

# GREEN MOUNTAIN CARE BOARD (GMCB)

## Board Meeting Minutes

Monday, May 06, 2024

9:00 AM

*This meeting was held virtually via Microsoft Teams.*

*A recording of this meeting will be available on the [GMCB YouTube Channel](#).*

### Attendance

*Board Members present*

Owen Foster, JD, Board Chair

Jessica Holmes, PhD

Robin Lunge, JD, MHCDS

Dave Murman, MD

Thom Walsh, Ph.D, MS, MSPT

### Call to Order

Chair Foster called the meeting to order at 1:00pm.

Minutes from May 06, 2024, were approved unanimously.

### Presentations

(video timestamp)

00:04:20

#### **Draft Guidance on the Assessment of Affordability in the Review of Rates – Potential Vote**

Michael Barber, General Counsel, GMCB

Options presented to the Board:

00:06:10

1. Vote on the Initial Draft

2. Vote on the Revised Draft

3. Work through Technical Issues and come back to the Board with options – staff recommended

#### **Board Discussion**

00:07:30

#### **HCA Comment**

00:13:34

Mike Fisher

#### **Public Comment**

None

#### **FY24 OCV Revised Budget Staff Presentation - Potential Vote**

00:14:20

Abe Berman, CEO, OneCare Vermont (OCV), asked Chair Foster if he could provide a statement on the FY24 Revised Budget. Chair Foster agreed.

Michelle Sawyer, Health Policy Project Director, GMCB

00:16:45

Matthew Sutter, Deputy Director of Health Systems Finance, GMCB

Mark Hengstler, Staff Attorney, GMCB

[Slides for this presentation can be found here.](#)

Options presented to the Board:

00:33:22

1. Take no action
2. Determine that OneCare is failing to meet requirements of the FY24 Budget Order (§ 5.504)
  - a. Initiates remedial action process
  - b. Could lead to a corrective action plan
  - c. Could lead to other remedial measures (e.g. monitoring or auditing plan)
3. File this and/or future budget orders with a court of competent jurisdiction for the purpose of enforcement (18 V.S.A. § 9381(c))

Chair Foster acknowledged the raised hand from Tom Borys, CFO, OCV. 00:36:35

Chair Foster acknowledged the raised hand from Aaron Perry, General Counsel, OCV.

### **Board Discussion**

00:44:39

### **MOTION:**

00:56:30

**Member Lunge made the following motion.**

*“I move that the board find that premature public knowledge of legal advice relating to the ACO budget order in front of the board would prejudice the Board.”*

**The motion was seconded by Chair Foster and approved unanimously.**

### **MOTION:**

**Member Lunge made the following motion.**

*“I move that the board go into executive session to receive legal advice relating to this matter.”*

**The motion was seconded by Chair Foster and approved unanimously.**

**The Board moved into Executive Session at 2:10pm.**

**The Board returned to the public meeting at 3:25pm.**

02:27:03

### **Public Comment**

02:27:31

Ham Davis

Tom Borys, CFO, OCV

02:29:58

### **MOTION 1:**

02:33:22

**Chair Foster made the following motion.**

*“I move that the Board consider a revision to the FY24 Budget Order, requiring OneCare to prospectively include in its contracts with hospital providers a method for tracking population health payments to ensure those payments strengthen the provision of primary care.”*

**The motion was seconded by Member Walsh and the motion carried unanimously.**

**MOTION 2:**

**Chair Foster made the following motion.**

*“I move that the Board consider a revision to the FY24 Budget Order, requiring OneCare to prospectively implement a method of reporting its administrative and operational expenses by function, such that OneCare and the Board can sufficiently identify the administrative and operational expenses of various OneCare programs. Such a revision will require OneCare to describe and implement a process for tracking the benefit of each program for Vermonters.”*

**The motion was seconded by Member Walsh and the motion carried unanimously.**

**MOTION 3:**

**Chair Foster made the following motion.**

*“I move that the Board hereby determine that OneCare has failed to meet Condition 10(b) of the FY24 Budget Order, requiring a revised budget, based on final attribution. The Board shall provide OneCare with a written explanation of the deficiencies it has identified along with supporting data. OneCare shall respond to the Board’s explanation and any proposal for remedial action in the manner and timeframe required pursuant to GMCB Rule 5.000, § 5.504.”*

**Member Walsh seconded the motion and the motion carried 4-0.**

**Member Lunge abstained.**

**Public Comment**

Abe Berman, CEO, OCV

02:36:25

Sharon Gutwin

02:38:34

Abe Berman, CEO, OCV

02:39:32

Tom Borys, CFO, OCV

02:40:36

Abe Berman, CFO, OCV

02:43:40

Tom Borys, CFO, OCV

02:45:11

**Old Business - None**

**New Business - None**

**Adjourn -** The Board voted unanimously to adjourn the meeting at 3:47 pm.