

**STATE OF VERMONT
GREEN MOUNTAIN CARE BOARD**

In re: Application of Visiting Nurse and) GMCB-019-15con
Hospice for Vermont and New Hampshire,)
Inc. for Purchase of Office Condominium)
to House Administrative Offices)
_____)

CERTIFICATE OF NEED

The Green Mountain Care Board issues this certificate of need (CON) pursuant to 18 V.S.A. § 9431 *et seq.* to the Visiting Nurse and Hospice for Vermont and New Hampshire (the applicant, or the VNH) to purchase a 10,000 square foot (sq. ft.) condominium administrative office space on Prospect Street in White River Junction, Vermont (WRJ). The Board issues this CON based on the Findings of Fact and Conclusions of Law in the Statement of Decision and Order in this docket, and subject to the conditions set forth below.

Project Description and Scope

The VNH is a non-profit, Medicare-certified home health agency incorporated in Vermont that provides nursing, rehabilitative, hospice and personal care services in more than 140 towns in Vermont and New Hampshire. The VNH currently maintains administrative offices in both states and is seeking a CON to consolidate administrative functions in one location in WRJ. The total cost of the project is \$2,584,000 which will be financed with a loan from the U.S. Department of Agriculture (USDA) Rural Development program with a 30-year note payable at an annual interest rate of 3.625%.

The Project is outlined in greater detail in the Statement of Decision and Order in this docket, incorporated herein and issued today by the Board.

Project Conditions

The project as proposed, subject to the following requirements and conditions, meets the statutory criteria set forth in Section 9437 of Title 18:

1. The VNH shall develop and operate the project in strict compliance with its scope as described in the application, in other materials in the record submitted by the applicant, and in strict conformance to the Findings of Fact and Conclusions of Law set forth in the Statement of Decision and Order, and subject to the conditions herein.
2. The purchase and sale transaction that is the subject of this application project shall be completed within two (2) years of the date of this certificate of need, or the certificate of need shall become invalid and deemed revoked.

3. Noncompliance with any provision of this certificate of need or with applicable ordinances, rules, laws and regulations constitutes a violation of this certificate of need and may be cause for enforcement action pursuant to 18 V.S.A. §§ 9445, 9374(i), and any other applicable law.
4. This certificate of need is not transferable or assignable and is issued only for the premises and entities named in the application.
5. If the VNH contemplates or becomes aware of a potential or actual nonmaterial change as defined in 18 V.S.A. § 9432(12), or a material change as defined in 18 V.S.A. § 9432(11), to the scope or cost of the project described in its application and as designated in this certificate of need, the VNH shall file a notice of such change immediately with the Board. The Board shall review the proposed change and advise the VNH whether the proposed change is subject to review.
6. The VNH shall file implementation reports with the Board until the project is fully operational and property transfer complete. The first report shall be filed with the Board six months from the date of this CON; subsequent reports shall be filed at six-month intervals thereafter.

The implementation reports shall include but not be limited to the following information and analysis:

- a. Overview of the project, including information and analysis demonstrating that the project is in conformance with its scope as described in the application. The reports must identify any changes to the financing sources and provide information comparing projected to actual expenditures during the reporting period and to date.
 - b. Verification that no material or nonmaterial changes have occurred or are contemplated.
7. After notice and an opportunity to be heard, the Board may in its discretion make such further orders as it finds necessary or appropriate to accomplish the purposes of this certificate of need and to ensure compliance with its terms and conditions.
 8. All reports, notices, forms, information or submissions of any kind required to be submitted to the Board as a condition of this certificate of need shall be signed by the applicant's chief executive officer and verified by the chief executive officer, or by his or her designated representative.
 9. The conditions and requirements contained in this certificate of need shall remain in effect for the duration of the reporting period defined in paragraph 6, above.

