



**OneCare Vermont Accountable Care Organization  
Board of Managers Resolution Expanding the  
Participation Waiver for Transport from  
Network Hospital Emergency Departments to  
The Brattleboro Retreat for Treatment  
October 23, 2023**

WHEREAS, OneCare participates in the Vermont All Payer ACO Model Vermont Medicare ACO Initiative and the Vermont Medicaid Next Generation Program. The Secretary of the Department of Health and Human Services by and through CMS, and the Department of Vermont Health Access, have provided certain waivers of federal and state fraud and abuse laws in connection with the Vermont All Payer ACO Model (“APM”), the Fraud and Abuse Waiver Notice for Vermont ACO Initiative; and

WHEREAS, in February 2023, this Board approved the following arrangement as reasonably related to ACO Activities;

OneCare will contract with the Brattleboro Retreat to provide transportation for patients who have been referred to the Brattleboro Retreat from the emergency departments of its Participant hospitals. In turn, the Brattleboro Retreat will contract with Rescue Inc., a Vermont ambulance company to be available to provide transport from network hospital emergency departments in exchange for a fee for its availability. Rescue, Inc. will, in addition to the availability fee, bill patients or their insurers for the transportation provided; and

WHEREAS, this transportation program has been implemented for the service hours of 12pm-8pm, Monday through Friday. The program involves a dedicated ambulance and specially trained crew who provide medical appropriate transport for patients to the Retreat. Currently more than 200 Vermonters have benefited from timely transfer from emergency departments to the Brattleboro Retreat, and feedback from the health care providers involved, including the Retreat, Rescue, Inc., and network emergency departments has been strongly positive for themselves and patients; and

WHEREAS, there has been broad interest from stakeholders in expanding hours of operations for the transport to include nights and weekends; and

WHEREAS, continuing from February 2023, emergency department utilization remains high as does the number of patients in need of mental health treatment;

WHEREAS, the University of Vermont Medical Center, a OneCare Participant, has agreed to provide a total of \$250,000 to expand the program’s hours of operations to include 8pm-12 am M-F and 12pm-8pm Saturday and Sunday;

WHEREAS, The Participation waivers are available when, among other things, the governing body of the ACO has reviewed and determined that the arrangements are reasonably related to ACO Activities. ACO Activities include:



- Promoting accountability for quality of care;
- Promoting accountability for cost of care;
- Promoting accountability for overall care;
- Managing and coordinating care;
- Encouraging infrastructure investment;
- Encouraging investment in re-designed care processes for high quality and efficient services delivery;
- Carrying out any obligation or duty under the Vermont ACO Initiative or the Vermont Medicaid NextGen Program (together “Programs”);
- Direct patient care;
- Promoting evidence based medicine;
- Promoting patient engagement;
- Reporting on quality and cost measures;
- Coordinating care with telehealth, remote monitoring and other technologies;
- Establishing and improving ACO clinical systems;
- Establishing and improving ACO administrative systems;
- Meeting Programs quality standards;
- Evaluating patient health;
- Communicating clinical knowledge;
- Communicating evidence-based medicine; and
- Developing standards for patient access and communication including to medical records.

**BE IT RESOLVED** by the Board of Managers (the “Board”) of OneCare Vermont Accountable Care Organization, LLC (“OneCare”) as follows:

The OneCare Board of Managers has duly authorized the arrangement below and made a bona fide determination the arrangement is reasonably related to one or more of the above ACO Activities, including managing and coordinating care and accountability for quality, cost and overall care. The Board wishes to extend the protections afforded under the ACO Participation Waiver to the arrangement described below.

1. UVMMC will pay \$250,000 to expand the hours of operation of transfer of patients by Rescue, Inc. from OneCare network emergency departments to the Brattleboro Retreat for voluntary inpatient treatment.