



State of Vermont
Agency of Human Services
280 State Drive, Center Building
Waterbury, VT 05671-1000

Global Commitment Register

March 20, 2024

GCR 24-003
FINAL PROPOSED

Health Care Administrative Rules Update – Private Nonmedical Institutions and Long-Term Care Rules

Policy Summary:

The Department of Vermont Health Access has filed final proposed rules with the Office of the Secretary of State and Legislative Committee on Administrative Rules to amend the following Medicaid administrative rule:

5.101 Methods, Standards, and Principles for Establishing Medicaid Payment Rates for Long-Term Care Facilities

- This update amended the rule to follow the HCAR style format for adoption under HCAR and moved items that do not need the effect of rule into the accompanying manual. The remaining revisions detail the administrative processes surrounding per diem rates set by the Division.

5.102 Methods, Standards and Principles for Establishing Payment Rates for Private Nonmedical Institutions Providing Residential Child Care Services

- This update amended the rule to follow the HCAR style format for adoption under HCAR and moved items that do not need the effect of rule into the accompanying manual. The remaining revisions detail the administrative processes surrounding per diem rates set by the Division.

Effective Date:

The final proposed rules were filed with LCAR on 03/18/24. The rules will not become effective until the administrative rulemaking process is complete.

Authority/Legal Basis:

33 V.S.A. § 1901(a)
33 V.S.A. § 904 (a)

Population Affected:

Medicaid beneficiaries who receive services in a Private Nonmedical Institutions or Long-Term Care Facility.

Fiscal Impact:

The proposed changes will not have a fiscal impact.

Public Comment Period:

The public comment period ended February 15, 2024. One comment was received on HCAR 5.101. [The comment received and the responsiveness summary are available here.](#)

Additional Information:

The [HCAR proposed rules](#) are available on the Agency of Human Services website.

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

- Rule 24P005 – Private Nonmedical Institution Rules Simplification
- Rule 24P006 – Nursing Home Reimbursement Rule Simplification

The [HCAR adopted rules](#) that are currently in effect are available on the Agency of Human Services website.

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

To be added to the GCR email list, send an email to AHS.MedicaidPolicy@vermont.gov.