



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

Global Commitment Register

May 11, 2016

GCR 16-044
FINAL

Medicaid Reasonable Opportunity Period

Policy Summary:

Vermont Medicaid is changing the reasonable opportunity period (ROP) for verifications effective January 11, 2016 by emergency rule ([GCR 16-001](#)). This emergency rule expired May 10, 2016. The Agency of Human Services has filed a second emergency rule, effective May 11, 2016, that will be in place for 120 days, at which time a final rule will be in effect.

The ROP is changed from a 90 day period to a 10 day period for renewals. For new applications, the ROP changed to 20 total days communicated in 2 periods of 10 days. These changes restore the reasonable opportunity period for verifications for applicants and enrollees to what was in effect prior to the implementation of the Affordable Care Act. This policy is maintained through emergency rulemaking (see Additional Information below) with a Bulletin Number of 16-22E.

Effective Date:

May 11, 2016

Authority/Legal Basis:

42 CFR § 435.912 Timely determination of eligibility
Act 58 of 2015 Sec. E.306.1 Emergency Rulemaking Authority
3 V.S.A. § 844 Emergency rules

Population Affected:

All Medicaid applicants and beneficiaries.

Fiscal Impact:

No fiscal impact.

Additional information:

Bulletin No. 16-22E, which provides background on the ROP and information on the public input process, will be posted here when available:

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

Vermont Secretary of State website on Administrative Procedures Act (APA) rulemaking:

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

Vermont statutes on emergency rulemaking:

<http://legislature.vermont.gov/statutes/section/03/025/00844>.

Act 58 of 2015, which grants emergency rulemaking authority to the Agency of Human Services in order to comply with the federal Affordable Care Act:

<http://legislature.vermont.gov/assets/Documents/2016/Docs/ACTS/ACT058/ACT058%20As%20Enacted.pdf>.