

**Green Mountain Care Board**  
89 Main Street  
Montpelier, VT 05620

[phone] 802-828-2177  
www.gmcboard.vermont.gov

*Kevin Mullin, Chair*  
*Cornelius Hogan*  
*Jessica Holmes, PhD*  
*Robin Lunge, JD, MHCDS*  
*Maureen Usifer*  
*Susan Barrett, JD, Executive Director*

**To:** Charlene Dindo, Vermont Legislative Council

**From:** Kevin Mullin, Green Mountain Care Board

**Date:** September 13, 2017

**Re:** Written Proposal for Changes to Proposed Rule 5.000: Oversight of Accountable Care Organizations (17P-015).

In response to feedback from the Vermont Legislative Council, the Green Mountain Care Board would like to make the following changes to proposed Rule 5.000: Oversight of Accountable Care Organizations.

- A. Amend section 5.103 (Definitions) by moving the definition of “Budget Year” so that it immediately follows the definition of “Blueprint for Health” and immediately precedes the definition of “Capitation Payment” and “Capitation Payment Arrangement”.
- B. Amend section 5.103 (Definitions) by moving the definition of “Office of the Health Care Advocate” so that it immediately follows the definition of “NCQA” and immediately precedes the definition of “Payer”.
- C. Amend section 5.206 (Population Health Management and Care Coordination), subdivision (h)(1) as follows:
  1. ~~initiate-engage~~ or support Participants in engaging Enrollees and others chosen by the Enrollee in the development of the care plan;
- D. Amend section 5.403 (ACO Duties and Obligations), subsection (a), by adding a colon at the end of the introductory language, as follows:
  - (a) On or before June 1 of each year, an ACO must file the information set forth in this section with the Board in a manner specified in the annual reporting and budget review manual. The Board may establish later deadlines for submitting certain information in the annual reporting and budget review manual. The ACO must submit:
- E. Amend section 5.501 (Reporting and Recordkeeping Requirements), subsection (d), by adding a colon at the end of the introductory language, as follows:



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(d) An ACO must maintain all records, including books, contracts, software systems, and other information, relating to:

F. Amend section 5.501 (Reporting and Recordkeeping Requirements), subsection (e) as follows:

(e) Upon request, an ACO must provide the records described in subsection (d) of this section to the Board ~~or~~ and to the federal government, including CMS, the Department of Health and Human Services, the Department of Justice, the Government Accountability Office, and other federal agencies or their designees.

G. Amend section 5.604 (Effective Date) as follows:

This Rule shall become effective ~~[insert date]~~ [INSERT DATE 15 DAYS AFTER FINAL ADOPTION].

Please contact Michael Barber, Associate General Counsel, with any questions regarding these changes.

Sincerely,



Kevin Mullin, Chair  
The Green Mountain Care Board