

STATE OF CONNECTICUT
DEPARTMENT OF PUBLIC HEALTH
Office of Health Care Access

July 22, 2010

IN THE MATTER OF:

A Request for Waiver of Certificate of Need
Requirements for Replacement Equipment filed
pursuant to Section 19a-639c, C.G.S., as amended
by Public Act: 09-232, Section 96(1), by

Notice of Final Decision
Office of Health Care Access
Docket Number: 09-31651-WVR

Saint Francis Hospital and Medical Center

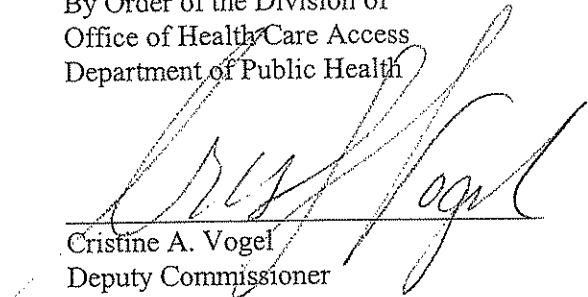
**Request to Waive CON Requirements for the
Replacement of an Existing 2-Slice CT
Scanner with a New 128-Slice CT Scanner in
Hartford, Connecticut**

To: Chris Hartley
Senior Vice President, Planning and Facilities Development
Saint Francis Hospital and Medical Center
114 Woodland Street
Hartford, Connecticut 06105

Dear Mr. Hartley:

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-639c, C.G.S., as amended by P.A.: 09-232, Section 96. On July 22, 2010, 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: jah



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

Final Decision

Applicant: Saint Francis Hospital and Medical Center

Docket Number: 10-31651-WVR

Project Title: Request to Waive CON Requirements for the Replacement of an Existing 2-Slice CT Scanner with a 128-Slice CT Scanner in Hartford, Connecticut

Statutory Reference: Section 19a-639c of the Connecticut General Statutes as amended by Public Act: 09-232, Section 96

Filing Date: July 21, 2010

Decision Date: July 22, 2010

Staff: Jack A. Huber

Project Description: Saint Francis Hospital and Medical Center (“Hospital”) requests a waiver of Certificate of Need requirements for replacement equipment for the purpose of replacing its existing 2-slice computed tomography (“CT”) scanner with a 128-slice CT scanner to be located on the Hospital’s main campus, 114 Woodland Street in Hartford, Connecticut. The total capital cost associated with the replacement equipment project is \$2,822,570.

Nature of Proceedings: On July 21, 2010, the Office of Health Care Access (“OHCA”) received the completed waiver of Certificate of Need (“CON”) request for replacement equipment from Saint Francis Hospital and Medical Center (“Hospital”). The Hospital proposes to replace its 2-slice computed tomography (“CT”) scanner with a 128-slice CT scanner to be located on the Hospital’s main campus, 114 Woodland Street in Hartford, Connecticut. The total capital cost associated with the replacement equipment project is \$2,822,570. The Hospital is a health care facility or institution as defined in Section 19a-630 of the Connecticut General Statutes (“C.G.S.”).

OHCA's authority to review and approve, modify or deny the requested waiver of CON requirements for replacement equipment is established by Section 19a-639c, C.G.S., as amended by Public Act: 09-232, Section 96. 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

1. On July 19, 2010, Saint Francis Hospital and Medical Center ("Hospital") received a Certificate of Need ("CON") determination from the Office of Health Care Access ("OHCA") under Report Number: 10-31616-DTR. The determination report indicated that the Hospital was not required to obtain CON authorization for the acquisition and operation of a 2-slice computed tomography ("CT") scanner as the Hospital purchased the CT scanner prior to the implementation of Public Act: 05-93 and the CT scanner was in operation prior to July 1, 2006. *(July 21, 2010, CON Waiver Form 2040, page 2 and Attachment 1, pages 6 and 7)*
2. Pursuant to Section 19a-639c of the Connecticut General Statutes ("C.G.S.") as amended by Public Act: 09-232, Section 96, a proposal may be eligible for a waiver of replacement equipment from the CON process when a provider has previously obtained a determination that a CON was not required for the original acquisition of the equipment and the expenditure or value of the replacement equipment is less than \$3 million. *(Section 19a-639c, C.G.S., as amended by Public Act: 09-232, Section 96)*
3. The total capital cost for the replacement equipment proposal is \$2,822,570. The proposal's cost consists of \$2,236,000 for the acquisition of the replacement CT scanner and \$586,570 for other project costs. *(July 21, 2010, CON Waiver Form 2040, pages 2 & 3)*
4. The replacement equipment value is below the \$3 million threshold used to determine whether a request is eligible to receive a waiver of CON requirements for replacement equipment pursuant to Section 19a-639c, C.G.S., as amended by Public Act: 09-232, Section 96. *(Section 19a-639c, C.G.S., as amended by Public Act: 09-232, Section 96)*

Rationale

Saint Francis Hospital and Medical Center ("Hospital") is requesting a waiver of Certificate of Need ("CON") requirements for replacement equipment pursuant to Section 19a-639c of the Connecticut General Statutes ("C.G.S.") as amended by Public Act: 09-232, Section 96. The Hospital is seeking to replace its existing 2-slice computed tomography ("CT") scanner with a 128-slice CT scanner to be located on the Hospital's main campus, 114 Woodland Street in Hartford, Connecticut.

On July 19, 2010, the Hospital received a CON determination from the Office of Health Care Access under Report Number: 10-31616-DTR. The determination report indicated that the Hospital was not required to obtain CON authorization for the acquisition and operation of a 2-slice CT scanner as the Hospital purchased the CT scanner prior to the implementation of Public Act: 05-93 and the CT scanner was in operation prior to July 1, 2006.

The replacement equipment cost for the proposed 128-slice CT scanner is \$2,236,000, which is below the \$3 million threshold for determining eligibility for a waiver of CON requirements for replacement equipment pursuant to Section 19a-639c, C.G.S., as amended by Public Act: 09-232, Section 96.

Order

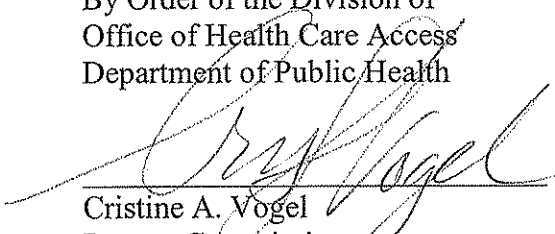
Based on the foregoing Findings and Rationale, the Office of Health Care Access ("OHCA") has determined that the request of Saint Francis Hospital and Medical Center ("Hospital") for a waiver of Certificate of Need ("CON") requirements in order to replace its existing 2-slice computed tomography ("CT") scanner with a new CT scanner to be located on the Hospital's main campus, 114 Woodland Street in Hartford, Connecticut, at a replacement equipment cost of \$2,236,000, meets the requirements for waiver of the CON process pursuant to Section 19a-639c of the Connecticut General Statutes as amended by Public Act: 09-232, Section 96, and is hereby **approved**, subject to the following condition.

1. This authorization requires the removal of the Hospital's existing 2-slice CT scanner for certain disposition, such as sale or salvage, outside of and unrelated to the Hospital's Connecticut service locations by no later than six months after the replacement CT scanner has become operational.

Should the Hospital fail to comply with the aforementioned condition, OHCA reserves the right to take additional action as authorized by law. 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

7-22-10
Date

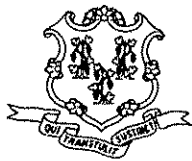

Cristine A. Vogel
Deputy Commissioner

CAV:jah

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STATE OF CONNECTICUT
DEPARTMENT OF PUBLIC HEALTH
OFFICE OF HEALTH CARE ACCESS

FAX SHEET

TO: CHRIS HARTLEY
FAX: (860) 714-8093
AGENCY: SAINT FRANCIS HOSPITAL AND MEDICAL CENTER
FROM: JACK HUBER
DATE: 7/22/2010 Time: ~1:35 pm
NUMBER OF PAGES: 5
(including transmittal sheet)



Comments: Transmitted: Waiver Decision, DN: 10-31651-WVR
CT Scanner Replacement Project

**PLEASE PHONE Jack A. Huber at (860) 418-7034
IF THERE ARE ANY TRANSMISSION PROBLEMS.**