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STATE OF VERMONT

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Legislative Committee on Administrative Rules

Tuesday, December 1, 2009

10:00 a.m. – 2:00 p.m.

Room 10, 1st floor of State House

AGENDA (Revised 12/1/09)

10:00 a.m. Convene and introductions.

10:05 a.m. **09-P35 – Agency of Human Services, Office of Vermont Health Access (OVHA)/State Fiscal Year 2010 Coverage Changes**

This rule is held over from the October 6, October 20, November 3, 2009 meetings

Committee Decision regarding OVHA's Response to LCAR Objection

10:15 a.m. **09-P36 – Secretary of State, Office of Professional Regulation/Board of Dental Examiners Administrative Rules** (received 10/15/09) (LCAR's 45-day review period ends 11/29/09) **This rule is held over from the November 17th meeting due to lack of a quorum.**

Committee Discussion and Possible Vote

Larry S. Novins, Counsel

10:25 a.m. **09-P29 – Agency of Natural Resources/Rule Governing the Establishment of All-Terrain Vehicle Use Trails on State Land** (received 10/20/09) (LCAR's 45-day review period ends 12/4/09) **This rule is held over from the November 3rd meeting.**

Agency of Natural Resources Response to Witnesses

Jonathan Wood, Agency of Natural Resources

Meghan Purvee, General Counsel

- 10:45 a.m. **09-P20 – Banking, Insurance, Securities & Health Care Administration Department (BISHCA)/Consumer Protection and Quality Requirements for Managed Care Organizations** (received 10/6/09) (LCAR’s 45-day review period ends 11/20/09, extended to 12/31/09) **This meeting is held over from the November 17th meeting due to lack of a quorum.**

Testimony Continued from November 17th meeting

John Hollar, Magellan Health Services

Trinka Kerr, State Health Care Ombudsman, Vt. Legal Aid

Rep. Anne Donahue, member of the Act 129 committee

BISHCA Response

Paulette Thabault, Commissioner, Health Care Administration

Christine Oliver, Deputy Commissioner, Health Care Administration Div.

Paula DiStabile, Assistant General Counsel

- 11:05 a.m. **09-P38 – Agency of Human Services, Department of Corrections/Term Probation Midpoint Review** (received 10/27/09) (LCAR’s 45-day review period ends 12/11/09)

Department of Corrections

Dale Crook, Correctional Field Service Specialist

Keith Tallon, Field Services Executive

- 11:25 a.m. **09-E11 – Emergency Rule – Agency of Human Services, Department of Health/Emergency Medical Services Rules** (received 10/22/09) (LCAR’s 45-day review period ends 12/6/09)

Department of Health

Dan Manz, Emergency Medical Services Chief

Dixie Henry, Counsel

- 11:45 a.m. **09-E12 – Emergency Rule – Agency of Human Services, Department for Children & Families/Seasonal Fuel Assistance – Section 8 and Public Housing Fuel Liability Benefits** (received 11/6/09) (LCAR’s 45-day review period ends 12/21/09)

Department for Children & Families

Richard Moffi, Fuel Program Chief

NOTE: The next three rules from OVHA appear to replace the emergency rule 09-E05 which expired on Nov. 12, 2009

12:15 p.m. **09-E13 – 2nd Emergency Rule – Agency of Human Services, Office of Vermont Health Access (OVHA)/State Fiscal Year 2010 Coverage Changes – Chiropractic, VPharm Co-pays and Therapeutic Pilot** (received 11/10/09) (LCAR's 45-day review period ends 12/25/09)

Office of Vermont Health Access

Keri Andersen, Health Programs Administrator
Cynthia LaWare, Pharmacy Director

12:35 p.m. **09-E14 – 2nd Emergency Rule – Agency of Human Services, Office of Vermont Health Access (OVHA)/State Fiscal Year 2010 Coverage Changes – Price for Ingredients** (received 11/10/09) (LCAR's 45-day review period ends 12/25/09)

Office of Vermont Health Access

Keri Andersen, Health Programs Administrator
Cynthia LaWare, Pharmacy Director

12:55 p.m. **09-E15 – 2nd Emergency Rule - Agency of Human Services, Office of Vermont Health Access (OVHA)/State Fiscal Year 2010 Coverage Changes – Price for Ingredients** (received 11/10/09) (LCAR's 45-day review period ends 12/25/09)

Office of Vermont Health Access

Keri Anderson, Health Programs Administrator
Cynthia LaWare, Pharmacy Director

2:00 p.m. Adjourn

PLEASE NOTE: To testify on a rule, contact Katie Pickens at (802-828-5760) or by e-mail to kpickens@leg.state.vt.us or the Legislative Council (802-828-2271) no later than the day before the committee is scheduled to review the rule.

Presenters and Witnesses: Please plan to arrive promptly by 10:00 a.m. The scheduled order of the rules is subject to change. Thank you.

Changes to the agenda will be found on the Legislative Council's website: www.leg.state.vt.us, by clicking on Scheduled Meetings and Events and scrolling down.

Handouts Policy: Agency presenters and witnesses who wish to provide handouts of changes to the rules or testimony after the final proposed rule has been submitted, are asked to please submit 20 copies of the handouts to Katie Pickens at Legislative Council no later than 10:00 a.m. one week before the meeting in which Legislative Committee on Administrative Rules meeting will review the rule.

The following rules will be on the agenda at a future date, as noted.

Rules Pending with Administrative Rules Committee

<u>Rule No.</u>	<u>Agency, Department or Board</u>	<u>Subject</u>	<u>Received</u>	<u>Scheduled</u>	<u>45-Day Review End Date</u>
09-P25	Public Service Board	Cable Television, Rule 8.213 & 8.313	11/20/09	12/15/09	1/4/10
09-P43	Department of Public Service	Energy Efficiency Standards for Appliances and Equipment	11/24/09	12/15/09	1/8/10