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June 27, 2013

The Honorable Marilyn Tavenner
Administrator and Chief Operating Officer
Centers for Medicare and Medicaid Services
7500 Security Boulevard
Baltimore, MD 21244

Dear Administrator Tavenner:

I write today to express my deep concern that the Brattleboro Retreat psychiatric hospital, in Brattleboro, Vermont, may be in danger of losing its Centers for Medicare and Medicaid Services certification. I respectfully request that CMS work closely and cooperatively with the Retreat to address identified deficiencies, and avoid termination its CMS contract.

The Brattleboro Retreat has long played a critical role in Vermont's mental health care system, with 108 staffed beds and an average daily inpatient census of 100 people. The Retreat is also Vermont's sole provider of in-patient psychiatric care for children and adolescents, with 30 residential beds and an accredited school. Overall, the Retreat has 3200 admissions each year and cares for more than 5000 people.

CMS' current health and safety review of the Retreat comes at a time when Vermont's mental health care system is undergoing significant transition, and is heavily overburdened. As you know, the Vermont State Hospital suddenly closed after it flooded during Tropical Storm Irene. The Brattleboro Retreat stepped up and agreed to take on a significant portion of the State Hospital's patients who have been involuntarily committed. Moreover, while the Retreat agreed to make available 14 beds for VSH patients, it has actually housed an average of 25 patients – nearly half the capacity of the former state hospital.

In fact, I understand that many of CMS' health and safety concerns directly relate to the Retreat's 14 bed Adult Intensive Unit (AIU), which houses these patients. This population often exhibits complex and serious mental illnesses, with difficult behaviors, and even violence toward staff and other patients.

Let me be absolutely clear: I understand and appreciate CMS' responsibility to hold health care institutions to the highest quality standards. There is no excuse for providing some of the most vulnerable among us with anything less than the highest quality of care. In this regard, the Brattleboro Retreat leadership absolutely agrees, and understands it must adjust aspects of its treatment of its most acute and challenging patients.

However, given the state's dependence on the services the Retreat offers, decertification would throw the state's entire mental health care system into crisis. Decertification would undermine the financial viability of the Retreat, deprive thousands of Vermonters of the services they desperately need, and create even more of a backlog in the state's mental health care system. Those outcomes would serve no one's interests.

Having worked closely with the staff and leadership of the Brattleboro Retreat, I know they are committed to providing the highest quality services to people struggling with mental health disorders. Given the Retreat's excellent track record, the importance of the facility to Vermont's mental health care delivery system, and the fact that it is still adjusting to a new role precipitated by the abrupt closing of the State Hospital, I respectfully request that the Retreat be given sufficient time to remedy identified deficiencies and avert termination of the CMS contract.

Thank you for your consideration of this very important matter, and for your contributions in helping build a more progressive, fair, flexible, effective and high-quality mental health system for our state.

Sincerely,



Bernard Sanders
U.S. SENATOR

cc: Dr. Patrick Conway, Director, Center for Clinical Standards and Quality