



December 11, 2020

Via E-Mail – [Donna.Jerry@Vermont.gov](mailto:Donna.Jerry@Vermont.gov)

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

Re: Certificate of Need - Request for Jurisdiction Determination

Dear Ms. Jerry:

Martin's Point Generations Advantage, Inc. (MPGA), a Maine-based Medicare Advantage plan, respectfully requests a jurisdiction determination pursuant to 18 V.S.A. §§ 9440(c)(2)(a) and 9440(c)(3). For the reasons set forth below, MPGA does not believe that a certificate of need is required.

### **Introduction to Generations Advantage**

MPGA is organized as a Maine not for profit corporation and is exempt from taxation under Section 501(C)(4) of the Internal Revenue Code. MPGA offers several Medicare Advantage health insurance plans through its Generations Advantage product. Generations Advantage is very highly rated by the Centers for Medicare and Medicaid Services and is often the only five-star plan in its coverage area. MPGA serves over 55,000 Medicare beneficiaries in all of the counties in Maine and New Hampshire. MPGA's plans allow members to use both in network and out of network providers. In all cases, MPGA's members use existing providers in their own local region. MPGA has a significant market share in Maine and is growing in New Hampshire. MPGA proposes to expand into Vermont for the 2022 plan year.

MPGA's offices are located in Portland, Maine, and its care management, claims processing, sales and marketing, as well as administrative functions, are all located in Portland, Maine. Sales team members based in Portland, Maine visit members and prospective members in both Maine and New Hampshire.

### **Proposed Expansion**

MPGA intends to market and sell its Generations Advantage plans to individual Medicare beneficiaries in all of the counties in Vermont. MPGA will rely on health care providers in its current and future networks and those outside of its network to provide services to members in Vermont. MPGA plans to utilize staff located in Portland, Maine.



MPGA does not plan develop, build, open or manage a hospital, doctor's office or a medical or clinical facility of any kind in Vermont. Although we employ medical directors, registered nurses, social workers, pharmacists and other clinical professionals at our facilities in Portland, their roles and responsibilities are administrative in nature. MPGA will not act as a health care provider rendering clinical services in Vermont. Accordingly, MPGA does not fit the definition of a "health care facility" and will not operate a "new health care project" in Vermont. Accordingly, the requirement of certificate of need approval under 18 V.S.A. § 9424(a) does not appear to apply to MPGA's plan to offer its Generations Advantage plans in Vermont.

MPGA's expansion into Vermont is for the purpose of selling its Generations Advantage plans. Based on the foregoing, MPGA respectfully requests a determination that its planned expansion into Vermont is not subject to certificate of need approval.

Please do not hesitate to contact us with questions. Thank you in advance for your consideration.

Sincerely,  
DocuSigned by:

*Charles P Piacentini Jr*

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Chuck Piacentini  
General Counsel