

**Green Mountain Care Board**  
144 State Street  
Montpelier, VT 05602

[phone] 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**

April 19, 2019

Karen Tyler, Esq.  
Dunkiel Saunders Elliott Raubvogel & Hand  
91 College Street  
Burlington, VT 05402-0545

Anne Cramer, Esq.  
Primmer Piper Eggleston & Cramer PC  
30 Main Street, Suite 500  
Burlington, VT 05402-1489

Julia Shaw, MPH  
Eric Schultheis, Ph.D., Esq.  
Office of the Health Care Advocate  
Vermont Legal Aid  
56 College Street  
Montpelier, VT 05602

### **Re: Docket No. GMCB-010-15con; Follow-up from 4/17/19 Hearing**

**GMSC Commitments:** We have not received a transcript of the hearing yet. However, based on our handwritten notes, we believe that, during questioning from the Board,<sup>1</sup> GMSC committed to do the following.

1. Condition 15 (Charity Care Policy): Resubmit the policy after more clearly defining when procedures/surgeries are “elective or cosmetic” and removing the reference to assets.<sup>2</sup>
2. Condition 13 (Self-Pay Policy): Resubmit the policy after
  - a. clarifying how GMSC is defining “medically necessary” procedures; and
  - b. revising section II under the Procedures heading to clarify that procedures subsequent to the first will be subject to a 50% discount off the lowest allowed amount that the Center gets paid by contracted commercial insurers for the same procedures.
3. November 19, 2018 Response to Q #2: Revise the tables so that one can determine which of the physicians in the original projections are not in the revised projections, which of the physicians in the revised projections are not the original projections, and which of the physicians are in both projections.<sup>3</sup>

---

<sup>1</sup> This document does not attempt to summarize any commitments GMSC may have made during questioning from the Office of the Healthcare Advocate.

<sup>2</sup> GMSC also agreed to consider providing the policy (or notice of the policy) with patient bills.

<sup>3</sup> One way to do this might be to use letters for those physicians in the original projection and numbers for those physicians who are only in the revised projections.



GMSC must submit the revised tables (#3) by April 24, 2019 and the revised policies (#1 and #2) as soon as possible. GMSC must, by April 22, 2019, inform the Board when it will submit the revised policies.

**Data Request:** NMC was asked to provide information on the numbers of procedures/surgeries it performs that GMSC is now projecting will be performed at the surgery center in the areas of ophthalmology and plastic surgery. If NMC has projections on how these numbers will be impacted by GMSC's addition of these services, it may provide those projections as well. GMSC requested the ability to provide the same information as NMC. NMC and GMSC have until April 25, 2019 to provide the information described above.

NMC was also asked to provide projections of overall financial impact of the project. That request is withdrawn.

s/ Michael Barber  
General Counsel and Hearing Officer  
Green Mountain Care Board  
(802) 828-1741  
Michael.Barber@vermont.gov

