



Brattleboro Retreat

COMPREHENSIVE MENTAL HEALTH SERVICES SINCE 1834

February 16, 2024

Via e-mail and U.S.P.S

Ms. Donna Jerry
Senior Health Policy Analyst
Green Mountain Care Board
144 State St.
Montpelier VT 05602

Re: Brattleboro Retreat Request for Jurisdictional Determination for new EMR Project.

Dear Ms. Jerry:

Pursuant to 18 V.S.A. §9440 (b)(2)(A) and Green Mountain Care Board Rule 4.202, the Brattleboro Retreat hereby requests that the Board determine that the project described below does not require a certificate of need.

I. Background on the Brattleboro Retreat

The Brattleboro Retreat (“Retreat”) is a mental health treatment system in southern Vermont. The Retreat’s programs include a robust outpatient clinic, partial hospitalization and intensive outpatient programs, a residential treatment program for children ages 14 and under, and 102 currently staffed and operating inpatient beds spread across multiple units.

The inpatient units each have a programming focus: currently, two Level 1 inpatient units provide care for Vermont’s highest acuity involuntary patients; two inpatient units provide care to adolescents, one inpatient unit provides care to children 12 and under, one adult inpatient unit specifically focuses on the needs of LGBTQIA patients, and two general adult psychiatric inpatient units provide care to primarily voluntary adults in need of acute psychiatric care.

II. The Project

A. History of the Retreat’s EMR

For ten years, the Brattleboro Retreat has used AVATAR, a NetSmart product, as its electronic health record. AVATAR is no longer meeting the Retreat’s needs, and therefore, the Retreat has determined that it wishes to engage MEDITECH in the process of implementing a new EMR system.

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In 2023, the Brattleboro Retreat spent \$976,267.57, in subscription fees, licensing fees, maintenance and consulting to support and maintain our use of AVATAR. These are operating costs not capital expenses.

B. Maintaining the Status Quo

As presented in our 2024 Budget presentation, described in detail below, and laid out in the attached spreadsheets, the Retreat has evaluated the additional operating costs it would invest in improving the AVATAR system if it were not to change to MEDITECH. The annual operating costs would be \$1,354,472, in 2024, \$1,122,401 in 2025, and \$1,160,284 in 2026.

These operating costs are significant, and would be necessary to maintain the AVATAR system, but they do not cross the \$1.2 million jurisdictional thresholds described in 18 V.S.A. § 9434 (b)(1) and Rule 4.202 (3). The investment in the improvement to the EMR would be \$378,205, in 2024, \$146,134 in 2025 and \$184,017 in 2026, well below the “annual operating expense” jurisdictional threshold. Therefore they would not require a new CON, if the Retreat were to take that path.

Because it is a subscription based service, the Brattleboro Retreat currently does not capitalize any of the costs of the AVATAR system. In 2024, regardless of vendor choice and unrelated to the EMR Project, the Retreat plans to spend \$228,957 in capital to enhance wifi within its buildings and \$214,000 to upgrade aging workstations. Attachment C.

Although the Retreat has determined not to take this path, these costs are important, because they are the baseline against which the conversion to MEDITECH must be evaluated. Therefore, the above-described costs of AVATAR improvements are the numbers that you will see in the attached “without the project” spreadsheet. Attachment A.

C. The New EMR Project

The conversion to MEDITECH is a new healthcare project, under the statutory definitions. However, we do not believe that it requires a Certificate of Need, because even with the costs of additional consultants and resources necessary to successfully implement the project, it will not result in annual operating expense in excess of \$1.2 million in either of the next three fiscal years.

As you can see by comparing the “Without the Project” Spreadsheet with the “With the Project Spreadsheet” (attached hereto as Attachment B), the difference between the two is \$206,902 in 2024, \$972,815 in 2025, and \$428,862 in 2026.

Because it is a subscription based service, the Brattleboro Retreat will not capitalize any of the costs of the MEDITECH system. In 2024, regardless of vendor choice, the Retreat plans to spend \$228,957 in capital to enhance wifi within its buildings and \$214,000 to upgrade aging workstations. Attachment C.

The additional operating expense of changing medical record products over improving the current one comes with significant additional functionality. These options have been reviewed and vetted by every part of our organization over most of the last year. The MEDITECH platform allows providers to document more easily, quickly and accurately—providing higher quality patient care and improved patient safety. It offers improved interoperability potential which will allow the Retreat to collaborate better with its health care partners to reduce duplicative tests and procedures. It will also improve our Patient Financial Services workflows, making the process of filing claims and accounting for payments significantly less manual than the current process.

III. Conclusion and Request for a Finding of No Jurisdiction

Because the conversion to a new EMR constitutes the offering of a “healthcare service or technology under Rule 4.202, the Retreat has evaluated the “annual operating expense” of this new product to determine whether it meets the jurisdictional threshold. We believe it does not. We are certain that the unrelated capital expenses described above and detailed in Attachment C do not meet that jurisdictional threshold.

Thus, the Retreat hopes that the Board will find that this project does not trigger CON jurisdiction.

Finally, we recognize that there is no formal expedited review process for jurisdictional determinations, but we would request that you accelerate your review of this request as much as possible, since our vendor has alerted us that our implementation date cannot be reserved until we sign the Subscription Agreement.

Thank you, in advance for your time.

Sincerely,

A handwritten signature in black ink, appearing to read 'S. P. Cummings', written in a cursive style.

Steven P. Cummings, BSN MBA
Executive Vice President and Chief Information Officer

Total Annual Cost Comparison		2024	2025	2026
Total Annual EMR Costs to Stay on Netsmart		\$ 1,354,472	\$1,122,401	\$1,160,284
Total Annual Costs for New Meditech EMR		\$ 1,561,374	\$2,095,216	\$1,589,146
Cost Difference of Staying on Current Netsmart EMR vs Implementing New Meditech EMR "The Project"		\$ 206,902	\$ 972,815	\$ 428,862

Attachment A

NETSMART EMR COSTS - 2024

NETSMART Licensing and Subscriptions	MONTHLY BREAKDOWN												FY24 Total	Comments		
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec				
Quarterly Subscription Cost Inv# B00354483	\$ 114,095			\$ 114,095			\$ 118,088					\$ 118,088			\$ 464,365	3.5% annual increase applied on July 1, 2024
Quarterly Subscription Cost Inv# B00355608	\$ 111,483			\$ 111,483			\$ 115,385					\$ 115,385			\$ 453,736	3.5% annual increase applied on July 1, 2024
Quarterly Subscription Cost Inv# B00355799	\$ 11,818			\$ 11,818			\$ 16,371					\$ 16,371			\$ 64,378	3.5% annual increase applied on July 1, 2024
Annual Subscription Cost Inv# B00356856	\$ 11,484														\$ 11,484	3.5% annual increase applied on July 1, 2024
Scope of Use Increases																
Plexus Cloud Hosting	\$ 1,476	\$ 369		\$ 369			\$ 369					\$ 369			\$ 1,476	
Avatar SaaS Concurrent User	\$ 20,790	\$ 5,198		\$ 5,198			\$ 5,198					\$ 5,198			\$ 20,790	
CareConnect Inbox Named User	\$ 1,386	\$ 347		\$ 347			\$ 347					\$ 347			\$ 1,386	
Dile, Codes, CRT Codes, Direct Secure Messaging	\$ 607	\$ 152		\$ 152			\$ 152					\$ 152			\$ 607	
Additional Features That Would be Added																
Bed Board	\$ 7,700						\$ 7,700					\$ 7,700			\$ 7,700	Annual Fee
KPI Dashboard	\$ 19,875						\$ 19,875					\$ 19,875			\$ 19,875	Annual Fee
MIPS Regulatory Reporting	\$ 1,200						\$ 1,200					\$ 1,200			\$ 1,200	One-time Implementation Fees
eMAR/Task List/Flowsheet	\$ 2,200						\$ 2,200					\$ 2,200			\$ 2,200	One-time Implementation Fees
Barcode Scanning	\$ 6,000						\$ 6,000					\$ 6,000			\$ 6,000	One-time Implementation Fees
OrderConnect NX	\$ 4,275						\$ 4,275					\$ 4,275			\$ 4,275	One-time Implementation Fees
Optimization Work Needed if staying w NetSmart																
Script Link Consultant (Approx)	\$ 10,000			\$ 10,000			\$ 10,000					\$ 10,000			\$ 40,000	Estimat \$40,000 in 2024
KPI Development Hours	\$ 12,500	\$ 12,500	\$ 12,500	\$ 5,000	\$ 12,500	\$ 12,500	\$ 5,000	\$ 12,500	\$ 12,500	\$ 12,500	\$ 12,500	\$ 5,000	\$ 12,500	\$ 12,500	\$ 150,000	Estimate \$150,000 in 2024
Clinical Consulting	\$ 7,500	\$ 7,500	\$ 7,500	\$ 7,500	\$ 7,500	\$ 7,500	\$ 7,500	\$ 7,500	\$ 7,500	\$ 7,500	\$ 7,500	\$ 7,500	\$ 7,500	\$ 7,500	\$ 90,000	Estimate \$100,000 in 2024
Reu Code Consulting																
TOTAL NETSMART SERVICES AND LICENSING	\$ 286,544	\$ 20,000	\$ 20,000	\$ 282,460	\$ 20,000	\$ 20,000	\$ 332,158	\$ 20,000	\$ 20,000	\$ 20,000	\$ 20,000	\$ 290,908	\$ 20,000	\$ 20,000	\$ 1,354,472	

NETSMART EMR COSTS - 2025

NETSMART Licensing and Subscriptions	MONTHLY BREAKDOWN												FY24 Total	Comments		
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec				
Quarterly Subscription Cost Inv# B00354483	\$ 118,088			\$ 118,088			\$ 122,221					\$ 126,499			\$ 480,618	3.5% annual increase applied on Jan 1, 2025
Quarterly Subscription Cost Inv# B00355608	\$ 115,385			\$ 115,385			\$ 119,423					\$ 123,603			\$ 469,617	3.5% annual increase applied on Jan 1, 2025
Quarterly Subscription Cost Inv# B00355799	\$ 16,371			\$ 16,371			\$ 16,944					\$ 17,537			\$ 66,631	3.5% annual increase applied on Jan 1, 2025
Annual Subscription Cost Inv# B00356856	\$ 11,818														\$ 11,896	3.5% annual increase applied on Jan 1, 2025
Scope of Use Increases																
Plexus Cloud Hosting	\$ 382			\$ 382			\$ 382					\$ 382			\$ 1,528	3.5% annual increase applied on Jan 1, 2025
Avatar SaaS Concurrent User	\$ 5,379			\$ 5,379			\$ 5,379					\$ 5,379			\$ 21,518	3.5% annual increase applied on Jan 1, 2025
CareConnect Inbox Named User	\$ 359			\$ 359			\$ 359					\$ 359			\$ 1,435	3.5% annual increase applied on Jan 1, 2025
Dile, Codes, CRT Codes, Direct Secure Messaging	\$ 157			\$ 157			\$ 157					\$ 157			\$ 628	3.5% annual increase applied on Jan 1, 2025
Additional Features That Would be Added																
Bed Board							\$ 7,970					\$ 7,970			\$ 7,970	
KPI Dashboard							\$ 20,571					\$ 20,571			\$ 20,571	
Optimization Work Needed																
NetSmart Optimization Consulting	\$ 10,000			\$ 10,000			\$ 10,000					\$ 10,000			\$ 40,000	Estimate \$40,000 for 2025
TOTAL NETSMART SERVICES AND LICENSING	\$ 278,007	\$ -	\$ -	\$ 286,121	\$ -	\$ -	\$ 303,407	\$ -	\$ -	\$ -	\$ -	\$ 274,966	\$ -	\$ -	\$ 1,137,401	

NETSMART EMR COSTS - 2026

NETSMART Licensing and Subscriptions	MONTHLY BREAKDOWN												FY24 Total	Comments		
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec				
Quarterly Subscription Cost Inv# B00354483	\$ 122,221			\$ 122,221			\$ 126,499					\$ 130,827			\$ 497,440	3.5% annual increase applied on July 1, 2025
Quarterly Subscription Cost Inv# B00355608	\$ 119,423			\$ 119,423			\$ 123,603					\$ 127,837			\$ 486,053	3.5% annual increase applied on July 1, 2025
Quarterly Subscription Cost Inv# B00355799	\$ 16,944			\$ 16,944			\$ 17,537					\$ 18,130			\$ 68,968	3.5% annual increase applied on July 1, 2025
Annual Subscription Cost Inv# B00356856	\$ 12,492														\$ 12,802	3.5% annual increase applied on Jan 1, 2025
Scope of Use Increases																
Plexus Cloud Hosting	\$ 395			\$ 395			\$ 395					\$ 395			\$ 1,591	3.5% annual increase applied on Jan 1, 2025
Avatar SaaS Concurrent User	\$ 5,568			\$ 5,568			\$ 5,568					\$ 5,568			\$ 22,271	3.5% annual increase applied on Jan 1, 2025
CareConnect Inbox Named User	\$ 371			\$ 371			\$ 371					\$ 371			\$ 1,485	3.5% annual increase applied on Jan 1, 2025
Dile, Codes, CRT Codes, Direct Secure Messaging	\$ 162			\$ 162			\$ 162					\$ 162			\$ 650	3.5% annual increase applied on Jan 1, 2025
Additional Features That Would be Added																
Bed Board							\$ 8,248					\$ 8,248			\$ 8,248	Annual Expense
KPI Dashboard							\$ 21,291					\$ 21,291			\$ 21,291	Annual Expense
Optimization Work Needed																
NetSmart Optimization Consulting	\$ 10,000			\$ 10,000			\$ 10,000					\$ 10,000			\$ 40,000	Estimate \$40,000 for 2025
TOTAL NETSMART SERVICES AND LICENSING	\$ 281,287	\$ -	\$ -	\$ 275,085	\$ -	\$ -	\$ 313,675	\$ -	\$ -	\$ -	\$ -	\$ 284,136	\$ -	\$ -	\$ 1,160,284	

Attachment B

Attachment C

Brattleboro Retreat

Information Systems Capital Expenditures

Wireless Network Upgrade:

The Retreat is implementing a long overdue upgrade to our ten year old wireless network across all clinical and administrative buildings. This will provide a stronger wireless signal to all users. This upgrade is needed whether we deploy a new electronic health record or not as there are many use cases for wireless outside the EHR. This work was started in 2023 and is expected to be completed by June 2024. Below is the cost breakdown of the project.

Product/Service Description	Detail and Counts	Cost
Wireless Surveys of campus	3 surveys covering Tyler, Osgood and Administrative Spaces	\$23,556
Cloud Controller Set up	Single engagement	\$10,505
Wireless Access Points (WAPs) Hardware and 5 years Support	106	\$177,444
WAP Mounting brackets for Administrative Spaces	50	\$2,500
WAP Enclosers for Clinical Spaces	56	\$14,952
TOTAL		\$228,957

End User Device Upgrades:

The Retreat has over 100 PCs that are over 10 years old. We have planned to replace these devices and 50 other aging devices to bring the oldest PCs in the fleet to not older than 8 years. We also plan to invest in approximately 50 cell phones and 20 iPads for clinicians to use in the clinical spaces. These investments are being made to increase mobility with our existing EHR and will be used with the new Meditech system as well. The cost breakdown is shown below.

Device	Count	Cost
Desktop PCs	150 @ \$1000 each	\$150,000
Cell phones	50 @ 800 each	\$ 40,000
iPad Tablets	20 @ \$1200 each	\$ 24,000
TOTAL		\$214, 000