

Sent Friday 4/1/16, re H.866

Dear Loring,

As a follow up to my testimony yesterday, I am forwarding information from the GMCB General Counsel regarding the Board's authority.

Please let me know if you need any more information and have a great weekend!

Best,

Susan J. Barrett, J. D.  
Executive Director Green Mountain Care Board  
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**From: Henkin, Judy**

Sent: Friday, April 01, 2016 10:51 AM

To: Barrett, Susan <Susan.Barrett@vermont.gov>

Subject: subpoena power

The Chair of the GMCB has subpoena power under 18 V.S.A. § 9374(i), which may be used to further the provisions of Chapter 220 of Title 18 ("Green Mountain Care Board) and to perform its duties (as set forth in 18 V.S.A § 9375). The relevant language states:

“[I]n order to enforce the provisions of this chapter and empower the Board to perform its duties, the Chair of the Board may issue subpoenas, examine persons, administer oaths, and require production of papers and records.”

18 V.S.A. § 9374(i).

The statute also provides the process for issuing subpoenas, and subsection 9374(j) authorizes the chair to assess an administrative penalty for noncompliance. To date, the GMCB has not exercised, nor had reason to exercise, its subpoena power.

Judith Henkin, General Counsel  
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