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AFT-Vermont
96 Colchester Ave
Burlington, VT. 05401

Green Mountain Care Board
144 State Street
Montpelier, VT 05602
ATTN: Donna Jerry

March 3, 2023

Dear Ms. Jerry,

Pursuant to rule 4.406 of the Green Mountain Care Board, I hereby request that AFT-VT be granted status as interested party, or alternatively amicus curiae, in relation to the University of Vermont Medical Center's application for a Certificate of Need for the construction of an outpatient surgery center on Tilley Drive.

As a union representing over 5,000 members who work in the health care industry our members will be directly affected by this proposed project. Our organization's goal is to provide the communities we serve with the highest level of care possible, work to eliminate access barriers, and to champion safe, healthy work environments in health care. Our members, more than Hospital executives, are undeniably the best voices to weigh in on safe staffing levels for the current and future UVMHC patient population and whether this project will serve the public good.

AFT-VT is concerned with this application principally because UVMHC is proposing to add a number of operating room workers and patients at a time when it has been unable and unwilling to ensure adequate safe staffing for existing operations, and that the new facility will exacerbate the ongoing difficulties experienced by our members in providing safe medical care amidst worker shortages. Because our members work, and provide direct care, in existing operating facilities of UVMHC and because our members will be performing the work in the proposed outpatient surgery center (if approved), our members have a direct and material interest in the project. Further, we are best situated to help the Board determine whether, "and to what extent, the project will have an adverse impact on the ability of existing facilities to provide medically necessary services to all in need, regardless of ability to pay or location of residence."

More specifically, our concerns include:

- The operating room at the Main Campus of UVMHC is currently operating at a vacancy rate of nearly 25%. Traditionally, UVMHC relies upon travel agencies to provide temporary employees at high costs to provide community medical care. This



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- overreliance on travel agencies can represent a waste of health care dollars, while doing little to stabilize safe staffing levels for the long term.
- There are over 300 vacant bargaining unit positions alone within UVMHC. Members are concerned about how UVMHC plans to staff additional patient assignments represented by the proposed project given its ongoing inability to do so with the current census.
 - The potential for less than adequate staffing will have a direct and material impact on the ability of nurses to perform their job. Inadequate staffing levels increase the risk of medical errors, which, in addition causing unnecessary pain on the community, may impact state-issued licenses of our members. Reliance on temporary nurses jeopardizes the ability to provide consistent care committed to the community.
 - In addition to concerns about the project's potential to cannibalize existing employees, we are concerned that the project may duplicate or otherwise have an adverse impact on existing operating rooms of UVMHC. The UVMHC has already made a substantial investment of limited healthcare resources to re-open two operating rooms at its Fanny Allen campus. We should be certain that these investments will not be wasted or undermined.
 - We are concerned that any new operations will be staffed either at inadequate levels or overreliance on temporary nurses without long-term commitment to our patients and nurses.
 - The interested party status to VFNHP will increase the need and likelihood for a public hearing that will force the UVMHC to make public commitments about its staffing and operational plans.
 - The terms and conditions of employment for our members assigned to this project in providing patient care.

Please do not hesitate to reach out should you have any further questions.

Sincerely,

Deb

Deb Snell, RN CCRN

President AFT-VT Healthcare

President VFNHP

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