



**Department of Disabilities, Aging and
Independent Living
Commissioner's Office**
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Agency of Human Services

April 23, 2021

Brattleboro Crossings LLC and EP Brattleboro Acquisition, LLC
d/b/a Pine Heights at Brattleboro
187 Oak Grove Avenue
Brattleboro, Vermont 05301

c/o Shireen T. Hart, Esq.
PRIMMER PIPER EGGLESTON & CRAMER PC
30 Main Street, Suite 500
P.O. Box 1489
Burlington, VT 05402-1489

Dear Applicant:

This letter is submitted in accordance with the State's Health Resource Allocation Plan Certification of Need (CON) Standard 5.3 which requires the Department of Disabilities, Aging, and Independent Living (DAIL) to review and provide a recommendation in relation to the CON applications from nursing homes and similar entities.

The Department has received the CON application from Pine Heights at Brattleboro related to the interior renovations to the first floor, third floor, and fourth floor nursing units. The intention of the renovation project is to better suit the needs of the residents and the staff within the nursing home by creating an environment that is modernized and functions like a household.

In completing our review, the Department consulted with the Agency of Human Services' Division of Rate Setting and internally with relevant divisions and staff. We considered both the Department's mission and our desire to advance excellence in quality of care and quality of life for Vermonters. We also considered our desire to promote and support cultural change in our nursing, independent care, and assisted living facilities in addition to our work to rebalance options and choices for care across a spectrum of support.

1. Project Summary:

Pine Heights at Brattleboro Center for Nursing and Rehabilitation is an existing, fully occupied, 4-story skilled nursing facility located in Brattleboro, Vermont. Pine Heights seeks a CON for a planned interior renovation to the first, third, and fourth floors which equates to approximately 30,250 square feet of the facility. The proposed project involves interior renovations to the first floor (3,950 S.F.), third floor (13,150 S.F.) and fourth floor (13,150 S.F.) nursing units and includes all new finishes (floors and walls), painting of existing hung acoustical ceiling grids and panels, new ceiling grid and panels in certain locations, new lighting and new millwork. Areas of minor construction will involve replacing ceramic tile wall and floors within the existing shower suites. Other areas of construction will include the creation of a med room behind each nurse's station, relocation of the clean work rooms, refresh of the nourishment areas, refresh of existing recreation / dining rooms and the creation of a new oxygen closet. Work will also include replacement of existing lighting

fixtures, existing electrical devices and plates to hospital grade devices, a new nurse call system (4th floor only), various HVAC and plumbing upgrades and repairs. New resident furniture will also be included.

In summary, the majority of the work involves finish upgrades within the existing nursing units, with some construction taking place in a few areas to better suit the needs of the residents and the staff within the nursing home.

The projected impact on the census is an increase after the construction is complete back up to approximately 92.5% occupancy and will move toward increased Medicare and Private utilization through 2022 and remain constant at 93.75% as in indicated in the application (Attachment 7, at 6, Note 4).

In consideration of the potential disruption to current residents, Pine Heights has developed a renovation plan which anticipates eight phases of renovation over the course of 48 weeks. Any resident required to temporarily relocate during the renovation will be relocated within the facility. Residents will be given advanced notice of the temporary relocation. Although probably already planned, DAIL strongly suggests that family members of residents also be made aware of the upcoming renovation, potential for temporary relocation, and the plan to make the impact on residents minimal.

As an effort to offer additional privacy and dignity for residents, modernization of the environment, and an ensured higher quality of care, DAIL concurs with the approach and intent of the project.

2. Evaluation of HRAP CON Standard 5.3: Nursing homes or similar entities seeking a CON shall provide a written recommendation from the Department of Disabilities, Aging, and Independent Living supporting the new health care project proposal:

a. Quality of Care:

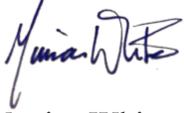
Pine Heights at Brattleboro is currently in substantial compliance with regulatory requirements. They have a 5-star overall rating from CMS, with 5 stars (much above average) for health inspections, 4 stars for quality of care (above average), and 3 stars (average) for staffing.

b. Financial Review

In a brief review of the financial picture presented by the Pine Heights at Brattleboro, there will be an impact to the future Medicaid rate to reimburse for the cost of renovations. The small projected shift to less Medicaid and more Medicare and private pay is slightly concerning, however the projected shift is quite small and there are two other nursing facilities (Thompson House and Vernon Green) in the area which currently have open beds and accept Medicaid residents.

In conclusion, DAIL affirms its belief that Pine Heights at Brattleboro can support the proposed renovation project. We are conditionally supportive of Pine Heights at Brattleboro's proposal, dependent on the full application and information obtained by the CON process.

Sincerely,

A handwritten signature in blue ink, appearing to read "Monica White". The signature is fluid and cursive, with the first name "Monica" written in a larger, more prominent script than the last name "White".

Monica White
DAIL Interim Commissioner

cc: Megan Tierney-Ward, Deputy Commissioner, DAIL
Suzanne Leavitt, State Survey Agency Director, DAIL
Lindsay Gillette, Director of Rate Setting, DVHA