

STATE OF VERMONT  
AGENCY OF HUMAN SERVICES

# DCF

## Department for Children and Families

**BULLETIN NO.:** 16-04E

**FROM:** Sean Brown, Deputy Commissioner  
Economic Services Division

**DATE:** January 12, 2016

**SUBJECT:** Health Benefits Eligibility and Enrollment (HBEE)

**CHANGES ADOPTED EFFECTIVE:** 1/11/16

### INSTRUCTIONS

**Maintain Manual - See instructions below.**

**Proposed Regulation - Retain bulletin and attachments until you receive manual maintenance information or instructions**

### MANUAL REFERENCE(S): HBEE

Health Benefits Eligibility and Enrollment (HBEE), referenced as “HBEE (B16-4E)” for purposes of this Bulletin, is an emergency rule that went into effect January 11, 2016. It is referenced as Rule 16-E01 by the Office of the Secretary of State.

This emergency rule amends HBEE (B15-02F) that was adopted on July 15, 2015. This emergency rule is necessary to conform HBEE to federal guidance and regulations implementing the Patient Protection and Affordable Care Act (ACA), Pub. L. No. 111-148, as amended by the federal Health Care and Education Reconciliation Act of 2010, Pub. L. No. 111-152. Vermont Act 58 of 2015 authorizes emergency rulemaking for these purposes.

This emergency rule is changing the reasonable opportunity period for Medicaid verification. This rule restores the timeframes for the reasonable opportunity period for verification of Medicaid eligibility to what was in effect when the ACA was enacted. Accordingly, the current 90 day reasonable opportunity periods are reduced to:

- Two periods of ten days each for new applicants
- Ten days for enrollees

All changes to HBEE (B16-04E) are contained in Part Seven of the rule.

### Manual Maintenance

Remove HBEE (15-02F) and replace with HBEE (16-04E)

### **Rulemaking History of HBEE**

- HBEE (B16-04E), effective January 11, 2016, replaced HBEE (B15-02F) in its entirety.
- HBEE (B15-02F), effective on July 15, 2015, replaced HBEE (B14-04F) in its entirety.
- HBEE (B14-04F), effective July 30, 2014, replaced HBEE Amendment # 3 (B14-02E) in its entirety.
- HBEE Amendment # 3 (B14-02E), an emergency rule effective March 31, 2014, replaced HBEE Amendment # 2 (B13-46E) in its entirety.
- HBEE Amendment # 2 (B13-46E), an emergency rule effective January 1, 2014, replaced HBEE Amendment # 1 (B13-36E) in its entirety.
- HBEE Amendment # 1 (B13-36E), an emergency rule effective October 1, 2013, replaced the HBEE (B13-12F) in its entirety.
- HBEE (B13-12F), the original final rule, was effective October 1, 2013.

### **View the Emergency Rule**

The clean and annotated versions of HBEE (B16-04E) can be viewed at:

<http://dcf.vermont.gov/esd/laws-rules/proposed-adopted>

### **Information about the Rulemaking Process**

To get more information about the Administrative Procedures Act and the rules applicable to state rulemaking, please see the website of the Office of the Secretary of State at:

<https://www.sec.state.vt.us/> and/or call Louise Corliss at 802-828-2863.

To see the Office of the Secretary of State's posting related to this rule, see

<https://www.sec.state.vt.us/administrative-rules/notices-of-rulemaking.aspx>

For information on upcoming hearings before the Legislative Committee on Administrative Rules (LCAR), please see the website of the Vermont Legislature at:

<http://legislature.vermont.gov/committee/detail/2016/39> and/or call 802-828-5760.