

# STATE OF CONNECTICUT

## DEPARTMENT OF PUBLIC HEALTH

OFFICE OF COMMISSIONER

October 16, 2009

### IN THE MATTER OF:

An Application for a Certificate  
of Need filed pursuant to  
Section 19a-638, C.G.S. by:

Notice of Final Decision  
Office of Health Care Access  
Docket Number: 09-31360-CON

**Community Mental Health Affiliates      Termination of Services at Northwest  
Center for Family Services in Winsted.**

To: Mary Gillette,  
Vice President of Organizational Performance  
Community Mental Health Affiliates  
29 Russell Street  
New Britain, CT 06052

Dear Ms. Gillette:

This letter will serve as notice of the Final Decision of the Office of Health Care Access in the above matter, as provided by Section 19a-638, C.G.S. On October 16, 2009, the Final Decision was rendered as the finding and order of the Office of Health Care Access. A copy of the Final Decision is attached hereto for your information.

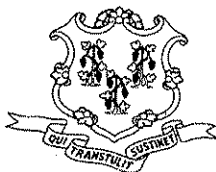
By Order of the Division of  
Office of Health Care Access  
Department of Public Health

  
Cristine A. Vogel  
Deputy Commissioner

CAV: cgc

Enclosure





**Department of Public Health  
Office of Health Care Access  
Certificate of Need Application**

**Final Decision**

**Applicant:** Community Mental Health Affiliates, Inc.

**Docket Number:** 09-31360-CON

**Project Title:** Closure of the Northwest Center for Family Services in Winsted

**Statutory Reference:** Section 19a-638 of the Connecticut General Statutes

**Filing Date:** July 21, 2009

**Decision Date:** October 16, 2009

**Default Date:** October 19, 2009

**Staff Assigned:** Carmen Cotto  
Alexis G. Fedorjaczenko

**Project Description:** Community Mental Health Affiliates, Inc. ("Applicant") is proposing to terminate services at the Northwest Center for Family Services in Winsted, Connecticut, with an associated capital expenditure of \$2,000.

**Nature of Proceedings:** On July 21, 2009, the Office of Health Care Access ("OHCA") received the proposal of Community Mental Health Affiliates, Inc. ("Applicant") to terminate services at the Northwest Center for Family Services in Winsted, Connecticut, with an associated capital expenditure of \$2,000. The Applicant is a health care facility or institution as defined by Section 19a-630 of the Connecticut General Statutes ("C.G.S.").

A notice to the public concerning OHCA's receipt of the Applicant's Letter of Intent was published in *The Register Citizen* on April 28, 2009. Pursuant to Section 19a-638, C.G.S., three individuals or an individual representing an entity with five or more people had until

August 11, 2009, the twenty-first calendar day following the filing of the Applicant's CON application, to request that OHCA hold a public hearing on the Applicant's proposal. OHCA received no hearing requests from the public.

OHCA's authority to review and approve, modify or deny the CON application is established by Section 19a-638, C.G.S. The provisions of this section as well as the principles and guidelines set forth in Section 19a-637, C.G.S., were fully considered by OHCA in its review.

## Findings of Fact

### Clear Public Need

#### Impact of the Proposal on the Applicant's Current Utilization Statistics Proposal's Contribution to the Quality of Health Care Delivery in the Region Proposal's Contribution to the Accessibility of Health Care Delivery in the Region

1. It is found that Community Mental Health Affiliates, Inc. ("CMHA" or "Applicant") is a non-profit corporation headquartered in New Britain and provides behavioral health services throughout Connecticut. *(June 22, 2009 initial CON application, pages 15-17)*
2. The Applicant merged with and became the corporate entity for the Northwest Center for Family Services ("Northwest Center") in August 2007. The Applicant contends that services have been provided in Winsted since 1974. *(June 22, 2009 initial CON application, page 3 and June 28, 2008, CON Exemption Report Number 07-30948-EXM)*
3. The Applicant operates two sites, one in Winsted located at 115 Spencer Street and one in Torrington located at 100 Commercial Boulevard. *(June 22, 2009 initial CON application, pages 5 and 16)*
4. The Applicant proposes to terminate services at the Northwest Center in Winsted. *(June 22, 2009 initial CON application, page 5)*
5. According to the Applicant, CMHA provides outpatient services for adults and children aged 4 and up at both locations that include psycho-diagnostic assessment, individual, group, and family therapy modalities, and psychiatric assessment. The Winsted location also provides post-traumatic stress disorder outpatient services for Veterans. *(June 22, 2009 initial CON application, page 5 and July 21, 2009, Completeness Response, page 100)*
6. The Applicant contends that post traumatic stress disorder outpatient services for Veterans will continue to be provided by CMHA, in the Veterans Administration facility portion of the building located at 115 Spencer Street in Winsted. *(June 22, 2009 initial CON application, pages 5 and 7)*
7. According to the State of Connecticut Department of Public Health ("DPH"), the Northwest Center closed effective June 30, 2009. *(September 24, 2009, email from Facility Licensing & Investigations Section, Department of Public Health)*

8. The Applicant provided minutes from the April 30, 2009, Board of Directors meeting showing that the Board voted to close the Outpatient Program at its Winsted office as of September 30, 2009. *(June 22, 2009 initial CON application, page 5 and attachment 2)*
9. OHCA finds that the Applicant provided volume statistics that appear to illustrate adequate capacity exists at the Torrington site to handle the volume of clients to be transferred from the Winsted site. *(July 21, 2009, Completeness Response, page 97 and Attachment 8)*

**Table 1: Northwest Center Visits and Clients 2007- 2009**

	Clinic Visits*			Clients		
	CY 2007	CY 2008	CY 2009 ***	CY 2007	CY 2008	CY 2009 ***
Winsted	827	562	294	77	70	31
Colebrook	54	26	0		3	
Barkhamsted	76	56	28	7	7	3
New Hartford	32	16	0	3	2	
East Hartland	22	0	0			
Torrington	152	26	19	14	3	2
Norfolk	32	32	0	3	4	
Other**	22	56	29	9	7	3
<b>Total</b>	<b>1,217</b>	<b>774</b>	<b>370</b>	<b>113</b>	<b>96</b>	<b>39</b>

\*The Applicant took the number of clients from each town, determined what percentage of the total number of clients were from the town, and then took the total service units, and attributed the same percentage of those services to that town.

\*\*Other includes Burlington, Canaan, Canton, Hartford, Harwinton, Litchfield, Montague, Morris, Riverton, and Waterbury.

\*\* \*2009 visits and admissions are actual for 5 months, January through May.

Note: The Applicant stated that it did not manage the program in 2006 and is unable to find statistics from that period broken out by town.

*(June 22, 2009 initial CON application, page 6 and July 21, 2009, Completeness Response, page 98)*

10. The Applicant contends that a transfer of patient services is best accommodated within the same agency, if possible, and is referring current patients, as well as new patients who call for services, to its Torrington site first. If a patient would like other referral options, they are provided referrals to alternate programs for adults and children in the Applicant's service area.

**Table 4: Existing Providers**

Name	Location	Services Provided
Charlotte Hungerford (satellite)	115 Spencer Street Winsted, CT	Outpatient behavioral health – Adult
Winchester Youth Services	480 Main Street Winsted, CT	Outpatient behavioral health - Child
Catholic Charities	132 Grove Street Torrington, CT	Family & mental health services, parenting education and substance abuse treatment*
Northwest Family Services – Torrington <i>(a CMHA program)</i>	100 Commercial Boulevard Torrington, CT	Outpatient behavioral health – Adult and Child; In-home family preservation/stabilization

\*Source: Catholic Charities' Website at [www.cccfs.org](http://www.cccfs.org)

*(June 22, 2009 initial CON application, page 7 and July 21, 2009, Completeness Response, page 99)*

11. The Applicant asserts that CMHA's regional director has spoken with the Winchester Youth Services and Charlotte Hungerford Hospital to inform them of the decision to close, and that both entities indicated their willingness to accept referrals. The Applicant indicated that there is no written agreement to this effect. *(June 22, 2009 initial CON application, page 8 and July 21, 2009, Completeness Response, page 100)*
12. The Applicant asserts that many clients already travel to the Torrington office for some of their services, because medication management services have never been provided at the Northwest Center, and thus clients on medications are already driving to its Torrington office for their psychiatric appointments. *(July 21, 2009, Completeness Response, page 99)*
13. The Applicant's Torrington office is open Monday & Thursday from 8:00 a.m. to 7:00 p.m., Tuesday & Wednesday from 8:00 a.m. to 6:00 p.m., Friday from 8:00 a.m. to 5:00 p.m., and Saturday from 9:00 a.m. to 1:00 p.m. *(July 21, 2009, Completeness Response, page 99)*
14. OHCA finds that it appears that patients in need of individual or family therapy will continue to have access to these services at CMHA's Torrington site, and that patient access will not be impacted.

**Financial Feasibility of the Proposal and its Impact on the Applicant's Rates  
and Financial Condition  
Rates Sufficient to Cover Proposed Capital and Operating Costs  
Impact of the Proposal on the Interests of Consumers of Health Care Services  
and Payers for Such Services  
Consideration of Other Section 19a-637, C.G.S. Principles and Guidelines**

15. The project has an associated capital expenditure of \$2,000. *(June 22, 2009 initial CON application, page 9)*
16. With the operation of the Northwest Center, the Applicant realized a loss from operations of (\$74,861) in 2008 and projects a loss of (\$65,753) in 2009. *(July 21, 2009, Completeness Response, page 107)*
17. The Applicant provided audited financial statements and unaudited documentation as evidence to support that the Winsted location was operating at a deficit. *(June 22, 2009 initial CON application, pages 22-63 and July 21, 2009, Completeness Response, pages 106 and 112)*
18. OHCA finds that the Applicant financial statements and documentation demonstrated that the Northwest Center in Winsted was operating at a deficit and that with the implementation of this proposal the Applicant's financial performance will be strengthened to be better able to continue services at the Torrington site.
19. The Applicant's patient population mix for 2009 at the Northwest Center is provided in the table below.

**Table 5: 2009 Patient Population Mix for the Northwest Center**

<b>Payer Mix</b>	<b>Percentage</b>
Medicare	12%
Medicaid	66%
TriCare (CHAMPUS)	<1%
<b>Total Government</b>	<b>78%</b>
Commercial Insurers	20%
Uninsured	2%
Workers Compensation	0%
<b>Total Non-Government</b>	<b>22%</b>
<b>Total Payer Mix</b>	<b>100%</b>

*(June 22, 2009 initial CON application, pages 90-91)*

20. There is no State Health Plan in existence at this time. *(June 22, 2009 initial CON application, page 11)*
21. The Applicant indicated that it has used energy conservation, group purchasing, and technology to improve productivity and contain costs. *(June 22, 2009 initial CON application, page 11)*
22. The Applicant has no teaching and research responsibilities that will be affected by the proposal. *(June 22, 2009 initial CON application, page 12)*
23. There are no characteristics of the Applicant's patient/physician mix that make the proposal unique. *(June 22, 2009 initial CON application, page 12)*
24. The Applicant provided resumes of its executive and clinical leadership demonstrating that the agency possesses sufficient technical, financial and managerial competence and expertise to provide efficient and adequate service to the public. *(June 22, 2009 initial CON application, page 12)*

## Rationale

The Office of Health Care Access (“OHCA”) approaches community and regional need for Certificate of Need (“CON”) proposals on a case by case basis. CON applications do not lend themselves to general applicability due to a variety of factors, which may affect any given proposal; e.g. the characteristics of the population to be served, the nature of the existing services, the specific types of services proposed to be offered, the current utilization of services and the financial feasibility of the proposal.

Community Mental Health Affiliates, Inc. (“CMHA” or “Applicant”) is a non-profit corporation headquartered in New Britain that provides behavioral health services throughout Connecticut. CMHA has a site at 115 Spencer Street in Winsted that operates under the name Northwest Center for Family Services and Mental Health (“Northwest Center”), and a site at 100 Commercial Boulevard in Torrington that operates under the name Northwest Family Services. The Winsted site currently provides post traumatic stress syndrome disorder services for veterans, and outpatient services including individual and family therapy for adults and children two days a week. The Torrington site provides outpatient services including psycho-diagnostic assessment, individual, and group, and family therapy modalities, psychiatric assessment to children, adults, and families.

The Applicant proposes to terminate the outpatient services to children and adults at the Northwest Center in Winsted but will continue to offer veterans services at that same site. The Applicant asserted that current patients at the Northwest Center in Winsted are being transferred to the Applicant’s Torrington site, and that new patients who call for services are also being referred to the Torrington site. The Applicant contends that many clients are already receiving some services at this location, as clients on medication must visit the Torrington office for their psychiatric appointments. The Applicant also contends that if a client would like other referral options, they are provided referrals to alternate programs within CMHA’s service area. OHCA finds that the Applicant provided volume statistics that appear to illustrate adequate capacity exists at the Torrington site to handle the volume of clients to be transferred from the Winsted site.

OHCA finds that it appears that patients in need of individual or family therapy will continue to have access to these services at CMHA’s Torrington office, and that patient access will not be impacted.

## Order

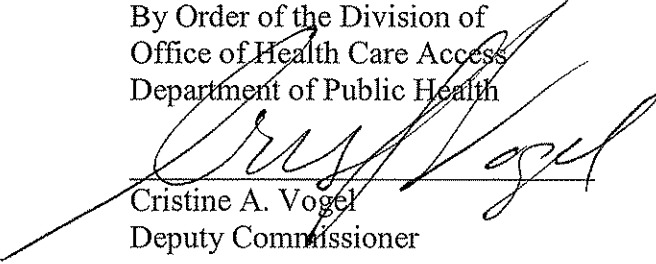
The proposal of Community Mental Health Affiliates, Inc. to terminate outpatient services for children and adults at Northwest Center in Winsted, Connecticut with an associated capital expenditure of \$2,000 is hereby GRANTED.

All of the foregoing constitutes the final order of the Office of Health Care Access in this matter.

By Order of the Division of  
Office of Health Care Access  
Department of Public Health

Date

10-16-09

  
Cristine A. Vogel  
Deputy Commissioner

CAV: cgc