

**STATE OF VERMONT
GREEN MOUNTAIN CARE BOARD**

In re: Application of Copley Hospital, Inc.)
Replacement of Mansfield Orthopaedics) GMCB-007-22con
Medical Office Building in Waterbury)
_____)

AMENDED 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 Copley Hospital, Inc. (Copley or “the Applicant”), subject to the conditions set forth below.

Project Description and Scope

The project involves the construction of a new building to replace the Mansfield Orthopaedics medical office building located in Waterbury. The project is needed because the current medical office building is too small and antiquated for the contemporary delivery of orthopedic services.

Copley Hospital is a nonprofit community hospital located in Morrisville. Copley’s orthopedic department operates as Mansfield Orthopaedics, which has two locations, one in Morrisville and one in Waterbury. The total capital cost of the project is \$7,625,047.

The project is outlined in greater detail in the Statements of Decision and Orders in this docket, incorporated herein and issued on August 17, 2022, and 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. This certificate of need is limited to the project and activities described therein.
2. Throughout the project’s implementation period, the applicant shall comply with all current and future financial caps, targets and other conditions imposed by the Board in its hospital budget instructions, guidance, and orders.
3. The applicant shall not increase its commercial effective rates or overall change in charges to fund any expenses related to the project.

4. 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.
5. The project shall be fully implemented within four (4) years of the date of issuance of this certificate of need.
6. 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 received and 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. The applicant shall provide documentation and verify the specific sources, including reserves, to be used to finance this project including the source of funds and dollar amount associated with each that equal the total project cost.
 - c. A summary of the fundraising campaign to raise \$900,000 to support this project. In a table format also provide the goal of \$900,000, dollars pledged to date (specify date), dollars received to date (specify date), and dollars left to raise.
 - d. Provide a detailed update on the status of the sale of the 5.1-acre parcel to WASI or another entity.
 - e. A summary of funds not raised, use of equity to fund the deficit, and impact on Days Cash on Hand (specify date and the number of Days Cash on Hand).
 - f. 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.
7. This certificate of need is not transferable or assignable and is issued only for the premises and entity named in the application.
8. 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.

9. 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.
10. 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.
11. The conditions contained in this certificate of need shall remain in effect for the duration of the reporting period set forth in Condition 6, above.

SO ORDERED.

Dated: November 17, 2023, at Montpelier, Vermont.

<u>s/ Owen Foster, Chair</u>)	
)	
<u>s/ Jessica Holmes</u>)	
)	
<u>s/ Robin Lunge</u>)	
)	
<u>s/ David Murman</u>)	
)	
<u>s/ Thom Walsh</u>)	

GREEN MOUNTAIN
CARE BOARD OF
VERMONT

Filed: November 17, 2023

Attest: /s/ Jean Stetter, Administrative Services Director