

GREEN MOUNTAIN CARE BOARD (GMCB)
GMCB Board Meeting Minutes
Wednesday, April 17, 2019
1:00 pm

Attendance

Kevin J. Mullin, Chair
Susan J. Barrett, JD, Executive Director
Michael Barber, General Counsel
Robin Lunge, JD, MHCDS
Maureen Usifer
Jessica Holmes, PhD
Tom Pelham

Executive Director's Report

Kevin Mullin called the meeting to order at approximately 1:00 pm. Susan Barrett announced that the GMCB will be having a Board Meeting on Friday, April 19, 2019 at 9:00 am to potentially vote on the Budget Enforcement Hearings. On Wednesday, April 24, 2019 at 1:00 pm in the Pavilion Auditorium, there will be a Board Meeting for Springfield Hospital's Rate Adjustment and Enforcement Hearings. This was rescheduled in respect to Representative Robert Forguites' funeral. There will be a traveling Board Meeting on Wednesday, May 29, 2019 at Gifford Medical Center. Susan Barrett welcomed Representative Benjamin Jickling from the House Health Care Committee.

Minutes

The Board voted (5-0) to approve the minutes from April 10, 2019 and April 12, 2019.

Green Mountain Surgery Center Certificate of Need (CON) Hearing

Amy Cooper, MBA, Manager, ACTD LLC
Karen Tyler, Partner at Dunkiel Saunders
John Paoni, Administrator, Green Mountain Surgery Center
David Weissgold, MD
Michelle Young, MD
Donald Laub Jr., MD

Kevin Mullin appointed Michael Barber as the Hearing Officer for the Certificate of Need Hearing. Michael Barber announced that the Certificate of Need Hearing was in regard to ACTD, LLC, d/b/a Green Mountain Surgery Center, Docket No. GMCB-010-15con. He then laid out how the Hearing will proceed. There will be a special public comment period, from Wednesday, April 17, 2019 through Monday, April 29, 2019. You can provide public comment [here](#) on the GMCB website. The Court Reporter swore in Amy Cooper, Karen Tyler, John Paoni, Dr. David Weissgold, Dr. Michelle Young, and Dr. Donald Laub.

John Paoni introduced himself and presented a summary of the Green Mountain Surgery Center. Amy Cooper discussed the conditions of the Certificate of Need and how the Green Mountain Surgery Center has worked to meet these conditions. Karen Tyler presented a request to modify Condition 21, so that productivity and payer mix would be disclosed on an aggregate basis as opposed to quarterly and as an entity not per provider. Amy Cooper then provided information on ophthalmology and plastic surgeries, including cost savings and wait times, that was requested by the Board in the pre-hearing letter.

Witnesses Dr. David Weissgold, Dr. Michelle Young, and Dr. Donald Laub Jr. were called to the stand. Dr. David Weissgold spoke about his current practice and experience performing ophthalmology surgeries at UVM Medical Center. He discussed the policy changes there and his need to be able to see patients for surgery with less than seven days' notice. He discussed vitreoretinal procedures and cataracts surgery, and his desire to do surgeries at the Green Mountain Surgery Center. Dr. Michelle Young explained that she also does vitreoretinal surgeries at UVM Medical Center, is concerned with the availability of operating room time, and would like to do vitreoretinal surgeries at the Green Mountain Surgery Center. She also discussed cataracts surgery during vitreoretinal procedures. Dr. Donald Laub Jr. explained that he is a plastic surgeon and currently works at a private practice, Four Seasons Dermatology in Colchester, VT. He discussed his limited operating room time after separating with UVM Medical Center in 2017 and his desire to do reconstructive surgeries at the Green Mountain Surgery Center. He also discussed the cost savings that would benefit his patients when doing surgeries at the Green Mountain Surgery Center. The Board asked the witnesses questions.

Amy Cooper, Karen Tyler, and John Paoni were brought back up to the stand for the Board to ask them questions. The representatives from the Office of the Health Care Advocate asked them questions after the Board.

Interested Parties – CON Hearing

Jill Berry Bowen, RN FACHE, CEO, Northwestern Medical Center
Tristan Glanville, Interim CFO, Northwestern Medical Center

The Court Reporter swore in Jill Berry Bowen. The attorney representing Northwestern Medical Center and the Vermont Association of Hospitals and Health Systems introduced their position that the CON should be amended to include the additional procedures beyond the five proposed in the original application. Jill Berry Bowen spoke about the application based on performance and projections in five specialties, the consideration of new specialties, and the impact of the expansion of the new scope. She discussed the community care model, the detrimental effects of losing surgeries to ambulatory surgery centers, and the struggles of hospitals with meeting overhead and regulatory costs. The Court Reporter swore in Tristan Glanville. The Board asked Jill Berry Bowen and Tristan Glanville questions. The representatives from the Office of the Health Care Advocate asked them questions after the Board.

Public Comment

Diane J. Zeller, RN
Kathi O'Reilly
Ken Libertoff
Juli Larson, MD

Old Business

None

New Business

None

Adjourn

The Board voted (5-0) to adjourn at approximately 4:00 pm.