
DELIVERED ELECTRONICALLY

March 31, 2025

Sen. Virginia Lyons, Chair
Senate Committee on Health and Welfare
Vermont State House
115 State Street
Montpelier, VT 05633-5301

RE: GMCB Testimony on H.80

Dear Senator Lyons:

Please accept this letter on behalf of the Green Mountain Care Board (Board) in support of H. 80, a bill to modify the roles and duties of the Office of the Health Care Advocate as they relate to health care regulatory activities, access to information and providing assistance to Vermonters.

The Office of the Health Care Advocate (HCA) plays a critical role in the Board's work. In the Certificate of Need (CON) and Insurance Rate Review matters I work on, the HCA's involvement as a party to the proceedings brings valuable insight into the impact of the Board's decisions on Vermonters, particularly issues of affordability and access.

In H.80, Section 1 amends 8 V.S.A. §§ 4062 (c)(3)(A) and (d) to strengthen and streamline the HCA's ability to ask questions of the carrier in rate review proceedings. It also clarifies the Board's obligation to post the full record, redacted for confidential information, on the website, which is the Board's current practice.

Section 2 amends 18 V.S.A. §§ 9440(c)(9)(B) and (C) to give the HCA the right to receive copies of all CON materials in the dockets in which it has intervened and to allow the HCA to submit written questions and comments and to ask questions and provide testimony in CON hearings. The most significant aspect of this section is to streamline and clarify HCA access to confidential material and its obligation not to disclose that information.

There is one aspect of Section 2 that House Healthcare Committee was not able to correct, and that the HCA and the Board agree upon. As drafted, subsection (i) in 18 V.S.A. § 9440(c)(9)(B) allows the HCA to ask questions of GMCB staff during the CON process. That practice makes sense in some Board proceedings, such as Hospital Budget review, but does not work in CON dockets because of ex parte



requirements. We have discussed with Attorney Carbee and understand there is a draft of H. 80 which deletes § 9440(c)(9)(B)(i), which was located on lines 11-12 of page 6 of the bill as introduced.

In Section 3, there is a proposed change that Attorney Carbee has drafted which adjusts the language of 18 V.S.A. § 9604(a) regarding the HCA's input on matters affecting health care access and affordability. The Boards support this change.

Thank you for the opportunity to present testimony on H.80.

Sincerely,

/s/ Laura Beliveau
Staff Attorney

