

Green Mountain Care Board
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DELIVERED ELECTRONICALLY

March 11, 2016

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

RE: Docket No. GMCB-020-15con, Proposed Purchase of Rowan Court Health and Rehabilitation Center in Barre, VT.

Dear Shireen:

Thank you for the application submitted by Barre Gardens Holdings LLC and Barre Gardens Nursing and Rehab LLC. The information requested below is needed to complete our review:

1. For each of the following (a)-(i), provide in table format with the 29 facilities (from Attachment U) listed in the y axis, the requested information (from the CMS website) in the x axis, indicating the date or time period covered:
 - (a) The overall CMS star ratings (1-5 stars) reflected in the application;
 - (b) The eighteen short and long-term resident stay quality measure reflected in the application. For each measure where the facility scores below the state average for the state where the facility is located, indicate the percentage below average, leaving measures that are at, or above the state average blank;
 - (c) The CMS star ratings for staffing reflected in the application;
 - (d) The CMS star ratings for RN staffing reflected in the application;
 - (e) Any fines, penalties or denials of Medicaid since 2012;
 - (f) Any fines, penalties or denials of Medicare since 2012;
 - (g) The provider entity for mental health services, indicating whether on-site or tele-health;

- (h) The provider entity for psychiatry services, indicating whether on-site or tele-health;
- (i) Re-hospitalization rates.
2. In the same table format, list Holliswood and Williamsburg in the y axis and the overall CMS ratings (1-5 stars) by month for the period Mr. Gamzeh and Mr. Glatzer served as Administrators in the x axis. Indicate the dates covered by the star ratings.
 3. Explain in detail the applicants' plans to improve each quality measure rated below-average at Rowan Court, currently designated a Special Focus Facility (SFF) by CMS.
 4. List any of the remaining 28 facilities (of the 29 referenced in ¶ 1, above) with an SFF designation and explain in detail any programs or plans instituted to improve below-average quality measures.
 5. Confirm whether or not there is any pending litigation against any of the 29 facilities or the five individuals seeking to purchase Rowan Court. If so, please provide a detailed explanation and status of each.
 6. Explain in detail whether and how the addition of approximately 3 FTEs in 2016, 2 FTEs in 2017, and 1.8 FTEs in 2018 will ensure sufficient staffing on all shifts at Rowan Court. Further explain any strategy or safeguards the applicants will put into place to ensure the safety of all staff and the facility's residents, given the plan to admit more individuals with behavioral complexities.
 7. Provide the name and description of the contractor currently operating the food service at Rowan Court and who the anticipated food service provider will be if the purchase is approved.
 8. Based on data from the Vermont Division of Rate Setting, FY 2014 median raw food cost at Rowan Court was \$8.13 per person/per day. Explain whether the cost will be maintained, increased or decreased if the purchase is approved and ownership transferred to the applicants. If the cost will be decreased, explain in detail how reductions will be attained without negatively affecting quality of services or care.
 9. Provide the patient admission criteria currently used at Rowan Court and the criteria to be used if the purchase is approved, given the plan to admit more individuals with behavioral complexities.
 10. Explain how occupational, speech and physical therapy is currently provided to patients and how it will be provided if the purchase is approved. Confirm whether the costs for the



dietician, pharmacist, activities director, occupational, physical and speech therapists are reflected in the financial tables submitted with the application.

11. Provide the policies, education and training materials currently used and those to be used if the purchase is approved to ensure that staffing and admissions criteria in each facility comply with the Americans with Disabilities Act.
12. Explain whether the new owners will create a separate Medicare wing(s).
13. Identify the number of patients currently receiving hospice care at Rowan Court and the agency or agencies that provide such service.
14. Provide both the facility's current and proposed organizational charts.
15. Confirm that all personal, health care and non-health care interests, assets and liabilities are included in the personal financial statements for each of the five individuals proposing to purchase Rowan Court. Explain why Riverside Nursing and Rehabilitation Center, in which Ephram Mordy Lahasky is shown to have an interest, is not included on his personal financial statement.
16. Provide detailed information on the historical and current relationship/interests between Greystone Funding Corporation, the lender for this transaction, and the five individual purchasers.
17. Provide the contingency plan if financing with HUD is not approved.

In responding, restate the question in bold font and respond in unbolded font. Send the original and two hard copies with a Verification Under Oath to my attention at the Green Mountain Care Board, 89 Main Street, Montpelier, Vermont 05620, and an electronic copy, with any excel documents me at donna.jerry@vermont.gov.

If you have any questions, please do not hesitate to contact me at (802) 828-2918.

Sincerely,

s/ Donna Jerry

Donna Jerry

Senior Health Policy Analyst

