

SENT ELECTRONICALLY

October 9, 2023

Logan Porter, MD
3461 Oakmont Drive
Pensacola, Florida 32503
loganportermd@gmail.com**RE: Docket No. GMCB-017-23con, Urgent Care and Primary Care Clinic at 21 Essex Way, Suite #116, Essex, VT**

Dear Dr. Porter:

Thank you for your letter dated September 29, 2023, regarding your intent to establish an Urgent Care and Primary Care Clinic in Essex instead of the original location you had selected in Williston.

Your letter represents that you have purchased a franchise from American Family Care (“AFC”) to open the first AFC urgent care and primary care clinic in Vermont. The proposed project would include ten exam rooms, two triage rooms, one trauma bay, a digital x-ray with teleradiology, and a moderate complexity lab with state-of-the-art diagnostics in-house. All tests not performed in your laboratory will be sent off-site to contracted commercial laboratories. No fixed or mobile CT, MRI, or PET/CT services will be offered on-site. The services to be offered include the following:

- Employer Health Services including pre-employment physicals, workers’ compensation services, DOT physicals, and breath alcohol and urine drug screens;
- School Health Services including school physicals, sports physicals, and immunizations;
- Injury care including lacerations, abscess I&D, and sprain and fracture care; and
- Urgent Care and Primary Care.

Your letter states that you plan to accept Medicare, Medicaid, private insurance, and private pay. The clinic will be open seven days a week, every day except Christmas.

Based on the representations contained in your letter this project is not subject to certificate of need (CON) review pursuant to 18 V.S.A. § 9435(a), which excludes:

offices of physicians, dentists, or other practitioners of the healing arts, meaning the physical places that are occupied by such providers on a regular basis in which such



providers perform the range of diagnostic and treatment services usually performed by such providers on an outpatient basis...[.]

In the future, if AFC intends to expand the types of diagnostic or therapeutic services it offers, or if there are changes to the type or scope of the project (including, but not limited to, changes in services/programs offered, the number and/or type of staff, equipment purchased or leased, etc.), 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
Green Mountain Care Board

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