

STATE OF VERMONT  
GREEN MOUNTAIN CARE BOARD

In re: MVP Health Plan, Inc.	)	GMCB-006-20rr
2021 Individual and Small Group Market	)	
Rate Filing	)	
	)	
SERFF No. MVPH-132371260	)	
_____	)	

**SECOND AMENDED SCHEDULING ORDER**

The Green Mountain Care Board (GMCB) hereby orders in the above-captioned matter:

1. Status Conference – A status conference will be held on May 22, 2020 from 9:00 – 10:00 a.m. The status conference will be held remotely. A Skype meeting invitation has already been sent to the Parties.
2. Disclosure of Expert Witnesses - No later than June 1, 2020 at 4:00 p.m., the Office of Health Care Advocate (HCA) and MVP Health Plan, Inc. (MVPHP) shall each disclose the identity of any witness it may use at the hearing to present expert testimony.

If the witness is one retained or specially employed to provide expert testimony with respect to the filing, the Party shall provide

- a. The witness’s qualifications as an expert, including disclosure of all publications authored in the last ten years;
- b. A listing of each instance its expert witness has provided expert opinion or testimony for the past four years, including the forum and date of such opinion or testimony;
- c. The source and amount of compensation for the expert review, opinion, and testimony on the current filing;
- d. A brief description of the topic(s) on which the witness is expected to testify.

If the witness is not one retained or specially employed to provide expert testimony with respect to the filing, the Party also provide a brief description of the topic(s) on which the witness is expected to present expert testimony.

3. HCA Suggested Questions - No later than June 8, 2020 at 4:00 p.m., the HCA may submit suggested questions to the GMCB. MVPHP shall have five business days to file an objection to the HCA’s suggested questions. The HCA shall have three business days to respond to any objection filed by MVPHP.
4. Expert Reports - No later than July 7, 2020 at 4:00 p.m., the HCA and MVPHP shall further provide:
  - e. A copy of any expert opinion, prepared and signed by the witness;
  - f. The facts, opinions, data, and documents relied on as the bases for the expert opinion.

5. Pre-Filed Testimony – Pre-filed testimony of witnesses will be allowed, but not required. If the HCA or MVPHP chooses to submit pre-filed testimony, it must do so no later than July 7, 2020 at 4:00 p.m. The HCA and MVPHP may submit pre-filed testimony in lieu of an expert report, provided that the pre-filed testimony covers the information required to be included in the expert report. Any pre-filed testimony from the GMCB’s contracted actuaries will be due no later than July 14, 2020 at 4:00 p.m. The GMCB expects the Parties to make reasonable efforts to meet and confer over any disagreements regarding the admissibility of pre-filed testimony.
6. GMCB Actuarial Memorandum - No later than July 7, 2020 at 4:00 p.m., the GMCB shall provide the actuarial memorandum authored by its actuaries, Lewis and Ellis.
7. Solvency Opinion - No later than July 7, 2020 at 4:00 p.m., the Department of Financial Regulation shall provide a solvency opinion.
8. Carrier Calculation – MVPHP shall calculate the rate impact(s) of any recommendations in the actuarial memorandum prepared by Lewis and Ellis and, no later than July 9, 2020 at 4:00 p.m., shall submit a brief explanation to the GMCB, not to exceed one page.
9. Supplementing Pre-Filed Testimony – No later than July 13, 2020 at 4:00 p.m., the HCA and MVPHP may supplement their pre-filed testimony to address issues covered by the actuarial memorandum prepared by Lewis and Ellis or the solvency opinion prepared by the Department of Financial Regulation. The supplemental pre-filed testimony may not exceed 10 pages in length without leave of the Board.
10. Non-Expert Witnesses - No later than July 13, 2020 at 4:00 p.m., the HCA and MVPHP shall disclose the non-expert witnesses it may call at the hearing.
11. Pre-hearing Conference - On July 14, 2020, a prehearing conference will be held to discuss the stipulation of evidentiary materials and preparation of evidentiary binders, the order of and time allocation of witness testimony, the potential submission of any prehearing motions, and any other matters relevant to the conduct and content of the hearing.
12. Evidentiary Binders - No later than July 16, 2020 at 4:00 p.m., MVPHP shall submit thirteen (13) evidentiary binders to the GMCB and four (4) evidentiary binders to the HCA. MVPHP shall also submit to the GMCB or transmit to L&E an electronic version of the evidentiary binder with each exhibit bookmarked.
13. Hearing - The GMCB will hold a hearing in this matter on July 21, 2020 beginning at 8:00 a.m. The hearing will be held via Skype. If the declared state of emergency due to COVID-19 is terminated prior to the hearing, the GMCB may also designate a physical location for members of the public.
14. Post-Hearing Memoranda - No later than July 28, 2020 at 4:00 p.m., the Parties shall submit any post-hearing memoranda.
15. Supplemental Analyses - No later than August 3, 2020 at 4:00 p.m., the GMCB will send the Parties and Lewis and Ellis a rate chart containing the rates proposed by Vermont general hospitals that timely filed their FY21 budgets with the GMCB and

will post these hospitals' budget submissions on its website as soon as possible. No later than August 5, 2020 at 4:00 p.m. the Parties may submit a brief supplemental analysis regarding this new information, which shall not exceed four pages in length (including attachments) without prior leave of the GMCB. Lewis and Ellis may submit a brief supplemental analysis no later than August 7, 2020 at 4:00 p.m.

16. Decision & Order - No later than August 14, 2020 at 4:00 p.m., the GMCB shall issue its Decision and Order.

If necessary, the GMCB will schedule additional conferences to resolve any issues that may arise in this matter.

Dated: June 1, 2020 at Montpelier, Vermont.

s/ Michael Barber

Michael Barber

General Counsel, Green Mountain Care Board

(802) 828-1741

[michael.barber@vermont.gov](mailto:michael.barber@vermont.gov)

