



*In alliance with
The University of Vermont*

July 1, 2014

Alfred Gobeille
Chair, Green Mountain Care Board
89 Main Street, 3rd floor, City Center
Montpelier, VT 05620

Re: CON application for South Burlington Property Acquisition (Docket No. GMCB-015-14con)

Dear Chair Gobeille:

I am writing in response to the two requests, dated June 24, filed with the Green Mountain Care Board by the HowardCenter and the City of Burlington seeking interested-party status with respect to the above CON application.

While we appreciate the questions and concerns expressed in their requests, we do not believe that either the HowardCenter or the City meet the statutory criteria for interested-party status, which is available to those who "will be substantially and directly affected" by the proposed project (18 V.S.A. § 9440(c)(7)). We do not believe that this application, given its scope, presents a substantial or direct impact on either the Howard Center or the City. The concerns expressed about the possible future impacts of shifts in outpatient services on either HowardCenter clients or Burlington city residents are important but premature at this point because this application does not propose any shift in the location of any Fletcher Allen services.

The current CON application seeks approval only to acquire property and buildings in South Burlington.* If approved, the acquisition will give Fletcher Allen much-needed flexibility for future facilities planning – flexibility we do not now have. Any future proposal to relocate specific services or to develop new facilities at the South Burlington site will require much more work, and may ultimately require one or more additional CON applications.

As Fletcher Allen develops future plans for services at the South Burlington site, we will certainly engage the City and the HowardCenter in discussions about any actual impacts to Burlington residents or to HowardCenter clients, particularly those relating to access to services and the availability of public transportation. (In fact, we are actively engaged in discussions with the City of South Burlington and the Chittenden County Regional Planning Commission, among

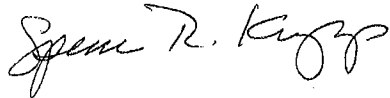
* Our CON application makes this clear: "The Project involves only the purchase of the Property. It does not involve the construction or development of new buildings or improvements, the acquisition of any equipment, the creation of any new health care facilities, or the initiation of any new health services. If the Property is developed in the future, that will require a separate CON." (p. 4)

others, about these issues in the context of the continued development of that area of Chittenden County.) But in the absence of any specific plans for the South Burlington site, having that discussion in the context of the present CON would be premature and hypothetical.

I note that we have been in close communication with the City of Burlington throughout our master facilities planning process. This has included discussions of our proposed inpatient bed project and the principle that our Burlington campus should be the focus of our acute care and inpatient services – and the outpatient services most closely connected to them – with other outpatient services growing at other sites. Our outreach has included, for example, regular meetings with the City’s planning and development staff and with the Ward 1 Neighborhood Planning Assembly (our immediate neighbors). We expect to continue that dialogue as our planning process for South Burlington matures. While we have not had direct conversations yet with the HowardCenter about our master facilities planning work, we are more than happy to engage them collaboratively on matters of common concern.

At this point, however, given the limited scope of this CON application and the lack of any specific plans for how the South Burlington property might be used in the future, we respectfully ask that the Board deny both requests for interested-party status, or, in the alternative, grant amicus curiae status.

Very truly yours,

A handwritten signature in black ink that reads "Spencer R. Knapp". The signature is written in a cursive, flowing style.

Spencer R. Knapp
Senior Vice President and General Counsel

cc: City of Burlington
HowardCenter
Office of the Health Care Advocate