) or submit comments regarding proposed rule(s), please call or write the contact person listed below. You may also submit comments in writing to the Legislative Committee on Administrative Rules, State House, Montpelier, Vermont 05602 (802-828-2231).

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Expansion of Eligibility Criteria for Temporary Housing Assistance.

Vermont Proposed Rule: 23E11

**AGENCY:** Agency of Human Services

**CONCISE SUMMARY:** Temporary housing assistance under the General Assistance program provides up to 84 or 28 days of housing in a hotel or motel. Households that are without housing due to a catastrophic situation may be eligible for up to 84 days. Households that are ineligible under catastrophic criteria may be eligible for up to 28 days if the household has a member belonging to a vulnerable population. This rule maintains categorical eligibility for 28 days of housing for families with children under 18 years of age or who are 18 or 19 years of age and attending school, as initially established in 23-E05. This rule also maintains the update to the basic needs standard chart in rule 2652.4 and the methodology for calculating the 30 percent income contribution in rule 2652.4, as initially established in 23-E05. This rule adds language addressing lodging licensing violations. Criteria related to the Act 81 transition benefit are not included in this rule and will be included in a separate emergency rule.

**FOR FURTHER INFORMATION, CONTACT:** Heidi Moreau, Agency of Human Services, Department for Children and Families 280 State Drive, NOB 1 North, Waterbury, VT 05671 Tel: 802-595-9639 E-Mail: [heidi.moreau@vermont.gov](mailto:heidi.moreau@vermont.gov) URL: <https://dcf.vermont.gov/esd/laws-rules/current>.

**FOR COPIES:** Jennifer Myka, Agency of Human Services, Department for Children and Families 280 State Drive, NOB 1 North, Waterbury, VT 05671 Tel: 802-798-9824 E-Mail: [jennifer.myka@vermont.gov](mailto:jennifer.myka@vermont.gov).

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Emergency Housing Transition Benefit.

Vermont Proposed Rule: 23E12

**AGENCY:** Agency of Human Services

**CONCISE SUMMARY:** Act 81 established an emergency housing transition benefit that provides continued housing in a hotel or motel for households that were housed through the pandemic-era General Assistance Emergency Housing Program as of June 30, 2023. Under Act 81, the transition benefit ends April 1, 2024. This emergency rule maintains the eligibility criteria initially established in 23-E05, with the following changes: 1) language clarifying that a household must accept and maintain a hotel or motel housing placement for the duration of the eligibility reassessment period to maintain eligibility for the transition benefit; 2) not including "upon expiration of the eligibility reassessment period" from rule 2652.5(D)(i) to align with the requirement in Act 81 that eligibility terminate upon noncompliance with the criteria established in the Act; 3) new definition of misconduct; 4) language addressing hospital-level care and short-term alternative housing placements; and 5) language addressing notice and appeal rights.

**FOR FURTHER INFORMATION, CONTACT:** Heidi Moreau, Agency of Human Services, Department for Children and Families 280 State Drive, NOB 1 North, Waterbury, VT 05671 Tel: 802-595-9639 E-Mail: [heidi.moreau@vermont.gov](mailto:heidi.moreau@vermont.gov) URL: <https://dcf.vermont.gov/esd/laws-rules/current>.

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Independent School Program Approval Rules.

Vermont Proposed Rule: 23P037

**AGENCY:** Agency of Education / Vermont Board of Education

**CONCISE SUMMARY:** The proposed amendments to the Independent School Program Approval Rules are designed to incorporate the principles and goals of Act No.1 (2019), seeking to ensure that schools (1) promote critical thinking regarding the history, contributions, and perspectives of ethnic and social groups; (2) include instructional materials and methods to enable students to explore and understand questions of identity and membership in ethnic and social groups, race equality, and racism; and (3) facilitate welcoming environments for all students without bias or exclusion. These amendments also establish a method for recognizing school accrediting agencies, create an annual compliance assurance requirement for approved schools, require a method for evaluating whether an approved school is compliant with nondiscrimination requirements, clarify the process for accredited and non-accredited schools to apply and become approved, and reorganize the order of the rules for clarity and to align sequentially with the steps for independent school approval and reapproval.

**FOR FURTHER INFORMATION, CONTACT:** Jennifer Deck Samuelson, State Board of Education 1 National Life Drive Davis 5, Montpelier, VT 05602-2501 Tel: 802-828-0047 Fax: 802-828-6430 E-Mail: [SBE.PublicComment@vermont.gov](mailto:SBE.PublicComment@vermont.gov) URL: <https://education.vermont.gov/state-board-councils/state-board/rulemaking>.

**FOR COPIES:** Sarah Buxton, Special Counsel - State Board of Education, 44 East State Street, Montpelier, VT 05602 Tel: 802-223-1112 Fax: 802-223-6225 E-Mail: [sarah@tarrantgillies.com](mailto:sarah@tarrantgillies.com).

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Children's Personal Care Services.

Vermont Proposed Rule: 23P038

**AGENCY:** Agency of Human Services, Department of Health

**CONCISE SUMMARY:** The rule sets forth the criteria for Medicaid coverage and reimbursement for Children's Personal Care Services (CPCS) under Vermont's Medicaid program. This rule revises and replaces current Medicaid covered services rule 4.233. The proposed amendments include the following: 1) Implements payment to legally responsible individuals for providing children's personal care services authorized under Vermont's Medicaid program. This was put in place as a temporary option during the public health emergency caused by COVID-19. It became a permanent option after the Vermont Medicaid program obtained the necessary 1115 Global Commitment to Health Waiver authority to continue payment to legally responsible individuals beyond the end of the public health emergency. 2) Implements the Electronic Visit Verification (EVV) tool for all CPCS providers as mandated by Medicaid through the 21st Century Cures Act. 3) Modifies the rule for clarity by defining program practices.

**FOR FURTHER INFORMATION, CONTACT:** Natalie Weill, Vermont Department of Health, 108 Cherry Street, Burlington, VT 05401 Tel: 802-863-7280 Fax: 802-951-1275 E-Mail: [ahs.vdhrules@vermont.gov](mailto:ahs.vdhrules@vermont.gov) URL: <https://www.healthvermont.gov/laws-regulations/laws/public-comment>.

**FOR COPIES:** Brendan Atwood, Vermont Department of Health, 108 Cherry Street, Burlington, VT 05401 Tel: 802-863-7280 Fax: 802-951-1275 E-Mail: [ahs.vdhrules@vermont.gov](mailto:ahs.vdhrules@vermont.gov)