

Primary Care Advisory Group: Planning for FY2019

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Establishment of the GMCB

Act 48: The GMCB was established by the Legislature in 2011 with the passage of Act 48. Its authority and duties were defined in 18 V.S.A. §§ 9371 – 9392.

18 V.S.A. § 9372. Purpose: The Legislature's intent in establishing the GMCB was to create an independent board to promote the general good of the State by (1) improving the health of the population; (2) reducing the per-capita rate of growth in expenditures for health services in Vermont across all payers while ensuring that access to care and quality of care are not compromised; (3) enhancing the patient and health care professional experience of care; (4) recruiting and retaining high-quality health care professionals; and (5) achieving administrative simplification in health care financing and delivery.

Advisory Group Language

(e)(1) The Board shall establish a consumer, patient, business, and health care professional advisory group to provide input and recommendations to the Board. Members of such advisory group who are not state employees or whose participation is not supported through their employment or association shall receive per diem compensation and reimbursement of expenses pursuant to 32 V.S.A. § 1010, provided that the total amount expended for such compensation shall not exceed \$5,000.00 per year.

(e)(2) **The Board may establish additional advisory groups and subcommittees as needed to carry out its duties.** The Board shall appoint diverse health care professionals to the additional advisory groups and subcommittees as appropriate.

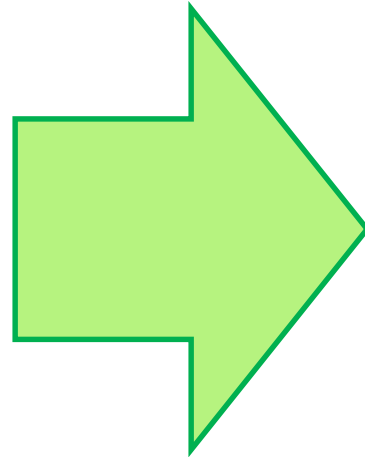
Scope of Authority

18 V.S.A. § 9374. Board membership; authority: This statute sets member terms and compensation, and contains restrictions regarding conflicts of interest, and sets forth other requirements regarding, for example, the establishment of advisory group(s), input from the HCA, the formula for billback. Finally, the statute grants the GMCB authority to issue subpoenas to compel testimony and documents.

18 V.S.A. § 9375. Duties: This statute lists the GMCB's duties. Subsection (a) requires the board to execute its duties consistent with principles in § 9371; (b) lists a series of twelve duties; (c) lists duties related to Green Mountain Care, (d) requires that the GMCB submit an annual report to the house health care and senate health and welfare committees; (e) requires that it make all its reports publicly available.

The Role of GMCB

The **Green Mountain Care Board** is charged with reducing the rate of health care cost growth in Vermont while ensuring that the State of Vermont maintains a high quality, accessible health care system.



- Health insurer rate review (including the Exchange)
- Hospital Budgets
- ACO Budgets
- VITL Budget
- Major capital expenditures (Certificate of Need)
- Health Resource Allocation Plan (HRAP)
- Implementation of APM
- ACO Oversight, Certification, Rule 5.0 (Act 113)
- Review/modify/approve plan designs for Vermont Health Connect
- Data and Analytics (VHCURES, VUHHDS and APM Analytics)
- Primary Care Advisory Group
- Billback Fund Management
- Expenditure Analysis
- Cost Shift Report
- Outreach and Education/ OML
- Approve State HIT and Health Care Workforce Plan
- Prescription Drug List Per Act 165

OPEN MEETINGS

1 V.S.A. § § 310-314



WHO MUST COMPLY?

“**PUBLIC BODIES**” of the state and its municipalities:

- State and municipal boards, councils, and commissions
- Committees and subcommittees of these bodies

NOT INCLUDED:

- Individual officials
- Councils established by the Governor exclusively for policy advice
- Judicial branch
- Public Service Board
- Nonprofits (generally)



WHEN DOES THE OML APPLY?

Any time a “quorum” holds a “meeting.”

QUORUM: a *majority* of the entire public body.

1 V.S.A. § 172. Joint authority

When joint authority is given to three or more, the concurrence of a majority of such number shall be sufficient and shall be required in its exercise.

MEETING: a gathering of a quorum of a public body for the purpose of *discussing business or taking action*.



WHEN DOES THE OML APPLY?

A “meeting” can occur *regardless of physical location*.

- No exceptions for work sessions or retreats.

A “meeting” can come together *over a span of time*.

- Watch out for email strings and social media discussions.

“Meeting” does not include:

- Communications to schedule a meeting, organize an agenda, or distribute materials to discuss at a meeting.
- Clerical work.
- Staff work assignments.
- Routine day-to-day administrative matters, if no action is required and no money appropriated or spent.
- Site inspections.
- Quasi-judicial deliberations.



MEETING BY ELECTRONIC MEANS

A *member* participating remotely must:

- *Identify him/herself* when the meeting convenes.
- Be able to *hear and be heard throughout* the meeting.

If a *quorum* or more is participating remotely:

- *Agenda* must *designate a physical location* where the public can attend and participate.
- *One member* (or designee) must be *physically present*.

Any *vote not unanimous* must be taken by *roll call*.

