

Green Mountain Care Board
144 State Street
Montpelier, VT 05602

802-828-2177
www.gmcbboard.vermont.gov

Kevin Mullin, Chair
Jessica Holmes, PhD
Robin Lunge, JD, MHCDS
Maureen Usifer
Tom Pelham
Susan Barrett, JD, Executive Director

DELIVERED ELECTRONICALLY

November 6, 2018

Rachelle Sico, Esq., MPH
WellCare Health Plans
8725 Henderson Road
Tampa, FL 33634

RE: Docket No. GMCB-031-18con, Offering a Medicare Advantage HMO product and PPO product in Vermont

Dear Ms. Sico:

Thank you for your October 29, 2018 letter requesting a jurisdictional determination regarding WellCare Health Plans' (WellCare) intent to offer a Medicare Advantage HMO product and a PPO product statewide.

According to your letter, if approved for licensure by the Vermont Department of Financial Regulation, WellCare will open one office in Vermont that will be used for administrative services including case management, sales, marketing and quality improvement. WellCare will not directly employ any health care providers to support its HMO or PPO products. Instead, WellCare Health Plan of Vermont will contract to build a provider network to meet the requirements of the Centers for Medicare & Medicaid (CMS) for a Medicare Advantage Plan, which CMS must review and approve prior to being offered.

Based on your representations, WellCare's Vermont operations are not a "health care facility" as defined in 18 V.S.A. § 9432(8), and therefore are not subject to Certificate of Need review. However, if there are future changes in the type or scope of the project, please notify the Green Mountain Care Board immediately so we may determine whether the changes are subject to further review.

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

Sincerely,

s/ Donna Jerry
Senior Health Policy Analyst
Green Mountain Care Board

cc. Judith Henkin, General Counsel

