

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).

Refugee Medical Assistance Rule Update.

Vermont Proposed Rule: 26P004

AGENCY: Agency of Human Services

CONCISE SUMMARY: This proposed rulemaking amends the Refugee Medical Assistance rule which was last amended effective November 1, 2019. This proposed rule establishes criteria and process used to determine eligibility and provide coverage under the Refugee Medical Assistance program. Updates to this rule are strictly formal, adopting the federal APA outline standard, as required for implementation within the Agency's upcoming eligibility and enrollment technology system. There are no substantive changes to this rule.

FOR FURTHER INFORMATION, CONTACT: Tracy Dolan, Agency of Human Services, 280 State Drive, Center Building Waterbury VT 05676 Tel: 802-233-1117 Fax: 802-241-0450 E-Mail: Tracy.Dolan@vermont.gov URL: <https://human-services.vermont.gov/rules-policies/health-care-rules>.

FOR COPIES: Gabriel Epstein, Agency of Human Services, 280 State Drive, Center Building, Waterbury VT 05676 Tel: 802-585-5925 Fax: 802-241-0450 E-Mail: gabriel.epstein@vermont.gov.

Third Party Liability.

Vermont Proposed Rule: 26P005

AGENCY: Agency of Human Services

CONCISE SUMMARY: This rule, Medicaid Covered Services Rule 7108 Third Party Liability, is being amended to remove the estate recovery language and adopt that language into a new rule. Estate recovery is a federal requirement for states to recover certain Medicaid benefits paid on behalf of a Medicaid enrollee from the individual's estate. This rule is not being amended other than to remove the estate recovery section.

FOR FURTHER INFORMATION, CONTACT: Beth Quill, Agency of Human Services (AHS), Department of Vermont Health Access (DVHA) 280 State Drive, Waterbury, VT 05671-1000 Tel: 802-585-5415 Fax: 802-241-0260 E-Mail: Beth.Quill@vermont.gov URL: <https://humanservices.vermont.gov/rules-policies/health-care-rules/health-care-administrative-rules-hcar>.

FOR COPIES: Susan Coburn, Agency of Human Services, 280 State Drive, Waterbury, VT, 05671-1000 Tel: 802-578-9412 Fax: 802-241-0450 E-Mail: Susan.Coburn@vermont.gov.

Estate Recovery.

Vermont Proposed Rule: 26P006

AGENCY: Agency of Human Services

CONCISE SUMMARY: This new rule, "Estate Recovery," outlines the Medicaid Estate Recovery Procedure. Estate recovery is a federal requirement for states to recover certain Medicaid benefits paid on behalf of a Medicaid enrollee from the individual's estate. The rule needs to be updated to be added to the Health Care Administrative Rules (HCAR). The rule amends the estate recovery provisions from Medicaid Covered Services Rule 7108 "Third Party Liability". The amendments in this new rule include adding a definitions section for clarity and increasing the undue hardship estate value threshold.

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