

STATE OF VERMONT
GREEN MOUNTAIN CARE BOARD

In re: Application of Vermont Open MRI,)
LLC, Operation of Existing 0.6T)
MRI and Purchase of Replacement) Docket No. GMCB-003-14con
1.2T MRI)

CERTIFICATE OF NEED

I. Project Description and Scope

Vermont Open MRI, LLC proposes to: (1) continue offering MRI imaging services with a Philips Panorama 0.6T Open MRI machine (0.6T MRI); and (2) purchase and install a Hitachi Oasis 1.2T MRI machine (1.2T MRI) in 2017¹ to replace the 0.6T unit.

The total project cost is \$1,700,000. Continued operations will be financed with a \$400,000 loan and the proposed purchase and installation of the 1.2T MRI will be financed with a \$1,300,000 loan.

In accordance with Title 18, Chapter 221, Subchapter 5, other applicable laws and the Statement of Decision in this matter, the Green Mountain Care Board issues this Certificate of Need to Vermont Open MRI, LLC (“Vermont Open”) for the first component—continued operation of Vermont Open MRI, LLC, using the existing 0.6T MRI— and defers a decision on component 2—the proposed future purchase and installation of the replacement 1.2T MRI equipment—until such time that the Board has sufficient information and assumptions to evaluate the project.

Accordingly, the applicant must contact the Board no later than six months prior to the anticipated removal of the existing MRI equipment and the purchase and installation of replacement equipment and provide the Board with complete, updated and accurate information concerning this project component subject to the terms, conditions and requirements below and in the Statement of Decision.

The proposed project is outlined in detail in the Certificate of Need application, related materials provided by Vermont Open, and the Statement of Decision issued today.

II. Timeline

Certificate of Need Application	May 16, 2014
Supplement to the Application Filed	June 27, October 31, November 25, 2014 and May 14, 2015
Application Closed	July 8, 2015

¹ Although the application states that the applicant would purchase and install the new equipment in 2016, its revised balance sheet indicates that the date has changes to 2017.

III. Requirements

This Certificate of Need is subject to the following terms, conditions and requirements:

- A. Vermont Open shall comply with the scope of the project for the approved component, continued operation of the existing business with the 0.6T MRI, as described in the application and other materials in the record submitted by Vermont Open. This Certificate of Need is limited to the project and activities described for this component. Vermont Open shall in all respects develop and operate the project in compliance with the project scope for this approved component as described in the application, and in other information in the record.
- B. The first component, the continued operation of the existing business with the 0.6T MRI, has been implemented. Vermont Open has three years from the date of this Certificate of Need to file sufficient information and assumptions to evaluate the proposed replacement 1.2T MRI machine.
- C. Noncompliance with any provision of this Certificate of Need or applicable ordinances, rules, laws and regulations shall constitute 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.
- D. This Certificate of Need is not transferable or assignable and is issued only for the premises and entity named in the application.
- E. If Vermont Open 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, Vermont Open shall file a notice of such change immediately with the Green Mountain Care Board. The Green Mountain Care Board shall review the proposed change and advise Vermont Open whether the proposed change is subject to review.
- F. The Green Mountain Care Board requires Vermont Open to submit annually for three consecutive years, using the same 12-month period for each report, total actual volumes and the number and percent of total MRI studies performed with and without contrast. The annual reports shall be submitted through the date documents are filed for the replacement MRI.
- G. The Green Mountain Care Board may, after notice and an opportunity to be heard, make such further orders as are necessary or desirable to accomplish the purposes of this Certificate of Need, and to ensure compliance with the terms and conditions of this Certificate of Need.

- H. All reports, notices, forms, information or submissions of any kind required to be submitted to the Green Mountain Care Board as a condition of this Certificate of Need shall be signed by Vermont Open’s chief executive officer and verified by the chief executive officer, or by his or her designated representative.

- I. The conditions and requirements contained in this Certificate of Need shall remain in effect for the duration of the reporting period defined in paragraph F, above, but may be extended by the Board upon application and approval for the second component of this project, the purchase and installation of replacement equipment.

SO ORDERED.

Dated: July 27, 2015
Montpelier, Vermont

s/ Alfred Gobeille)

s/ Cornelius Hogan)

s/ Allan Ramsay)

GREEN MOUNTAIN
CARE BOARD
OF VERMONT

**Board members Betty Rambur and Jessica Holmes were not present to vote on this Certificate of Need application.*

Filed: July 27, 2015
Attest: s/ Janet Richard
Green Mountain Care Board
Administrative Services Coordinator