

STORROW & BUCKLEY, LLP
ATTORNEYS AT LAW
1 Blanchard Court
Suite #101
Montpelier, VT 05602

802-229-4900
Fax: 802-229-5110

Sender Email: chuck@storrowandbuckley.com Web Page: www.storrowandbuckley.com

Charles F. Storrow
Clare A. Buckley

VIA EMAIL

October 28, 2019

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

RE: Vermont Open MRI, LLC, Docket No. GMCB-014-19con,
Certificate of Need Application for Replacement of MRI Scanner and
Relocation of Facility

Dear Donna,

Accompanying this letter are the following documents relative to the above referenced matter:

1. Certificate of Need Application of Vermont Open MRI, LLC, seeking approval to replace its existing CON scanner and relocate its facility.
2. Financial Tables 1, 2, 3A, 3B, 3C, 4A, 4B, 4C, 5A, 5B, 5C, 6A, 6B, 6C, 7, 8 and 9, in both pdf and Excel Spreadsheet formats.
3. Verification Under Oath by Todd Kummer, Managing Member of Vermont Open MRI, LLC.

Please note that the "C" tables listed in No. 2, above, do not accurately reflect the financial information applicable to Vermont Open MRI's operations if its CON application is granted. This is because the "C" tables are automatically populated with the information in the "A" and "B" tables and thus presuppose that Vermont Open MRI intends to simultaneously continue the operation of its existing MRI scanner *and* operate a new proposed MRI scanner. Since Vermont Open MRI is proposing to *replace* its existing scanner with a new one the "B" tables are the tables that accurately depict the financial information applicable to Vermont Open MRI's operations if its CON application is granted.

Donna Jerry
Senior Health Policy Analyst
10/28/2019
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Pursuant to 18 V.S.A. § 9440(c)(B) Vermont Open MRI is filing a Certification of Need application in lieu of submitting a Letter of Intent as it acknowledges that its proposal is subject to jurisdiction under 18 V.S.A. § 9434(a)(4).

It is respectfully requested that the Board expeditiously review Vermont Open MRI's application pursuant to 18 V.S.A. § 9440(c)(5) and CON Rule 4.304. In support of this request Vermont Open MRI points out that it is an existing provider of MRI scanning services, that the Certificate of Need application it submitted in 2014 was not contested, and that the present proposal does not involve the provision of new services. Instead, the project consists of the routine replacement of a depreciated, increasingly out of date MRI scanner and the routine renovation of new space to accommodate the new scanner. *See* CON Rule 4.304(2)(b)(ii).¹ Accordingly, Vermont Open MRI's present application is not likely to be contested and does not substantially alter services. As such, it qualifies for expedited review under 18 V.S.A. § 9440(c)(5)(B)(i) and CON Rule 3.404.²

Please let me know if you have any questions or comments regarding the foregoing and/or the accompanying materials.

Thank you for your assistance and consideration.

Sincerely,



Charles F. Storrow, Esq.

¹ Subdivision 2(B)(ii) of CON Rule 3.404 is separated by an "or" from subdivision 2(B)(i) and thus compliance with subdivision 2(B)(ii) satisfies subdivision 2(B).

² Due to the nature of Vermont Open MRI's application (replacement of existing MRI scanner and relocation of its facility) the considerations set forth in CON Rule 4.304(1)(b)-(e) do not apply.