

**STATE OF VERMONT
GREEN MOUNTAIN CARE BOARD**

In re: Application of Department of Mental Health)
For the Construction of Secure Residential)
Treatment Program in Essex)
)
)
)

GMCB-002-21con

CERTIFICATE OF NEED

In accordance with Title 18, Chapter 221, Subchapter 5, other applicable laws, and the Statement of Decision and Order in this matter, the Green Mountain Care Board issues this certificate of need to the Vermont Department of Mental Health (DMH or “the Applicant”), subject to the conditions set forth below and in the Statement of Decision issued.

Project Description and Scope

DMH proposes to build a 16-bed secure residential treatment program at 26 Woodside Drive located off Route 15 in Essex. The former Woodside Youth Rehabilitation Facility located on the property will be demolished and a new building will be constructed to house the secure residential treatment program. The property is owned by the State of Vermont and the facility will be state-operated. The site includes 10.2 acres, 5.4 of which is developed. The secure treatment program replaces a seven-bed program in Middlesex developed on a temporary basis to meet a critical need following Tropical Storm Irene. The total cost of the project is \$21,900,521.

The project is outlined in greater detail in the Statement of Decision and Order in this docket, incorporated herein and issued today by the Board.

Project Conditions

The project as proposed, subject to the following conditions, meets the statutory criteria set forth in 18 V.S.A. § 9437:

1. The Applicant shall develop and operate the project in strict compliance with its scope as described in the application, in other materials in the record submitted by the applicant, and in strict conformance with the Statement of Decision and Order issued today in this docket, subject to the requirements of conditions 4 and 5, below. This certificate of need is limited to the project and activities described therein.
2. Noncompliance with any provision of this certificate of need or with applicable ordinances, rules, laws and regulations constitutes a violation of this certificate of need and may be cause for enforcement action pursuant to 18 V.S.A. §§ 9445, 9374(i), (j), and any other applicable law.

3. The project shall be fully implemented within three (3) years of the date of issuance of this certificate of need.
4. Before the time of the first implementation report described in condition 7 below, the Applicant shall hold a meeting or series of meetings to confer with stakeholders and architects to review alternatives to the fire door for separating one eight-bed wing from the main section of the facility. The Applicant shall provide the Board with a description of the stakeholder process and inform the Board of the final decision at the time of the first implementation report described in condition 7 below.
5. Before the time of the first implementation report described in condition 7 below, the Applicant shall hold a meeting or series of meetings to confer with stakeholders and architects to review the furniture and furnishings under consideration for the facility. The Applicant shall provide the Board with a description of the stakeholder process and inform the Board of the final decision at the time of the first implementation report described in condition 7 below
6. When reporting on financial and health care data, the Applicant either shall classify information pertaining to the facility as its own category, or shall distinguish it in some way from other, less restrictive, community facilities.
7. The Applicant shall file implementation reports with the Board beginning six-months from the date of this certificate of need and at six-month intervals thereafter until all components and phases of the project are complete and fully operational and all invoices have been paid. The implementation reports shall include the following:
 - a. an overview of the project, including any changes in financing, and information and analysis demonstrating that the project fully complies with its scope as approved in this certificate of need.
 - b. a spreadsheet separately listing each individual line-item expenditure and, for each expenditure: 1) the total dollar amount approved by the Board; 2) the dollar amount spent through previous reporting periods; 3) the dollar amount spent during this reporting period; 4) the cumulative dollar amount spent to date; 5) the amount remaining in dollars, and 6) the amount remaining as a percentage.
 - c. a summary of the stakeholder process and final decisions on the issues set forth Conditions 4 and 5, above.
8. This certificate of need is not transferable or assignable and is issued only for the premises and entity named in the application.
9. If the Applicant contemplates or becomes aware of a nonmaterial change, as defined in 18 V.S.A. § 9432(12), or a material change as defined in 18 V.S.A. § 9432(11), to the scope or cost of the project described in its application and as designated in this certificate of need, the Applicant shall file a notice of such change immediately with the Board. The

Board shall thereafter advise the Applicant whether the proposed change is subject to additional review.

10. The Board may, after the Applicant is provided notice and an opportunity to be heard, make such further orders as are necessary or desirable to accomplish the purposes of this certificate of need and to ensure compliance with its terms and conditions.
11. All reports, notices, forms, information or submissions of any kind required to be submitted to the Board as a condition of this certificate of need shall be signed and verified by the Applicant's chief executive officer, or by his or her designated representative.
12. The conditions contained in this certificate of need shall remain in effect for the duration of the reporting period set forth in Condition 3, above.

SO ORDERED.

Dated: August 18, 2021 at Montpelier, Vermont.

<u>s/ Kevin Mullin, Chair</u>)	
<u>s/ Jessica Holmes</u>)	GREEN MOUNTAIN
<u>s/ Robin Lunge</u>)	CARE BOARD
<u>s/ Tom Pelham</u>)	OF VERMONT
<u>s/</u>)	

*Member Usifer was not present for the hearing and did not participate in the vote on this matter.

Filed: August 18, 2021
Attest: /s/ Jean Stetter, Administrative Services Director