



Global Commitment Register

September 17, 2024

GCR 24-117
PROPOSED

Health Care Administrative Rules Update - Filing 22

Policy Summary:

The Agency of Human Services (AHS) has filed proposed rules with the Office of the Secretary of State 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) Waiver Program, or
 - (2) The Department of Mental Health Community Rehabilitation and Treatment (CRT) Waiver Program.
- In addition to waiving the annual cap, Vermont Medicaid provides coverage for medically necessary denture services for Medicaid members served by these waiver 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Repealed Rules: The following rules will be repealed.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 proposed rules were filed with the Secretary of State on 9/10/2024. 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:

The public comment period is open until October 28, 2024.

Send comments to:

Medicaid Policy Unit

280 State Drive, Center Building

Waterbury, VT 05671-1000

Or submit via e-mail to AHS.MedicaidPolicy@vermont.gov.

Public Hearing:

October 21, 2024, 11:00 a.m.

[Microsoft Teams Meeting](#)

Meeting ID: 256 387 936 097

Passcode: ka5yiL

To dial in by phone +1 802-552-8456, 748399271#

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

Additional Information:

The [HCAR 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.

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