

May 1, 2019

VIA EMAIL AND OVERNIGHT MAIL

Donna Jerry
Senior Health Policy Analyst
Green Mountain Care Board
144 State Street
Montpelier, VT 05602

**Re: Certificate of Need, Docket No. GMCB-013-16con
The Pines at Rutland Center for Nursing and Rehabilitation**

Dear Ms. Jerry:

National Health Care Associates, Inc. (“NHCA”) owner of The Pines at Rutland Center for Nursing and Rehabilitation and the holder of the Certificate of Need (“CON”) in the above matter writes seeking a determination by the Green Mountain Care Board (the “Board”) that a proposed change to the project (expanding the parking lot) is nonmaterial, such that it does not require further review. The CON issued by the Board on May 22, 2017 approved renovations and cosmetic upgrades to the third and fourth floors of the facility. The total cost of the project as listed in the CON was \$3,772,009. NHCA planned to renovate the facility in phases over the course of fifty weeks to minimize disruption to residents.

The CON included the following relevant terms and conditions, among others:

- A. The applicant shall comply with the scope of the project as described in the application and other materials it has submitted to the Board relevant to this project. This certificate of need is limited to the project and activities described therein.
- B. The project as described in the application shall be fully implemented within two years of the date of this certificate of need or the certificate of need shall become invalid and deemed revoked.
- C. If the applicant contemplates or becomes aware of a potential or actual nonmaterial change, as defined in 18 V.S.A. § 9432(12), or a material change as defined in 18 V.S.A. § 9432(11), to the scope or cost of the project described in its application and as designated in this certificate of need, it shall file a notice of such change immediately with the Board. The Board shall review the proposed change and advise the applicant whether the proposed change is subject to review.

NHCA anticipates full implementation of the project by May 7, 2019, which is within the two-year implementation timeframe allowed for in the CON. The total cost of the project will be approximately \$3,200,000, more than \$500,000 under the projected project costs.

The primary complaint of family members and staff at the facility is inadequate parking. Staffing ratios have increased since the facility was originally built, and the number of visitors in individual vehicles has likewise increased. NHCA has been using valet services and resorting to double parking vehicles (or parking vehicles in) due to the shortage of available parking.

NHCA proposes expanding the project to expand the parking at a cost of approximately \$325,000. NCHA anticipates that the parking lot expansion would require an additional 5-6 months, but no resident will be displaced during this time frame.

Under Title 18, Chapter 221 of the Vermont Statutes Annotated, a material change means a new health care project or a change in the project that exceeds 10% of the total approved cost of the project. This proposed change is neither. Even with this change, the total approximate project cost of \$3,525,000 is still under the total approved costs of \$3,772,009.

Based on the above, NCHA respectfully seeks a determination that the proposed expansion of the facility's parking lot is a nonmaterial change that does not merit further review.

Sincerely yours,



Shireen T. Hart