



Global Commitment Register

June 27, 2023

GCR 22-107
FINAL PROPOSED

Health Care Administrative Rules Update – Filing 13

Policy Summary:

The Agency of Human Services (AHS) has filed final proposed rules with the Office of the Secretary of State and the Legislative Committee on Administrative Rules (LCAR) for the following administrative rules for Medicaid covered services:

HCAR 1.101 Health Care Administrative Rules Definitions (amendment)

- Amended to add a definition for hospital.

HCAR 4.200 Inpatient Hospital Services (current Medicaid Covered Services rule 7201)

- Amended to be consistent with HCAR language and formatting.
- Clarifies language about the Vermont Medicaid provider network and prior authorization requirements for elective admissions at certain hospitals.
- Removes language about services and reimbursement that are described in other administrative rules, the Medicaid State Plan, and/or the Medicaid Provider Manuals.

HCAR 4.201 Outpatient Hospital Services (current Medicaid Covered Services rule 7203)

- Amended to be consistent with HCAR language and formatting.
- References to specific service limitations beyond the scope of this rule were removed.

Effective Date:

The final proposed rules were filed with LCAR on June 16, 2023. The rules will not become effective until the administrative rulemaking process is complete.

Authority/Legal Basis:

Adopting and rulemaking 3 V.S.A § 801(b)(11), 33 V.S.A. § 1901(a)(1).

Population Affected: All Medicaid

Fiscal Impact: No fiscal impact

Public Comment Period:

The public comment period ended February 15, 2023. One comment was received on HCAR 4.200 and 4.201. The [comment received and the responsiveness summary](#) are available here.

HCAR 4.200 was amended in response to the comment received from the Vermont Association of Hospitals and Health Systems. The change to 4.200 from the proposed rule can be viewed in the responsiveness summary (linked above) and is highlighted in grey in the annotated final proposed rule online.

Additional Information:

The [HCAR final proposed rules](#) are available on the AHS website.

The final [proposed rules on the SOS website](#) are referred to as:

- Rule 22P039 Health Care Administrative Rules Definitions
- Rule 22P040 Inpatient Hospital Services
- Rule 22P041 Outpatient Hospital Services

The [HCAR adopted rules](#) that are currently in effect can be found at this link.

The [Medicaid Covered Services Rules](#) that are currently in effect can be found at this link.

More information about the [rulemaking process](#) is available on the Office of the Secretary of State's website.

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