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

Global Commitment Register

October 5, 2016

GCR 16-095
PROPOSED

Health Benefits Eligibility and Enrollment Part 2 – Eligibility Standards

Policy Summary:
The Agency of Human Services (AHS) has filed a proposed rule, referenced as Health Benefits Eligibility and Enrollment (HBEE) Part 2 – Eligibility Standards, with the Office of the Secretary of State. This proposed rule is not in effect, but if adopted following the full rulemaking process, will supersede HBEE that went into effect on August 1, 2016.

The HBEE rule provides eligibility standards for Medicaid and other health care programs. HBEE is over 350 pages and is divided into eight parts under one administrative rule. Currently, AHS must file HBEE in its entirety even when a rulemaking effects only one of the eight parts. This is because HBEE was originally filed with the Office of the Secretary of State as a single rule.

This proposed rule, along with the seven others that AHS filed at the same time, amend HBEE in order to establish it as eight separate rules, each corresponding to one of the eight parts that currently make up HBEE. There are no changes to the content of the rule itself during these rulemakings.

The sole purpose of these rule filings is to allow AHS to do rulemaking in HBEE in a way that is more efficient.

Effective Date:
This rule will go into effect after receiving approval from the Legislative Committee on Administrative Rule (LCAR) and upon submitting the adopted rules with the Office of the Secretary of State.

Authority/Legal Basis:
Medicaid: C.F.R., Title 42, Chapter IV, Subchapter C, Part 435
Health Benefits Exchange: C.F.R., Title 45, Subtitle A, Subchapter B, Part 155
Adopting and rulemaking: 3 V.S.A. §§ 801(b) (11), 838, 3052, 3053; 33 V.S.A. §§ 105, 1901

Population Affected:
While this rule applies to all applicants and recipients of Medicaid and Qualified Health Plans, it is not anticipated that this rulemaking would affect those populations.

Fiscal Impact:
It is not anticipated that this rulemaking will have a fiscal impact.

Public Comment Period:
The public comment period on this rule closes on November 25, 2016.

Send comments to: robin.chapman@vermont.gov

Public Hearing Date and Location:
November 18, 2016 at 11am

Agency of Human Services
Waterbury State Office Complex
Conference Room – Cherry A-209
280 State Drive
Waterbury, Vermont 05671

Identification required to enter building.

Additional Information:
The HBEE proposed rule webpage is available here. This website has annotated and non-annotated versions of HBEE Part 2 – Eligibility Standards.

The Office of the Secretary of State references the proposed rule on its website as Rule 16P055. The posting can be viewed electronically at: https://secure.vermont.gov/SOS/rules/.

To get more information about the rulemaking process, see the website of the Office of the Secretary of State at https://www.sec.state.vt.us/administrative-rules.aspx.

The HBEE rules that are currently in effect are available here.