



October 26, 2016

VIA EMAIL AND FIRST CLASS MAIL
Donna Jerry, Senior Health Policy Analyst
Green Mountain Care Board
89 Main Street
Montpelier, Vermont 05620
Donna.Jerry@vermont.gov

RE: Docket No. GMCB-010-15con, Proposed Ambulatory Surgery Center, Request for Supplemental Implementation Report

Dear Donna:

I am writing to request that the Green Mountain Care Board (“GMCB”) require the Vermont Eye Surgery and Laser Center (“VESLC”) to submit an updated implementation report. VESLC last submitted an implementation report, which it is required to submit based on the 2006 approval of its CON¹, in May, 2013 for the November, 2012 through May, 2013 reporting period. (Most recent report attached.)

Northwestern Medical Center’s (“NMC”) operations, including utilization and services, have been significantly affected by the VESLC. Because there are substantial similarities between the VESLC and the proposed Green Mountain Surgery Center (“GMSC”) – including a common principle and owner in Dr. Thomas Dowhan and a common service area which is also shared with NMC – an updated report will provide information that that is necessary for NMC to evaluate the impact the proposed GMSC will have on NMC.

Further, Dr. Dowhan, a “primary planner” and part owner of the GMSC, is also manager, member and part-owner of the VESLC. Without an updated implementation report, information regarding the VESLC’s utilization, services, costs and other essential details is available only to the VESLC and, based on Dr. Dowhan’s dual ownership roles, the proposed GMSC. NMC must also have access to this essential information to adequately assess the impact an additional ambulatory surgery center drawing patients from the Franklin County service area will have on its operations.

¹ *In re: Application of the Vermont Eye Surgery and Laser Center, Docket No. 05-058-H, Statement of Decision, 18, May 10, 2007.*

Based on the above, NMC respectfully requests that the GMCB require the VESLC to submit an updated implementation report in order to enable NMC to evaluate the impact of the proposed GMSC.

We appreciate your consideration.

Regards,



Jonathan Billings
Vice President, Planning and Community Relations

cc: Judy Henkin, Esq.
Eileen Elliott, Esq.
Lila Richardson, Esq.