

**Green Mountain Care Board**  
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[www.gmcboard.vermont.gov](http://www.gmcboard.vermont.gov)

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**DELIVERED ELECTRONICALLY**

February 1, 2018

Ms. Shireen Hart, Esq.  
Primmer, Piper, Eggleston & Cramer, PC  
150 South Champlain St.  
PO Box 1489  
Burlington, VT 05402

**Re: GMCB-003-18con. Request for a Jurisdictional Determination for Kindred Nursing Centers East LLC to Enter Into a Facility Consulting Agreement With the Proposed Purchasers of Birchwood Terrace, Birchwood Operations LLC.**

Dear Ms. Hart:

The Board has reviewed your December 22, 2017 letter written on behalf of your client, Birchwood Operations, LLC, and the January 23, 2018 response to Board questions regarding Kindred Nursing Centers East, LLC entering into a Facility Consulting Agreement with the prospective purchasers of Birchwood Terrace. According to your response, implementation of the Consulting Agreement will not require the prospective purchaser to obtain a new license from the Department of Disabilities, Aging, and Independent Living.

Based on the information you provided, the transaction does not require a certificate of need.

If you have any questions, please do not hesitate to contact Judy Henkin at (802) 828-1968.

Sincerely,

s/ Kevin Mullin

Kevin Mullin  
Chair, Green Mountain Care Board

