

1 Introduced by Committee on Health Care

2 Date:

3 Subject: Health; hospitals; Green Mountain Care Board; hospital monitor

4 Statement of purpose of bill as introduced: This bill proposes to authorize the
5 Green Mountain Care Board to appoint an independent monitor to oversee a
6 hospital and its operations if the Board believes doing so is in the public
7 interest.

8 An act relating to authorizing the Green Mountain Care Board to appoint a
9 hospital monitor

10 It is hereby enacted by the General Assembly of the State of Vermont:

11 Sec. 1. 18 V.S.A. § 9456 is amended to read:

12 § 9456. BUDGET REVIEW

13 * * *

14 (g)(1) The Board may request, and a hospital shall provide, information
15 determined by the Board to be necessary to determine whether the hospital is
16 operating within a budget established under this section. For purposes of this
17 subsection, subsection (h) of this section, and subdivision 9454(a)(7) of this
18 title, the Board's authority shall extend to an affiliated corporation or other
19 person in the control of or controlled by the hospital to the extent that such
20 authority is necessary to carry out the purposes of this subsection, subsection

1 (h) of this section, or subdivision 9454(a)(7) of this title. As used in this
2 subsection, a rebuttable presumption of “control” is created if the entity,
3 hospital, or other person, directly or indirectly, owns, controls, holds with the
4 power to vote, or holds proxies representing 20 percent or more of the voting
5 securities or membership interest or other governing interest of the hospital or
6 other controlled entity.

7 (2)(A) The Board may, at its discretion, appoint an independent monitor
8 with respect to any matter related to the Board’s review or enforcement under
9 this section if the Board believes that doing so is in the public interest. At the
10 direction of the Board, the independent monitor may oversee the hospital’s
11 operations, obtain information from the hospital, and report findings and
12 recommendations to the Board.

13 (B) An independent monitor appointed pursuant to this subdivision
14 (2) shall have the right to receive copies of all materials related to the Board’s
15 review under this section and the hospital shall provide any information
16 requested by the independent monitor, including any information regarding the
17 hospital’s participation in a hospital network. The independent monitor may
18 share information provided by the hospital with the Board and with the Office
19 of the Health Care Advocate in accordance with subdivision (d)(3) of this
20 section but shall not otherwise disclose any confidential or proprietary
21 information that the independent monitor obtained from the hospital.

