

Robin Lunge, Board Member
Green Mountain Care Board
September 10, 2020

H.795 Amendment Draft 3.1
Suggested Changes to Secs. 4 & 9 – Hospital Sustainability Planning

Sec. 4. HOSPITAL SUSTAINABILITY PLANNING; REPORTS

(a) The Green Mountain Care Board shall consider ways to increase the financial sustainability of Vermont hospitals in order to achieve population-based health improvements while maintaining community access to essential services. In conducting this work, the Board shall consult with the Director of Health Care Reform in the Agency of Human Services, Vermont hospitals, the Vermont Association of Hospitals and Health Systems, certified accountable care organizations, the Office of the Health Care Advocate, and other interested stakeholders. **All information submitted by hospitals for the purpose of hospital sustainability planning under this section shall be exempt from public inspection and copying under the Public Records Act and shall be kept confidential, except in summary or aggregate form and for materials provided to the Board through hospital budget review or for the health resource allocation plan. Materials submitted under this section shall be disclosed to the Health Care Advocate, who shall maintain confidentiality where required.**

Sec. 9. 18 V.S.A. § 9457 is amended to read:

§ 9457. INFORMATION AVAILABLE TO THE PUBLIC

(a)(1) All information required to be filed under this subchapter shall be made available to the public upon request, ~~provided that~~ in accordance with 1 V.S.A. chapter 5, subchapter 3 (Public Records Act), except that the following information shall be exempt from public inspection and copying under the Public Records Act and shall be kept confidential:

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(C) **sensitive** financial information the Board collects to address **concerns related to**
hospital financial solvency or sustainability issues.

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(3) The Board shall provide guidance on what information will remain confidential. In
interpreting this section, the Board shall balance concerns related to the disclosure of sensitive
information with providing transparency to the public. Notwithstanding this subdivision, a hospital
may request confidentiality of information not specified in the guidance, consistent with this section
and the Public Records Act.