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Michael Donofrio, Esq.
Green Mountain Care Board
89 Main Street
Montpelier, VT 05620

Re: Comments on GMCB Final Rate Review Proposed Rule 2.000

Dear Mike:

Thank you for the opportunity for MVP Health Care to comment on the above-mentioned final proposed rule. Now that we have been through one round of rate reviews, we offer the following comments to improve the process.

General Comments: timeline proposal. Now that MVP has been through one round of rate filings before the Board, we would like to propose the following as a suggested timeline. This would resolve the issues we experienced with our first set of reviews, namely that the Board's questions were issued AFTER the date the Memoranda were due and AFTER what would have been the hearing date, had we not waived the hearing. Because of this sequence we had no opportunity to address issues raised by the Board in its questions. We request that the process be that questions are issued by the Board before the Memoranda are due and before the date to waive the hearings. Conforming changes would have to be made throughout the proposed rule by adding these dates.

- Day 1: GMCB receives DFR recommendation;
- Day 2: GMCB gets notice of hearing out to parties;
- Day 4: Parties file Notices of Appearance;
- Day 5: GMCB gets questions out;
- Day 12: Insurer responds to questions;
- Day 15: Pre-hearing conference;
- Day 18: Briefs due, and date to file waivers of hearings, if applicable;
- Day 20: Hearing;
- Day 30: GMCB issues decision.

Secondly is the issue of communication between the Board and the parties before a decision is issued. What we experienced in our first round of reviews was that there was no communication from the Board before it issued two denials. Further the Board did not instruct MVP on what to do with the two denials. We therefore would like some mechanism to be able to talk with members of the Board and staff before we would have to decide to waive the hearing to get the Board's general inclination on each filing, and discuss any issues with which the Board had

concerns. We plan on using the “conference” section of the proposed rule (section 2.307) to accomplish this.

Section 2.105(b): We suggest this be changed to state that DFR may be called by a party as a witness, and may provide information in that role. We agree that DFR is not a party to the proceeding.

Section 2.307: We suggest that language be added stating that a party could request DFR to attend any conference.

Section 2.308: We suggest that language be added allowing a party to submit a post-hearing memorandum within 5 days of the hearing.

Thank you again for your consideration of our comments.

Sincerely,

Susan M. Gretkowski, Esq.