

PROPOSED STATE RULES

By law, public notice of proposed rules must be given by publication in newspapers of record. The purpose of these notices is to give the public a chance to respond to the proposals. The public notices for administrative rules are now also available online at <https://secure.vermont.gov/SOS/rules/> . The law requires an agency to hold a public hearing on a proposed rule, if requested to do so in writing by 25 persons or an association having at least 25 members.

To make special arrangements for individuals with disabilities or special needs please call or write the contact person listed below as soon as possible.

To obtain further information concerning any scheduled hearing(s), obtain copies of proposed rule(s) or submit comments regarding proposed rule(s), please call or write the contact person listed below. You may also submit comments in writing to the Legislative Committee on Administrative Rules, State House, Montpelier, Vermont 05602 (802-828-2231).

Rules for the Designation and Operation of Home Health Agencies.

Vermont Proposed Rule: 25P021

AGENCY: Agency of Human Services, Department of Disabilities, Aging and Independent Living (DAIL)

CONCISE SUMMARY: It is not uncommon for designated home health agencies, despite their best efforts to recruit and retain staff, to lack the necessary staffing to provide designated services, as currently defined, to all individuals who are referred. The severe workforce shortage of personal care attendants prevents home health agencies from complying with the requirement to serve all individuals on Choices for Care who are referred for services. As a result, most agencies are operating under a variance to this requirement. The proposed rule would remove Choices for Care services, including personal care, respite, companionship, and homemaker services, which are not "home health services," from the Rule's definition of "designated services," to ensure that agencies are not held responsible for providing services that they frequently lack staffing to provide, while allowing them to continue to provide these services when they do have sufficient staff. The proposed rule makes other technical changes for clarity.

FOR FURTHER INFORMATION, CONTACT: Pamela Cota, Department of Disabilities, Aging and Independent Living (DAIL) HC 2 South, 280 State Drive Waterbury, VT 05671-2060 Tel: 802-241-0347 E-Mail: pamela.cota@vermont.gov URL: <https://dlp.vermont.gov/survey-cert/facility-regs>.

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