

**Sunset Advisory Commission
2022 Board and Commission Questionnaire**

The Sunset Advisory Commission reviews every State board and commission and takes testimony regarding whether each board or commission should continue to operate or be eliminated and whether the powers and duties of any board or commission should be revised. Each board and commission has the burden of justifying its continued operation.

Please answer the following questions about the specific board or commission under review. If asked to testify before the Sunset Advisory Commission, please plan to provide concise recommendations regarding the continued operation of the board or commission under review and any revisions to its powers, duties, or membership.

1. In general, how often does the board and commission meet? Provide specific information on how often the board or commission has met in the past two fiscal years. Provide information on where agendas and minutes of meetings can be found.

The Board meets annually to approve hospital licenses and then as-needed when it is acting as the appellate body for the acts and decisions of the Commissioner of Health.

Minutes: <https://www.healthvermont.gov/health-professionals-systems/board-medical-practice/board-meetings>.

2. Provide the names of members of the board or commission, their term length and expiration, their appointing authority, and the amount of any per diem they receive.

Members

- | | | | |
|------|--------------------|-----------|----------------------|
| i. | Margaret Bolton | 2/28/2023 | M. D. - Psychiatrist |
| ii. | Dawn Philibert | 2/28/2027 | Public Member |
| iii. | Heather Herrington | 2/28/2027 | M.D. |
| iv. | Audra Pinto | 2/28/2027 | Dentist |
| v. | Michael McShane | 2/28/2025 | Public Member |

Appointed by the Governor, see 18 V.S.A. § 101

No diems have been expended.

3. Provide an overview of the board or commission's purpose.

Prior, to their being a commissioner, the board undertook public health duties. Today, their purpose is to approve hospital licenses and act as an appellate body for the acts and decisions of the Commissioner.

4. Is that purpose still needed? What would happen if the board or commission no longer fulfilled that purpose?

The Board is no longer needed as the functions that it currently serve can be absorbed by the Department and the courts.

5. How well is the board or commission performing in executing that purpose? What evidence can you provide to substantiate that performance?

They execute their narrow purposes. It is, however, extremely difficult to recruit and hold members due to their minimal obligations, and sometimes impossible to seat a quorum. This opinion has been shared by several departing members in recent years.

6. If the purpose is still needed, can State government be more effective and efficient if the purpose was executed in a different manner?

The Department can approve hospital licenses, and the Vermont superior courts can absorb the fewer than one appeal a year.

7. If the purpose is still needed, do any of your board or commission's functions overlap or duplicate those of another State board or commission or federal or State agency? If so, is your board or commission still the best entity to fulfill the purpose?

See 6.

8. Does the board or commission's enabling law continue to correctly reflect the purpose and activities of the board or commission?

It does not. It reflects a time when the Board ran the Department of Health.

9. Provide a list of the board and commission's last fiscal year expenditures including staffing costs. How are these funded?

No expenditures or staffing costs. Costs were absorbed by staff - administrative and legal - in the normal course of their duties.

10. Is the board or commission required by law to prepare any reports or studies for the Legislature, the Governor, or any State agency or officer? If so, have those reports or studies been produced? Does the board or commission have ongoing reporting obligations?

No.