



State of Vermont  
Agency of Human Services  
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# Global Commitment Register

December 2, 2024

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GCR 24-117  
FINAL PROPOSED

## **Health Care Administrative Rules Final Proposed Rule - Filing 22**

### **Policy Summary:**

The Agency of Human Services (AHS) filed final proposed rules with the Office of the Secretary of State and Legislative Committee on Administrative Rules for the following Health Care Administrative Rules.

### **Amended Rules:**

#### **HCAR 4.229 Chiropractic Services**

- This rule is being amended to update prior authorization requirements to reflect current practices, and provide clarifications including, defining terms, and non-covered services.

#### **HCAR 4.202 Dental Services**

- This rule is being amended to update coverage criteria and changes as a result of Act 51 (H.206) of the 2023 legislative session. The rule changes reflect coverage criteria in effect July 1, 2023.
- The rule is also being amended for clarity and will incorporate Vermont Medicaid dental benefit policies under one rule.
- Changes to align with state statute include:
  - Vermont Medicaid covers emergency dental services for adults aged 21 and older after the annual \$1,500 cap on expenditures has been met.
  - Vermont Medicaid covers adult dental services without an annual cap on expenditures for individuals receiving services in the following programs:
    - (1) The Department of Disabilities, Aging and Independent Living Developmental Disability Services (DDS) Program, or
    - (2) The Department of Mental Health Community Rehabilitation and Treatment (CRT) Program.
- In addition to waiving the annual cap, Vermont Medicaid provides coverage for medically necessary denture services for Medicaid members served by these programs.

**Repealed Rules:** The following rules will be repealed. Coverage for dental services is being consolidated under one rule for dental services (HCAR 4.202).

- **HCAR 4.203 Dental Services for Beneficiaries Under Age 21, and Pregnant and Postpartum Women**
- **HCAR 4.204 Medicaid and Surgical Services of a Dentist**
- **HCAR 4.205 Orthodontic Treatment**

**Effective Date:**

The final proposed rules were filed with the Secretary of State and Legislative Committee on Administrative Rules on 11/26/2024. The rules will not become effective until the administrative rulemaking process is complete.

**Authority/Legal Basis:**

[Medicaid State Plan](#)

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

Medicaid Coverage for Dental Services 33 V.S.A. § 1992.

**Population Affected:**

All Medicaid

**Fiscal Impact:**

This change is expected to be budget neutral.

**Public Comment Period:**

A public hearing was held October 21, 2024, and the public comment period closed on October 28, 2024. No comments were received.

**Additional Information:**

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

The proposed rules on the [Secretary of State's website](#) are referred to as:

24P036 Dental Services

24P037 Dental Services for Beneficiaries Under Age 21, and Pregnant and Postpartum Women

24P038 Medical and Surgical Services of a Dentist

24P039 Orthodontic Treatment

24P040 Chiropractic 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](#) at this link.

To be added to the GCR email list, send an email to [AHS.MedicaidPolicy@vermont.gov](mailto:AHS.MedicaidPolicy@vermont.gov).