

DEPARTMENT OF HEALTH & HUMAN SERVICES  
Centers for Medicare & Medicaid Services  
JFK Federal Building, Government Center  
Room 2275  
Boston, Massachusetts 02203



Northeast Consortium/ Division of Survey & Certification

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May 4, 2009

Ms. Terry Rowe, CEO  
Vermont State Hospital  
103 South Main Street  
Waterbury, Vermont 05671-2306

Dear Ms. Rowe:

Based on your application to participate in the Medicare program, the State of Vermont, Department of Aging & Independent Living, Division of Licensing & Protection (State Survey Agency) conducted a survey on April 9, 2009, of the Vermont State Hospital. They determined that the Vermont State Hospital was not in compliance with the Medicare Conditions of Participation for hospitals. The Vermont State Survey Agency has recommended that the Centers for Medicare & Medicaid Services deny the Vermont State Hospital's application for certification/participation as a psychiatric hospital participating in the Health Insurance for the Aged program (Medicare).

The Center for Medicare & Medicaid Services has carefully reviewed the recommendation and findings from the April 9, 2009, survey and concurs with the State Survey Agency's recommendation. If, in the course of an a survey, a hospital is found to have a deficiency with respect to compliance with the Conditions of Participation, we are required to make a determination that the hospital does not meet the requirements for participation in the Health Insurance for the Aged Program ( Medicare).

Enclosed, you will find CMS 2567 Statement of Deficiencies. This statement determined the non-compliance to be of such a serious nature as to substantially limit your hospital's capacity to render adequate care and prevents it from being in compliance with all the Conditions of Participation for hospitals.

At the time of the April 9, 2009, survey it was determined that the Medicare Condition of Participation found at 42 CFR 482.13 Patient's Rights was found not met.

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Based upon this finding, the Center for Medicare & Medicaid Services (CMS) is denying your request for participation in the Medicare program. This letter is our determination as provided under CMS regulation 42 CFR 498.20. The findings from this survey will be disclosed to the public thirty (30) days from the date of this notice.

Copies of this letter are being forwarded to the State Survey Agency. Should you have any questions regarding this notice, you may contact me at 617- 565-4487.

Sincerely yours,

Richard M. Shaw  
Branch Chief

Enclosure:  
CMS 2567  
cc:  
VT S/A