

Green Mountain Care Board
89 Main Street
Montpelier, VT 05620

[phone] 802-828-2177
www.gmcboard.vermont.gov

Alfred Gobeille, Chair
Con Hogan
Jessica Holmes, PhD
Betty Rambur, PhD, RN
Allan Ramsay, MD
Susan Barrett, JD, Executive Director

DELIVERED ELECTRONICALLY

July 14, 2015

Craig Miskovich, Esq.
Downs, Rachlin, Martin, PLLC
28 Vernon St.
Suite 501, PO Box 9
Brattleboro, VT 05302

RE: Docket No. GMCB-011-15con, Proposed Outpatient Therapy to be Offered By Attuned Living and Eating Centers, LLC, Annual Operating Expense: Year 1: \$435,360 and Year 2: \$426,787

Dear Mr. Miskovich:

Thank you for your letter dated June 26, 2015 requesting a jurisdictional determination and revised financial table for year 1 received on July 10, 2015 regarding the proposed Outpatient Therapy Program to be offered by Attuned Living and Eating Centers, LLC in Ludlow.

As summarized in your letter, Attuned Living and Eating Centers, LLC sought a Certificate of Need to develop an Outpatient Binge Eating Disorder Treatment Program which had three components: 1) Outpatient Therapy Program; 2) Intensive Outpatient Program; and 3) Partial Hospitalization Program. On May 4, 2015, the application for the Outpatient Binge Eating Disorder Treatment Program was denied by the Green Mountain Care Board (GMCB).

Attuned Living and Eating Centers, LLC is now proposing to only develop the Outpatient Therapy Program component. The proposed Outpatient Therapy Program will offer individual and group therapy sessions, including cognitive behavioral therapy, dialectical behavior therapy and nutritional counseling to women seeking outpatient treatment for Binge Eating Disorder. The Outpatient Therapy Program services will be provided by a licensed therapist(s) and a registered dietician in a clinical office setting located in Ludlow. The total annual operating expense in year 1 is expected to be \$435,360 in year 1 and \$426,787 in year 2.

Based on the information provided, the Outpatient Therapy Program as described in your submission is not subject to Certificate of Need review at this time. Therefore, Attuned Living and Eating Centers, LLC may proceed with development of the Outpatient Therapy Program component.



However, the Board is requiring Attuned Living and Eating Centers, LLC to submit a spreadsheet reflecting Program Revenue and Program Expenses for all line items using the format used in the revised spreadsheet submitted on July 10, 2015. Following the close of year one and year two, a spreadsheet reflecting actual program revenues and expenses must be submitted for the 12 month period. If it becomes apparent that the annual operating expenses will exceed \$500,000 during either of the first two years of operation, the Board should be notified immediately.

If Attuned Living and Eating Centers, LLC intends to add any further service/program components, you must notify the GMCB in writing requesting a jurisdictional determination so the Board may determine whether further review is required.

If you have any questions, please do not hesitate to contact me at 802-828-2918.

Sincerely,

s/ Donna Jerry
Donna Jerry
Health Policy Analyst

cc: Judy Henkin, Health Policy Director

