

September 13, 2021

Louise Corliss
Office of the Secretary of State
1078 US Route 2
Middlesex, VT 05602

Re: *Licensing and Operating Regulations for Therapeutic Community Residences*; Agency of Human Services, Department of Disabilities, Aging and Independent Living (DAIL)

Dear Ms. Corliss,

Attached please find a proposed amendment to the existing *Licensing and Operating Regulations for Therapeutic Community Residences*. The proposed rule makes technical corrections, as well as substantive changes to address the following:

During the Serious Mental Illness/Institutions for Mental Disease (SMI/IMD) waiver negotiations with the Centers for Medicare and Medicaid Services (CMS), CMS outlined milestones that Vermont needed to meet. Within Milestone 2 is a state requirement to ensure psychiatric hospitals and residential settings contact beneficiaries and community-based providers, through the most effective means possible (e.g., email, text, or phone call), within 72 hours of discharge. Vermont is meeting this requirement by incorporating it into administrative rule.

The Interagency Committee on Administrative Rules (ICAR) reviewed and approved the proposed rule during its meeting on August 17, 2021, subject to the Department making the recommended changes detailed in the minutes from that meeting. Those changes have been made.

Attached hereto are the following documents:

1. Proposed Rule Coversheet;
2. Adopting Page;
3. Economic Impact Analysis;
4. Environmental Impact Analysis;
5. Public Input Statement;
6. Clean text of the rule;
7. Annotated text of the rule; and
8. ICAR Minutes from August 17, 2021, meeting.

A public hearing will be held on Wednesday, October 27, 2021, from 2:00-3:30 pm, at the Waterbury State Office Complex. A call-in option, for those choosing not to attend in-person, will also be available, using the following information:

[+1 802-828-7667](tel:+18028287667), [1626803777#](tel:+1626803777) United States, Montpelier
Phone Conference ID: 162 680 377#

The public comment period will remain open until November 5, 2021.

Thank you for your assistance in this matter. Please do not hesitate to contact me if you have any questions or comments.

Sincerely,

Stuart Schurr

Stuart G. Schurr
General Counsel

Enclosures

cc: Suzanne Leavitt, DAIL