



Rulemaking Update: Rule 7.000

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Reviewers in the Rulemaking Process

SOS – Secretary of State

- Processes the proposed rule and receives the final rule.

ICAR – Interagency Committee on Administrative Rules

- Assists in rule review for the evaluation and coordination of programs and activities of State agencies, development of strategies for maximizing public input, and promotion of consistent agency measures.

LCAR – Legislative Committee on Administrative Rules

- Assists in rule review regarding agency authority, consistency of rule with intent of Legislature, public input, economic and environmental impact.

Members of the public and external organizations

- Provides input on impact of proposed rule.

Steps in the Rule Adoption Process

- 1) Pre-filing with ICAR.
- 2) Filing Proposed Rule with Secretary of State.
- 3) Publication of Proposed Rule.
- 4) Public Hearing and Comment Period.
- 5) Filing Final Proposed Rule with Secretary of State and LCAR.
- 6) LCAR Review.
- 7) Board Adopts Final Rule.
- 8) Filing Adopted Final Rule with Secretary of State.

Rule 7.000

Rule 7.000 prescribes the process for removal of a Green Mountain Care Board member, who by statute may only be removed “for cause.” 18 V.S.A. § 9374(b)(4).

Draft Rule 7.000 addresses:

- Basis for removal
- Process for removal
- Confidentiality issues
- Due process considerations

Draft Rule 7.000 is available in today’s agenda materials posted online.

Stakeholder Input & Public Comment

- Upon approval of the draft rule by the Board, a copy will be sent to the Office of the Health Care Advocate and other interested stakeholders.
- Members of the public are welcome to submit formal comments as soon as the proposed rule is posted to the Board's website.
- A public hearing will take place no earlier than 30 days after the proposed rule is posted online.
- Public comment will be accepted for at least 7 days following the public hearing.

Recommendation

Staff recommend that the Board:

- Approve draft Rule 7.000 (v.1)
- Direct staff to proceed with the rule adoption process for Rule 7.000