

**STATE OF VERMONT
GREEN MOUNTAIN CARE BOARD**

In re: Application of Vermont Open MRI, LLC)
Replacement of MRI System and)
Related Renovations)
)
_____)

GMCB-014-19con

CERTIFICATE OF NEED

In accordance with Title 18, Chapter 221, Subchapter 5, other applicable laws and the Statement of Decision and Order in this matter, the Green Mountain Care Board issues this certificate of need to Vermont Open MRI, LLC (Vermont Open MRI, or the applicant), subject to the conditions set forth below.

Project Description and Scope

The applicant plans to replace its existing Phillips Panorama 0.6T open MRI located at 620 Hinesburg Road in South Burlington and purchase and install a new Hitachi Oasis 1.2T open MRI system and complete associated renovations at the facility’s new location at 3000 Williston Road in South Burlington for a total cost of \$1,853,185.

The project is outlined in greater detail in the Statement of Decision and Order in this docket, incorporated herein and issued today by the Board.

Project Conditions

The project as proposed, subject to the following conditions, meets the statutory criteria set forth in 18 V.S.A. § 9437:

1. The applicant shall develop and operate the project in strict compliance with its scope as described in the application, in other materials in the record submitted by the applicant, and in strict conformance with the Statement of Decision and Order issued today in this docket. This certificate of need is limited to the project and activities described therein.
2. Prior to commencing renovations, the applicant must provide the Board with a letter from Efficiency Vermont verifying that appropriate energy efficiency measures will be incorporated into the project, as well as a letter from All Access Building, LLC certifying that all applicable FGI Guidelines for project construction have been met.
3. Prior to commencing operation, the applicant must provide the signed Capital Lease Agreement between Vermont Open MRI and Highland Capital Corporation for review by the Board for financing the project.

4. Prior to commencing operation, the applicant must provide the Board with a copy of the signed Purchase Agreement for the MRI system between Vermont Open MRI and Hitachi Healthcare Americas Corporation.
5. Prior to commencing operation, the applicant must provide the Board with a copy of the final signed Maintenance Agreement for the MRI system between Vermont Open MRI and Hitachi Healthcare Americas Corporation.
6. Noncompliance with any provision of this certificate of need or with applicable ordinances, rules, laws and regulations constitutes a violation of this certificate of need and may be cause for enforcement action pursuant to 18 V.S.A. §§ 9445, 9374(i), (j), and any other applicable law.
7. The project shall be fully implemented within two (2) years of the date of issuance of this certificate of need.
8. The applicant shall file implementation reports with the Board beginning six months from the date of this certificate of need and at six-month intervals thereafter until all components and phases of the project are complete and fully operational and all invoices have been paid. The implementation reports shall include the following:
 - a. Overview of the project, including any changes in financing, and information and analysis demonstrating that the project fully complies with its scope as approved by the Board in this certificate of need;
 - b. A spreadsheet separately listing each individual line item from financial Table 1 and expenditures: 1) the total dollar amount approved by the Board; 2) the dollar amount spent through previous reporting periods; 3) the dollar amount spent during this reporting period; 4) the cumulative dollar amount spent to date; 5) the amount remaining in dollars, and 6) the amount remaining as a percentage.
9. This certificate of need is not transferable or assignable and is issued only for the premises and entity named in the application.
10. If the applicant contemplates or becomes aware of a 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, the applicant shall file a notice of such change immediately with the Board. The Board shall thereafter advise the applicant whether the proposed change is subject to additional review.
11. The Board may, after the applicant is provided notice and an opportunity to be heard, make such further orders as are necessary or desirable to accomplish the purposes of this certificate of need and to ensure compliance with its terms and conditions.

12. All reports, notices, forms, information or submissions of any kind required to be submitted to the Board as a condition of this certificate of need shall be signed and verified by the applicant's chief executive officer, or by his or her designated representative.
13. The conditions contained in this certificate of need shall remain in effect for the duration of the reporting period set forth in Condition 8, above.

SO ORDERED.

Dated: March 9, 2020 at Montpelier, Vermont.

s/ <u>Kevin Mullin, Chair</u>)	
s/ <u>Jessica Holmes</u>)	GREEN MOUNTAIN
s/ <u>Robin Lunge</u>)	CARE BOARD
s/ <u>Tom Pelham</u>)	OF VERMONT
s/ <u>Maureen Usifer</u>)	

Filed: March 9, 2020

Attest: /s/ Jean Stetter, Administrative Services Director