

ADOPTED RULE: COVER SHEET

SOS# _____
(Do Not Complete)

Note: File this form with the Secretary of State and the Legislative Committee on Administrative Rules. You must file an adopting page and the text of the adopted rule with this cover sheet.

Please complete the following.

1. Title or subject of adopted rule:
Bennington Sarcoidosis Claim Rules
2. Proposed Rule # previously assigned by the Secretary of State 07 P-050.
3. Agency:
Vermont Department of Labor
4. Statutory authority for this rule:
Act 53 of the 2007 Vermont Legislature
5. This filing has has not changed since the filing of the final proposal. If it has changed, please attach a letter to this filing explaining in detail what changes were made, citing chapter and section of those changes where applicable, including changes in economic impact.
6. The Legislative Committee on Administrative Rules did not object objected to the final proposal.
7. Procedural history of adoption:

The rule was filed with ICAR on the following date: 09/24/07.

This rule was filed in proposed form with the secretary of state on the following date: 10/12/07.

This rule was published in newspapers of record on 10/25/07 and 11/01/07.

This rule was the subject of public hearings held as follows (give date, time, and place):

11/19/07 @ 1:30 - 2:30 Vermont Interactive Television in Montpelier and Bennington, VT

The deadline for public comment for this rule was 11/27/07.

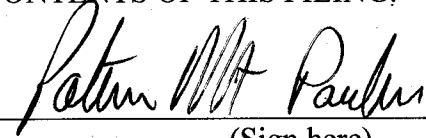
This rule was filed in its final proposed form with the secretary of state and with the Legislative Committee on Administrative Rules on 01/17/08.

This rule was considered by the Legislative Committee on Administrative Rules on 01/30/08.

This rule is filed in its adopted form on 01/31/08.

The effective date of this rule will be 02/18/08 (must be no sooner than 15 days following the filing of the adopted rule).

CERTIFICATION: AS THE ADOPTING AUTHORITY (see 3 V.S.A. § 801(b)(11) for a definition) OF THIS RULE, I HEREBY CERTIFY THAT THE PROCEDURAL REQUIREMENTS OF TITLE 3, CHAPTER 25 HAVE BEEN MET. I ALSO APPROVE THE CONTENTS OF THIS FILING.



(Sign here)

Date: 1 / 31 / 08

Patricia Moulton Powden
Commissioner
Department of Labor
(Type name here please)

An adopting page and a text of the rule were filed with this coversheet

APA Clerk's Initials _____

ADOPTING PAGE

Note: This form must be filed three times during the rulemaking process, viz., with the Proposed Rule Cover Sheet, Final Proposal Cover Sheet, and Adopted Rule Cover Sheet.

Please complete the following:

1. Title of rule:
Bennington Sarcoidosis Claim Rules
2. Agency:
Vermont Department of Labor
3. Agency's reference number, if any:

4. This is a(n)

- Amendment- changes to an already existing rule.
- New rule- adopts a rule that did not previously exist.
- Repeal-repeals a rule that previously existed.

Except for new rules, please give the name of the existing rule and the date on which it was last amended or adopted:

Note: To satisfy the requirement for an annotated text, an agency must submit the entire rule in annotated form with the filings of proposed rules and final proposals. Filing a paragraph or page of a larger rule is not sufficient. Similarly, if the rules of the agency have been published as part of the Code of Vermont Rules, the agency shall file the annotated text, if possible, using the appropriate page or pages of the Code of Vermont Rules as a basis for the annotated version. New rules need not be accompanied by an annotated text.



MEMO FROM THE WORKERS' COMPENSATION & SAFETY DIVISION

TO: INTERESTED PARTIES
FROM: J. Stephen Monahan, Director
DATE: Thursday, January 31, 2008
SUBJECT: Adopted Sarcoidosis Rules Approved By To LCAR On January 30, 2008

Attached please find the final adopted sarcoidosis rules. These rules were considered by LCAR on January 23, 2008 and approved by LCAR on January 30, 2008. In response to issues raised by the Committee at the first hearing, the definition of the term "sarcoidosis" was changed. Various typographical and grammatical errors were also corrected.

Summary of the Substantive Change:

The definition of "sarcoidosis was changed from a more formal medical definition to the following:

"Sarcoidosis" – the proper diagnosis of sarcoidosis requires the exercise of professional medical judgment in accord with accepted medical practices. If disputes arise over the diagnosis, claims shall be evaluated on an individual basis.

Both The State of Vermont Risk Management Division and the VSEA testified that this definition was sufficient and the Committee approved the change.

These new rules will be effective Monday February 18, 2008.