



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

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# Global Commitment Register

September 7, 2016

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GCR 16-012  
FINAL

## **VPharm Rule Update**

### **Policy Summary:**

The Agency of Human Services (AHS) filed final VPharm Rules 5420 and 5430 with the Office of the Secretary of State (SOS) and the Legislative Committee on Administrative Rules (LCAR) on August 15, 2016. These rules are effective September 1, 2016 and supersede Rules 5420 and 5430 that became effective January 1, 2006 (DCF Bulletin 05-24F).

VPharm helps eligible persons pay for prescription medicines. The eligibility standards for this program are set forth in VPharm Rules at Economic Services Division Rules 5400 et seq.

The changes made by this rulemaking permit AHS to conduct rolling reviews for VPharm beneficiaries instead of reviewing all beneficiaries in June of each year, and require that AHS terminate VPharm assistance when a person becomes ineligible for VPharm, including due to income or household member changes that are reported between reviews (ending the “hold harmless” provision).

This rulemaking was necessary in order to align the rule with 33 V.S.A. Sec. 2072(c) which requires termination of assistance when an individual becomes ineligible for VPharm. It was also necessary in order to permit AHS to conduct rolling reviews. The change to rolling reviews will increase efficiency and will make the VPharm review process similar to other benefit programs. 33 V.S.A. Sec. 2077(a) requires AHS to review VPharm applications annually and authorizes rolling reviews which are now required by rule.

### **Effective Date:**

September 1, 2016

### **Authority/Legal Basis:**

VPharm: 33 V.S.A. §§ 2077(a), 2077(c)

Adopting and rulemaking: 3 V.S.A. §§ 801(b)(11), 838, 3052, 3053; 33 V.S.A. §§ 105, 1901(a)(1), 2081(e)

**Population Affected:**

VPharm applicants and enrollees.

**Fiscal Impact:**

It is estimated that implementation of these changes will cost the State of Vermont \$50,000. If these changes are implemented, they are projected to save the State an estimated \$364,083 in fiscal year 2017.

**Public Comment Period:**

The public comment period ended on May 6, 2016. Comments received and responses can be found below by clicking the link to the DCF bulletin.

**Additional information:**

DCF/ESD Bulletin No. 16-10F, which has a rulemaking summary and public comments received and responses can be viewed electronically at:

<http://dcf.vermont.gov/sites/dcf/files/ESD/Rules/2016/Rules/B16-10F.pdf>.

VPharm Rules that are currently in effect can be viewed electronically at:

<http://humanservices.vermont.gov/on-line-rules/esd/vpharm-5400/view>.

To get more information about the rulemaking process, see the website of the Office of the Secretary of State at <https://www.sec.state.vt.us/administrative-rules.aspx>.