



MARTIN'S POINT™
HEALTHCARE

December 23, 2020

Via E-Mail – 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 (MA) 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 offers a variety of MA plans to our 55,000 members in all counties in Maine and New Hampshire. The core plan is an HMO that includes prescription coverage under Part D (MA-PD). Our popular Prime plan is an MA-PD plan that adds a point of service (POS) option. We also have Local Preferred Provider Organization (LPPO) and Regional Preferred Provider Organization (RPPO) plans that allow flexibility to use providers outside of our network. For members who do not need our prescription drug coverage, we offer our core HMO without Part D. A table of current offerings is shown below:



Contract Number	Contract Type	Individual Product Types	Current Service Area
H1365	Local PPO (LPPO)	Select PPO (with Rx)	All counties in NH and ME
R0802	Regional PPO (RPPO)	Flex PPO (with Rx)	All counties in NH and ME
H5591	HMO	Prime (HMO Point of Service with Rx)	All counties in NH and ME
		Alliance (HMO - Medical Only)	All counties in NH and ME
		Focus DC (SNP) - A diabetes Special Needs Plan	Cumberland County, ME
		Value Plus (HMO with Rx)	All counties in NH and ME

MPGA's offices are located in Portland, Maine. All our member and provider services are handled by our employees in Portland. Members can use our call center in Portland and services such as care management, claims processing, and marketing are all located in Portland, Maine. These services are available to members throughout our coverage area in Maine and New Hampshire and it is our intention to utilize the same staffing for enrollees in Vermont. There is no plan to build or occupy any facilities in Vermont.

Proposed Expansion

The MA plans we intend to offer fall under the Medicare program. We will seek pre-approval for the plans from the Centers for Medicare & Medicaid Services ("CMS"), a division of the U.S. Department of Health and Human Services, by entering into sponsorship and administration contracts with CMS. We have begun preparing a request for approval by CMS, which we will submit to CMS after receiving approval from DFR to begin operating as a licensed Vermont insurer. We intend to offer the MA and MA-PD HMO plans shown above, with the exception of the Special Needs Plan, to prospective members in all counties of Vermont. Our initial market research suggests we could have about 1,100 members in 2022, growing to 3,400 in 2024.

MPGA intends to market and sell its Generations Advantage plans to individual Medicare beneficiaries in all 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 will not develop, build, open, operate, or manage a hospital, doctor's office or 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,

A handwritten signature in dark ink, appearing to read "Chuck Piacentini", is placed above the printed name.

Chuck Piacentini
General Counsel