



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

Global Commitment Register

September 3, 2024

GCR 24-075 to 24-077
PROPOSED

Health Benefits Eligibility and Enrollment Rules Update

Policy Summary:

The Agency of Human Services (AHS) has filed proposed rules with the Office of the Secretary of State (SOS) to amend Parts 2, 3, and 7 of the Health Benefits Eligibility and Enrollment (HBEE) rules. The HBEE establishes eligibility and enrollment requirements for Medicaid/Dr. Dynasaur as well as Qualified Health Plan (QHP) insurance coverage. Updates are made regularly including to implement changes in federal and state law and guidance. The parts being amended in this proposed rulemaking are:

- GCR 24-075: HBEE Part 2 – Eligibility Standards
- GCR 24-076: HBEE Part 3 – Nonfinancial Eligibility Requirements
- GCR 24-077: HBEE Part 7 – Eligibility-and-Enrollment Procedures

These proposed rulemakings are necessary to align HBEE, Parts 2, 3, and 7, with federal and state law and guidance, provide clarification, correct information, improve clarity, and make technical corrections. Substantive revisions include:

- Making beneficiary-friendly changes to Transitional Medical Assistance eligibility;
- Codifying the exclusion of dividend/interest income for purposes of Medicare Savings Program eligibility;
- Repealing the requirement to pursue potential unearned income for purposes of Medicaid eligibility;
- Codifying the automatic enrollment of SSI recipients as Qualified Medicare Beneficiaries;
- Codifying the 90-day post-denial reconsideration period for Medicaid applicants who did not cooperate with the application process; and
- Repealing the interview requirement for purposes of long-term care Medicaid eligibility.

Effective Date:

The rules will go into effect on January 1, 2025, after receiving approval from the Legislative Committee on Administrative Rules (LCAR) and upon submitting the adopted rules with the Office of the Secretary of State.

Authority/Legal Basis:

Adopting and rulemaking: 3 V.S.A. §§ 801(b)(11); 33 V.S.A. §§ 1810, 1901(a)(1)

Population Affected:

Medicaid and Qualified Health Plan applicants and enrollees

Fiscal Impact:

This rulemaking is expected to be budget neutral.

Public Comment Period:

The public comment period is open through October 11, 2024.

Send comments to: AHS.MedicaidPolicy@vermont.gov.

Public Hearing Date and Virtual Location:

October 4, 2024 at 1:00 pm

This public hearing will be **virtual** via Microsoft Teams. Click on the link below to join or call the number below and enter the conference ID to connect.

Microsoft Teams meeting

[Join the meeting now](#)

Meeting ID: 276 122 219 440

Passcode: u4dsaU

Dial in by phone

[+1 802-552-8456,836836515#](tel:+18025528456836836515) United States, Montpelier

[Find a local number](#)

Phone conference ID: 836 836 515#

This meeting will be recorded. This recording and all paper and electronic copies of materials presented or shared on the screen will be subject to Vermont's Public Records Act, 1 V.S.A. §§ 315 et seq., and will be made available to the general public upon request. Participants are responsible for ensuring that no confidential or proprietary information is presented or discussed in the meeting and associated materials. This recording may not be deleted or destroyed except as provided under record retention schedule of the Department of Vermont Health Access.

Additional Information:

The [HBEE proposed rules are available here](#), including annotated and non-annotated versions of HBEE Parts 2, 3, and 7.

The Office of the Secretary of State references the proposed rules on its website as follows:

- HBEE Part 2 – Number 24P031
- HBEE Part 3 – Number 24P032
- HBEE Part 7 – Number 24P033

The proposed rule postings can be viewed electronically on the [Secretary of State's proposed rules website](#).

To get more information about the [rulemaking process](#), see the website of the Office of the Secretary of State.

The [HBEE adopted rules](#) that are currently in effect are available here.

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