

DELIVERED ELECTRONICALLY

April 23, 2024

Dear Chair McCarthy and Members of the House Committee on Government Operations and Military Affairs,

The Green Mountain Care Board (GMCB) respectfully requests a delay in the application of section 3 of [S.55](#) An act relating to authorizing public bodies to meet electronically under Vermont's Open Meeting Law. Section 3 would require GMCB to *hold all regular and special meetings in a hybrid fashion, which shall include both a designated physical meeting location and a designated electronic meeting platform.*

Currently, GMCB does not have permanent office space due to the serious damage our building sustained in the July 2023 flooding. For temporary space, we are using some cubicles at the National Life Building, which does not allow public access. We expect to be in new permanent space in Montpelier by the end of this year and, once we have permanent office space, we can comply with the hybrid meeting requirement of S.55.

We believe that a delay in the application of the hybrid meeting requirement would be consistent with the spirit of 1 V.S.A. § 312a; while there is no longer a "declared state of emergency," GMCB's ability to designate a physical space for its meetings is still being affected by the flooding that occurred in July 2023. We are requesting a delay for GMCB, and also suggesting consideration of a general provision to cover loss of permanent office space due to lingering impacts of state of emergencies or local incidents.

In preparation for GMCB's hospital budget and insurance rate review hearings scheduled for later this summer we started to look for a physical location. It became very clear that the availability of shared office space that allows public access across the state complex is limited. In order to comply with S.55, we would have to reserve a mixture of rooms across different buildings for the nearly twenty hearings we are conducting this summer. Furthermore, the varying locations and schedule pose the following concerns:

- Members of the public could be confused as to the location, which could change day to day and be scheduled in different buildings or towns. Additionally, navigating different technology systems across different locations risks issues with connectivity.
- Until GMCB has permanent office space we cannot hold hybrid meetings past 5PM which will pose problems for our summer hearing schedule.
 - GMCB hosts an annual public comment forum after business hours for the rate review process.
 - GMCB's hearings on rate review (July) and hospital budgets (August) are scheduled months in advance to coordinate with regulated entities, actuaries, the Health Care Advocate, court reporters, and other stakeholders. These hearings have lasted well





GREEN MOUNTAIN CARE BOARD

144 State Street
Montpelier, VT 05633-3601
802-828-2177

Jessica Holmes, Ph.D.
Robin Lunge, J.D., MHCDS
David Murman, M.D.
Thom Walsh, Ph.D., MS, MSPT
Susan J. Barrett, J.D., Executive Director

beyond 5 PM in the past. We would need to end the hearings at 5 PM and convene another day of hearings to comply with the physical meeting location requirement.

The GMCB is committed to transparency and values public input we have in our meetings. S.55 would impose a significant burden on the GMCB until we have permanent office space.

Sincerely,

Susan Barrett
Executive Director

Mike Barber
General Counsel

cc: Senate Government Operations Committee

