

# VERMONT LEGAL AID, INC.

## OFFICE OF THE HEALTH CARE ADVOCATE

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July 3, 2019

Michael Barber, General Counsel  
Green Mountain Care Board  
144 State Street  
Montpelier, VT 05602

Dear Mr. Barber,

I am writing to follow-up on our June 27, 2019 meeting with the Green Mountain Care Board staff and Blue Cross Blue Shield of Vermont (BCBSVT). At the meeting, you communicated that the Board would give us time to review BCBSVT's pending answer related to the rate impact of the recent change in law regarding association health plans. We appreciate the consideration.

You also communicated that the Board is disinclined to uphold our motion to compel a rate amendment on this issue. Accordingly, we withdraw the motion, and are happy to address the issue at the upcoming rate review hearing.

In the meantime, please note the inconsistency between BCBSVT amending its rate filing to increase its rates last year when the U.S. Department of Labor issued a rule authorizing non-ACA-compliant AHP's, and BCBSVT refusing to file an amendment to reduce its rates this year when that rule was struck down. BCBSVT's articulated rationale for its position in its July 3 letter to Kevin Rutteberg makes the lack of merit of BCBSVT's current position even more apparent.

We look forward to questioning Blue Cross on this issue at the hearing.

Sincerely,

s/ Jay Angoff

Jay Angoff, Esq.

Mehri & Skalet, PLLC

s/ Eric Schultheis

Eric Schultheis, Ph.D., Esq.

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s/ Kaili Kuiper

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