

DISCLOSURE OF CONFLICT OF INTEREST AS REQUIRED BY THE VT CODE OF ETHICS
 TO BE FILED ONLY IF A PUBLIC SERVANT CHOOSES TO ACT

PUBLIC SERVANT INFORMATION	
Name and title/position of public servant:	David Murman, MD
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In my capacity as a public servant, I am expected to take certain action(s) in the performance of my official duties. Under present circumstances, a reasonable person could conclude that I am, or will be, confronted with a conflict of interest in the performance of these duties.

A conflict of interest is defined as a direct or indirect interest in the outcome of a matter pending before me, or the public body in which I serve, that is greater than that of another person generally affected by the outcome of the matter. The interest can be my own, that of an immediate family or household member, or of a business associate.

I am filing this disclosure form to disclose the facts surrounding this potential conflict of interest, and to explain why, despite the conflict, I choose to take official action.

CONFLICT OF INTEREST INFORMATION	
<p>Briefly state the nature of the conflict (including identities of all potentially affected parties or properties, whether the conflict is ongoing or a one-time event, potential or perceived benefits, and any other relevant information).</p>	<p>I am a member of the Green Mountain Care Board (GMCB) and work as a clinical emergency physician at Central Vermont Medical Center (CVMC), a member hospital of the University of Vermont Health Network (UVMHN). The other member hospitals of UVMHN in Vermont are the University of Vermont Medical Center (UVMHC) and Porter Hospital (PH). I am employed by the UVMHN Medical Group, Inc., the governing organization for physicians who provide clinical services to UVMHN member hospitals. My spouse works as a clinical emergency physician at CVMC and in medical informatics at the UVMHC Emergency Department. As with other similarly situated physicians at CVMC, my spouse and I are eligible for incentive compensation, set by a standardized plan established annually by the UVMHN Medical Group board of directors. Neither my spouse nor I hold positions at UVMHN or its member hospitals related to budgeting, nor do we have a fiduciary duty of loyalty to these entities.</p> <p>The GMCB is an independent board that consists of a chair and four members. One duty of the GMCB is to review and approve the budgets of Vermont hospitals. Though each hospital budget is considered independently, UVMHN participates in the presentation of all three budgets of its member hospitals. GMCB members are subject to specific conflict of interest rules at 18 V.S.A. § 9374(c). As members of an independent board appointed by the Governor, GMCB members are also "public servants" under the Code of Ethics, 3 V.S.A. § 1202.</p>
<p>Explain your relationship to the person or organization at issue.</p>	<p><input checked="" type="checkbox"/> Self</p> <p><input checked="" type="checkbox"/> Immediate family member</p> <p><input checked="" type="checkbox"/> Business I am associated with</p> <p><input type="checkbox"/> Business a family member is associated with</p> <p><input type="checkbox"/> Business partner</p> <p><input type="checkbox"/> Property I own or co-own</p> <p><input type="checkbox"/> Property owned or co-owned by a family member</p> <p><input type="checkbox"/> Other [Explain]:</p>

State the action(s) you intend to take, and how your action(s) may affect the person or organization at issue.

I intend to participate in the GMCB's review and deliberation on FY25 hospital budgets for UVMHC and PH, which along with CVMC are member hospitals of UVMHN. I intend to vote on the establishment of budgets for these two hospitals. I am recusing myself completely from review and deliberation on CVMC's FY25 budget.

The GMCB's decisions for UVMHC and PH will establish FY25 budgets for each hospital by establishing a cap on net patient revenue and by establishing a cap in regard to commercial rate increases. UVMHC and PH will be obligated to comply with these caps. The GMCB's hospital budget orders have historically included other conditions related to reporting and other required actions to be taken by hospitals in support of the GMCB's regulatory oversight and the state's healthcare reform initiatives.

Explain why, despite the relationship, you will act on the matter (Check at least one box)

- The conflict is de minimis in nature
- My action on the matter is ministerial or clerical
- My action will not benefit me [or the person or organization at issue] any more than others who are generally affected by the outcome of the matter
- The conflict is amorphous, intangible, or speculative
- I cannot legally or practically delegate the matter to another person
- I have received advice from the Ethics Commission that permits my action(s)
- Other [Explain]:

In its revised advisory opinion (No. 4-2023), issued May 2024, the Vermont Ethics Commission concluded that I have no actual conflict of interest with respect to the participation in deliberations regarding UVMHC and PH budgets, and that I do not have an actual conflict of interest resulting from my spouse's employment. The Ethics Commission concluded a reasonable individual with knowledge of the relevant facts would not find that an appearance of a conflict exists. However, the Ethics Commission encouraged me to file this disclosure statement to publicly disclose the relevant facts that a reasonable person would rely upon, as described above. Finally, the Ethics Commission concluded that if the appearance of a conflict did exist, I would have good cause to proceed because the conflict is "de minimis" or speculative in nature.

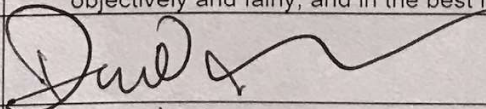
With respect to the GMCB-specific conflict of interest rule, my employment relationship with UVMHN and its member hospitals is specifically permitted by 18 V.S.A. § 9374(c)(1) and de minimis and speculative interests are not disqualifying under 18 V.S.A. § 9374(c)(2).

Confirmation and Signature

Confirmation

- This disclosure fully discloses the nature of my conflict of interest. Taking into account the facts that I have disclosed above, I believe that I nonetheless can perform my official duties objectively and fairly, and in the best interest of the State.

Public servant signature:



Date:

8/26/24

Attach additional pages if necessary.