

**STATE OF VERMONT
GREEN MOUNTAIN CARE BOARD**

In re: ACTD, LLC, d/b/a Green)
Mountain Surgery Center) Docket No. GMCB-010-15con
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SCHEDULING ORDER

On July 10, 2017, Green Mountain Care Board issued a Certificate of Need (CON) in the above-captioned matter to ACTD, LLC, doing business as Green Mountain Surgery Center (GMSC). The CON requires GMSC to appear before the Board prior to commencing operations to demonstrate its compliance with, or, where appropriate, its ability to comply with, a series of conditions. GMSC has requested an amendment to one of these conditions, Condition B. 21. A public hearing on these matters has been scheduled for April 17, 2019, from 1:00 p.m. to 4:00 p.m. in the Pavilion Building at 109 State Street, Montpelier, VT. Having held a pre-hearing conference on March 19, 2019, the Board now orders the following:

- GMSC must submit any additional documents it intends to rely on by April 8, 2019.
- The Board may pose additional questions to GMSC or require GMSC to submit additional documents prior to the hearing. Any such questions or document requests will include a deadline for GMSC to respond.
- Interested Parties have until April 8, 2019 to inform the Board whether they intend to present testimony at the hearing. If an Interested Party intends to present testimony at the hearing, it must, on or before April 8, 2019, identify the individual(s) it intends to call and provide a brief description of the nature of the testimony each individual is expected to provide. Any such testimony will be limited in duration to approximately twenty minutes per Interested Party.
- The Office of the Healthcare Advocate will have approximately twenty minutes to ask questions at the hearing.
- Public comment will be taken at the end of the hearing.
- All testimony will be taken under oath and the hearing will be recorded by a court reporter.
- GMSC has until April 1, 2019 to submit a brief to the Board addressing whether there have been material or nonmaterial changes to the project for which the CON was granted. The brief should address the changes in ownership and services in ophthalmology and plastic surgery, related changes in projected service and payer mix, and changes in project financing and lease arrangements. Interested Parties may file responses on or before April 15, 2019. Depending on the Board's determination of this issue, an additional hearing may be held at a future date.

- GMSC and the Interested Parties are required to copy the Board and each other on all correspondence and documents sent to the Board.

Dated: March 21, 2019 at Montpelier, Vermont

s/ Michael Barber

General Counsel

Green Mountain Care Board

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