
DELIVERED ELECTRONICALLY

November 17, 2023

Sara King, CEO
VNH & Hospice of the Southwest Region, Inc.
7 Albert Cree Drive
Rutland, VT 05701

RE: GMCB-019-23con. Request for Jurisdictional Determination for designation as home health agency for Franklin County

Dear Ms. King:

Thank you for your letter dated October 31, 2023, requesting a jurisdictional determination relative to VNH & Hospice of the Southwest Region, Inc.'s (VNAHSR) designation as the home health agency for the Franklin County Service Area currently served by Franklin County Home Health Agency (FCHHA).

According to your letter, FCHHA is facing insurmountable financial difficulties and does not have the capacity to continue providing its current scope services of over the long term. VNAHSR and FCHHA have a proposed agreement for VNAHSR to acquire certain assets of FCHHA, such as computers and cellphones, valued at approximately \$60,000. The agreement does not involve the transfer or conveyance of an ownership interest in a health care facility, or a significant proportion of its assets. DAIL has submitted a letter expressing full support of VNAHSR's expansion into the region currently served by FCHHA effective December 1, 2023. DAIL expresses its belief that it also possesses the legal authority to grant VNAHSR's request to expand VNAHSR's geographic service area to include the area currently served by Franklin County Home Health Agency.

Both VNAHSR and FCHHA are established Home Health Agencies (HHAs) and neither one has an active CON. The proposal does not involve new services and the transaction does not involve the transfer or conveyance of an ownership interest in a health care facility.

Given the details of the transaction, the status of both entities as HHAs with existing geographic service designations and no active CONs at issue, we agree that the project is not subject to certificate of need (CON) review at this time. As you proceed with developing and implementing this project, if there are any changes in type, scope, services, or cost of the project



(including, but not limited to, changes in capital expenditures), please contact the Board immediately so we may determine whether any further process is necessary. Failure to do so as required by Green Mountain Care Board Rule 4.301(4) may result in sanctions, as specified in 8 V.S.A. § 9445.

If you have any questions, please do not hesitate to contact me at 802-760-8162.

Sincerely,

s/ Donna Jerry

Donna Jerry

Senior Health Policy Analyst

cc. Laura Beliveau, Staff Attorney, Green Mountain Care Board

