



formerly Vermont Protection & Advocacy
(800) 834-7890 (Toll Free)
(802) 229-1355 (Voice)
(802) 229-2603 (TTY)
(802) 229-1359 (Fax)

141 Main Street, Suite # 7, Montpelier, VT 05602

February 26, 2021

Green Mountain Care Board
Attn: Donna Jerry, Senior Health Policy Analyst
144 State St.
Montpelier, VT 05602

Re: Docket No. GMCB-002-21con, Construction of Secure Residential Treatment Program

Dear Ms. Jerry:

Pursuant to Green Mountain Care Board Rule 4.406, Disability Rights Vermont (DRVT) submits this formal request to be granted interested party status, or in the alternative, to have amicus curiae status, in the above-referenced Certificate of Need (CON) proceeding for construction of a secure residential treatment program for individuals requiring residential treatment program services.

DRVT is an independent, private, non-profit agency that is responsible for protecting and advocating for individuals with disabilities. As such, DRVT is federally mandated under the Protection and Advocacy for Individuals with Mental Illness (PAIMI) Act of 1986 (42 U.S.C. §10801) to pursue administrative, legal, and other appropriate remedies on behalf of persons with disabilities. DRVT is federally mandated to be involved with this new facility as PAIMI grants DRVT special authority to access and monitor secure treatment facilities. See 42 U.S.C. §10805.

Pursuant to the Board's rules, DRVT should be granted interested party status because we are an organization representing the interests of persons who will be residents of the proposed facility and DRVT will be substantially and directly affected by the new health care project under review. GMCB Rule 4.000, § 4.406(3). First, DRVT has a direct and substantial financial interest in the new secure residential treatment facility.

DRVT staff utilized substantial resources to provide outreach, monitoring and advocacy services to the residents of the current Middlesex Therapeutic Community Residence (MTCR) that the new facility is intended to replace. At MTCR, DRVT staff conducted outreach to individual patients, provided accessible information regarding our services, informed patients of their rights, and monitored the facility's treatment and care of patients. DRVT also performed individual case work, assisted patients with concerns or grievances, and addressed obvious signs of health or safety concerns in the facility. Many of these individuals were placed and held at

Defending and Advancing the rights of people with disabilities & mental health issues, and of the Deaf.

