

**STATE OF VERMONT
GREEN MOUNTAIN CARE BOARD**

In re: MVP Health Care's 2019 Large) Docket #
Group HMO Rate Filing) GMCB-010-18rr

In re: MVP Health Care's 2019 Large) Docket #
Group POS Rate Filing) GMCB-011-18rr

MVP Health Care's Objections to Health Care Advocate Questions

MVP Health Care (MVP) objects to the questions proposed by the Health Care Advocate (HCA) submitted to the Green Mountain Care Board (GMCB) on September 5, 2018 for the reasons stated below.

MVP objects to these questions on the grounds they are overly broad, unduly burdensome and beyond the scope of this rate review. Specifically, questions 1, 3 and 4 are especially onerous in that they ask MVP to break out the manual rate distribution by each account, including in Question 4 going back three years. Such a request would amount to an audit of every large group account which is more properly a function performed to the Department of Financial Regulation in a market conduct investigation. Such an audit is not proper to be performed by the HCA or as part of this rate review process. The HCA is not in a regulatory oversight role over health insurers. Questions associated with rate review are an opportunity for the GMCB, its actuary Lewis and Ellis, and the HCA to ask clarifying questions about the *current* pending rate filing, not to undertake an audit of past rate filings or activities. Further, in Question 4, going back three years would create an undue burden on MVP which serves no purpose in aiding the GMCB in determining the appropriateness of the rate filing in front of it. This request is clearly a fishing expedition on the part of the HCA.

These questions should be stricken as beyond the scope of inquiry allowed under GMCB Rule 2.00. Requests that are not proportional to the needs of the pending filing should be denied. The GMCB sets the scope of information it determines MVP should provide in the filing each year. The GMCB's own demand for information is limited in

scope by Rule 2.00 to information “concerning any rate filing”. Rule 2.304. The HCA has no right to seek information beyond the scope of the rate filing or beyond what the GMCB itself would require. Again, these questions serve no purpose to aid the GMCB in determining the appropriateness of this rate filing.

Therefore, for the reasons stated above, MVP asks the GMCB to disallow these questions from the HCA.

/s/ Susan Gretkowski
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Dated: September 17, 2018

CERTIFICATE OF SERVICE

I, Susan Gretkowski, hereby certify that I have served the above Objections to HCA Proposed Questions on Judy Henkin, General Counsel to the Green Mountain Care Board, and Kaili Kuiper and Eric Schulthesis, counsel for the Health Care Advocate, by electronic mail this 17th day of September, 2018.

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