



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

Global Commitment Register

October 30, 2019

GCR 19-060
PROPOSED

Health Care Administrative Rules Update

Policy Summary:

The Agency of Human Services (AHS) has filed proposed rules with the Office of the Secretary of State (SOS) for the following administrative rules for Medicaid covered services.

4.101 Medical Necessity for Covered Services (Amendment; currently Medicaid Covered Services rule 7103)

- Amends rule to align with federal requirements and current policy and practice for Vermont Medicaid, including:
 - That for Medicaid beneficiaries under age 21, services are covered if necessary to correct or ameliorate a diagnosis or medical condition;
 - That medical necessity is found when the requirements of clinical criteria and guidelines adopted by Medicaid have been met;
 - That a service must be the least costly, appropriate health service that is available;
 - That a service cannot be solely for the convenience of the beneficiary's caregiver or a provider; and
 - That a service must be supported by documentation of medical evidence in the beneficiary's medical records.

4.106 Early and Periodic Screening, Diagnostic and Treatment (Amendment; currently Medicaid Covered Services rule 7410)

- Amends rule to align with federal requirements and current policy and practice for Vermont Medicaid, including clarification of the informing, screening, diagnostic, treatment, and scope of EPSDT services requirements.

4.225 Non-Emergency Medical Transportation (Amendment; currently Medicaid Covered Services rule 7408)

- Amends rule to align with federal requirements and current policy and practice for Vermont Medicaid.

4.226 Ambulance Services (Amendment; currently Medicaid Covered Services rule 7407)

- Amends rule to align with federal requirements and current policy and practice for Vermont Medicaid.

Effective Date:

Proposed rules were filed with the Secretary of State on October 25, 2019. The rules will not become effective until the administrative rulemaking process is complete.

Authority/Legal Basis:

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

Population Affected: All Medicaid.

Fiscal Impact: No fiscal impact.

Public Comment Period:

Open until December 18, 2019

Send comments to: AHS.MedicaidPolicy@vermont.gov

Or mail comments to:

Agency of Human Services
Medicaid Policy Unit
280 State Drive, Center Building
Waterbury, Vermont 05671-1000

Public Hearing Date:

December 11, 2019 2:00PM

Ash Conference Room
Waterbury State Office Complex
280 State Drive
Waterbury, VT 05671

Identification required to enter building.

Additional Information:

- The [HCAR proposed rules](#) are available on the AHS website.
- The [proposed rules on the SOS website](#) are referred to as:
 - Rule 19P075 Ambulance Services
 - Rule 19P076 Non-Emergency Medical Transportation
 - Rule 19P077 Medical Necessity for Covered Services
 - Rule 19P078 Early and Periodic Screening, Diagnostic and Treatment
- The [HCAR rules](#) that are currently in effect.
- The [DVHA rules](#) that are currently in effect.
- [More information about the rulemaking process](#) from the Office of the Secretary of State's website.