

Hello Representatives Lippert & Donahue:

Attached are the HCA's comments revised to reflect language developed between the GMCB & the HCA. There are 3 areas where HCA's language is not agreed to by GMCB. Those are noted below with the explanation. We have also sent these to VAHHS, Bi-state, and the VNAs. I've copied them on this correspondence, so they can also see the proposals prior to this afternoon. I have a meeting at 2:30pm here at the GMCB, so I need to check in on what you might need from me this afternoon. THANKS!

There are three areas where the HCA & GMCB do not have consensus language:

1. 18 VSA 9434(e) - rate of inflation (general CPI or medical). GMCB voted to go with medical inflation. HCA has proposed general inflation. The Committee has heard the pros & cons.
2. Urgent care jurisdiction – GMCB is neutral, as this has not been discussed. HCA incorporated a change suggested by Bistate to exclude FQHCs from this jurisdictional area.
3. 18 VSA 9440(c)(5)(D)(i) – repair/replace/reno – the GMCB is concerned that the yellow highlighted language is overbroad and prefers not include it. We have to consider cost when approving the project & feel that it is more appropriately considered in the overall approval, not in the expedited review determination. The decision to expedite would occur at the beginning of the process and the cost implications may not be fully understood at that time. Again, we are looking to expedite projects such as kitchen renovations and window replacements, not new construction etc.

(i) the repair, renovation, or replacement of facility infrastructure, or a combination thereof, that does not involve new construction, ~~increase the cost of medical services to patients,~~ or impact the provision of medical services to patients.

In addition, below are three revisions to ensure defined terms are used properly & to clarify intervenor waivers– I consider these clean up & no one has objected. They are not in the HCA proposal, so I am including them here:

18 VSA 9440(c)(5)(B)(i) and (h) – technical revision to align defined terms –

(B)(i) the proposed project ~~may~~ appears likely not to be uncontested ~~contested~~ and does not substantially alter services....

(h) As used in this section, an application or proposed project is a “contested **application**”....

18 VSA 9440(c)(5)(C) – waiver of hearing by interested parties - modify as follows:

(C) If a competing application is filed or a person ~~opposing the application~~ is granted interested party status, the applicant shall follow....