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State/Territory Name: Vermont

State Plan Amendment (SPA) #: 21-0011

This file contains the following documents in the order listed:

- 1) Approval Letter
- 2) CMS 179 Form/Summary Form (with 179-like data)
- 3) Approved SPA Page

DEPARTMENT OF HEALTH & HUMAN SERVICES
Centers for Medicare & Medicaid Services
601 E. 12th St., Room 355
Kansas City, Missouri 64106



Medicaid and CHIP Operations Group

October 28, 2021

VIA E-MAIL

Mike Smith, Secretary
Vermont Agency of Human Services
280 State Drive - Center Building
Waterbury, VT 05671

Re: Vermont State Plan Amendment (SPA) 21-0011

Dear Secretary Smith:

The Centers for Medicare & Medicaid Services (CMS) reviewed your Medicaid State Plan Amendment (SPA) submitted under transmittal number (TN) 21-0011. This amendment proposes to limit the provision of medical nutrition therapy to registered dietitians. This letter is to inform you that Vermont's Medicaid SPA Transmittal Number 21-0011 was approved October 28, 2021 and effective July 1, 2021.



If you have questions concerning this letter, please contact Gilson DaSilva, Division of Program Operations (South Branch) at (617) 565-1227 or via e-mail at Gilson.dasilva@cms.hhs.gov.

Sincerely,



James G. Scott
Division of Program Operations

cc: Dylan Frazer, Deputy Director of Medicaid Policy

TRANSMITTAL AND NOTICE OF APPROVAL OF STATE PLAN MATERIAL FOR: CENTERS FOR MEDICARE AND MEDICAID SERVICES	1. TRANSMITTAL NUMBER: 21-0011	2. STATE: VERMONT
TO: REGIONAL ADMINISTRATOR CENTERS FOR MEDICARE & MEDICAID SERVICES DEPARTMENT OF HEALTH AND HUMAN SERVICES	3. PROGRAM IDENTIFICATION: TITLE XIX OF THE SOCIAL SECURITY ACT (MEDICAID)	
5. TYPE OF PLAN MATERIAL (<i>CHECK ONE</i>): <input type="checkbox"/> NEW STATE PLAN <input type="checkbox"/> AMENDMENT TO BE CONSIDERED AS NEW PLAN <input checked="" type="checkbox"/> AMENDMENT COMPLETE BLOCKS 6 THRU 10 IF THIS IS AN AMENDMENT (<i>Separate Transmittal for each amendment</i>)		
6. FEDERAL STATUTE/REGULATION CITATION: 42 CFR §430.12(c)(1)(ii)	7. FEDERAL BUDGET IMPACT: a. FFY <u>2021</u> \$ <u>0.00</u> b. FFY <u>2022</u> \$ <u>0.00</u>	
8. PAGE NUMBER OF THE PLAN SECTION OR ATTACHMENT: Attachment 3.1-A page 6n(3)	9. PAGE NUMBER OF THE SUPERSEDED PLAN SECTION OR ATTACHMENT (<i>If Applicable</i>) None	
10. SUBJECT OF AMENDMENT: Medical Nutrition Therapy		
11. GOVERNOR'S REVIEW (<i>Check One</i>): <input type="checkbox"/> GOVERNOR'S OFFICE REPORTED NO COMMENT <input type="checkbox"/> COMMENTS OF GOVERNOR'S OFFICE ENCLOSED <input type="checkbox"/> NO REPLY RECEIVED WITHIN 45 DAYS OF SUBMITTAL		<input checked="" type="checkbox"/> OTHER, AS SPECIFIED SIGNATURE OF SECRETARY OF ADMINISTRATION Kristin Clouser <small>Digitally signed by Kristin Clouser Date: 2021.09.30 10:46:30 -0400</small>
12. SIGNATURE OF STATE AGENCY OFFICIAL: 	16. RETURN TO: DYLAN FRAZER AGENCY OF HUMAN SERVICES 280 STATE DRIVE, CENTER BUILDING WATERBURY, VT 05671-1000	
13. TYPED NAME: Michael K. Smith	17. DATE RECEIVED: 09/30/2021 18. DATE APPROVED: 10/28/2021 FOR REGIONAL OFFICE USE ONLY PLAN APPROVED - ONE COPY ATTACHED	
14. TITLE: SECRETARY, AGENCY OF HUMAN SERVICES		
15. DATE SUBMITTED: 9/30/2021		
19. EFFECTIVE DATE OF APPROVED MATERIAL: 07/01/2021		
21. TYPED NAME: James G. Scott	22. TITLE Director, Division of program Operations	
23. REMARKS		

ITEM 13. OTHER DIAGNOSTIC, SCREENING, PREVENTIVE AND REHABILITATIVE SERVICES, I.E., OTHER THAN THOSE PROVIDED ELSEWHERE IN THE PLAN.
(Continued)

13-C Preventive Services (continued)

11. Medical Nutrition Therapy Services

Medical nutrition therapy services are recommended by a physician or other licensed practitioner of the healing arts within the scope of their practice under State law to -

- 1) Prevent disease, disability, and other health conditions or their progression;
- 2) Prolong life; and
- 3) Promote physical and mental health and efficiency.

Medical nutrition therapy services are covered when provided by a registered dietitian working within their scope of practice. Coverage is limited to one initial assessment for each condition and up to five hours for follow-up therapy in a calendar year. Additional services may be authorized if determined to be medically necessary.

Registered dietitians are certified by the Vermont Office of Professional Regulation. To be eligible for certification an individual must be a registered dietitian by the Commission on Dietetic registration, or shall have: received a bachelor of arts or science or higher degree in dietetics from an accredited university; and satisfactorily completed a minimum of 900 practicum hours of supervision under an Academy of Nutrition and Dietetics dietitian registered by the Commission on Dietetic Registration; and passed an examination to the satisfaction of the Director of the Office of Professional Regulation.