

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).

Rules of the Board of Medical Practice.

Vermont Proposed Rule: 23P039

AGENCY: Agency of Human Services, Department of Health

CONCISE SUMMARY: The proposed rulemaking primarily responds to statutory changes, but also reflect revisions to Board policy. 1) 26 V.S.A. § 3061 creates two new forms of health care credentials, telehealth license and telehealth registration. This rulemaking implements these new credentials. 2) The public health emergency disrupted access to the testing required to become a Vermont physician. Delayed access caused some applicants to exceed established time limitations. This rulemaking extends the time limit for applicants affected by the disruption. 3) Act 38 (2023) revised supervision and practice location requirements for radiologist assistants (RAs). This rulemaking aligns the rule with statutory changes. 4) 26 V.S.A. § 1377 authorizes the Board, through rulemaking, to offer licensees a nondisciplinary financial penalty option for a violation of purely an administrative nature (e.g., failure to maintain a current address with the Board). 5) Modifies the rule for clarity and consistency with Board 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. 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.

Council Rules.

Vermont Proposed Rule: 23P040

AGENCY: Vermont Criminal Justice Training Council

CONCISE SUMMARY: The Vermont Criminal Justice Council (VCJC) Rules require multiple revisions due to statutory changes to 20 VSA 2352 and 2355 in 2018, 2020 and 2023. These statutory amendments changed the composition of the Council and the Council's powers and duties. The proposed Rule changes align the Council's Rules and regulations with our current governing statutory language in Title 20, Chap. 151. In addition, there are proposed amendments to the Rule sections for Instructor and Basic Training. These changes are proposed to allow the Council to be adaptable and responsive to training changes as the Council moves into a three-year curriculum review for law enforcement training.

FOR FURTHER INFORMATION, CONTACT: Kim McManus, Vermont Criminal Justice Training Council, 317 Academy Road, Pittsford, VT 05763 Tel: 802-483-2741 Email: kim.mcmanus@vermont.gov. URL: <https://vcjc.vermont.gov/council/rules>.

Rule Governing the Prescribing of Opioids for Pain.

Vermont Proposed Rule: 23P041

AGENCY: Agency of Human Services, Department of Health

CONCISE SUMMARY: This rulemaking replaces "naloxone" with "opioid antagonist" to allow for a broader range of medications that can be co-prescribed with opioids when required.

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. URL: <https://www.healthvermont.gov/laws-regulations/laws/public-comment>.

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Investigation and Remediation of Contaminated Properties Rule (IRule).

Vermont Proposed Rule: 23P042

AGENCY: Agency of Natural Resources

CONCISE SUMMARY: The primary reason for updating the Rule is to codify the interim PCB indoor air standards as final prior to their expiration in February 2024. Other changes include updating definitions to be consistent with other Rules, including a requirement that the DEC be notified prior to conducting any earth disturbance work at an active or closed hazardous site, include updated numerical standards for regulated environmental media, add additional clarity for expected outcomes of site specific risk assessments, additional clarity for allowing partial corrective action plans, and additional requirements for the evaluation of corrective action alternatives (ECAA) report which focus on the objectives of the remediation and detailed justification for the selected remedy.

FOR FURTHER INFORMATION, CONTACT: Lynda Provencher, Agency of Natural Resources, 1 National Life Drive, Davis 1, Montpelier VT 05620 Tel: 802-249-5562 Email: lynda.provencher@vermont.gov URL: <https://dec.vermont.gov/waste-management/contaminated-sites>.

FOR COPIES: Shawn Donovan, Agency of Natural Resources, 1 National Life Drive, Davis 1, Montpelier VT 05620 Tel: 802-522-5683 Email: shawn.donovan@vermont.gov.