



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

May 27, 2015

IN THE MATTER OF:

An Application for a Certificate of Need filed
Pursuant to Section 19a-639a, C.G.S. by:

Notice of Final Decision
Office of Health Care Access
Docket Number: 15-31992-MDF

Day Kimball Hospital

**Requested Modification of Previous
Certificate of Need authorization
10-31602-CON.**

To: Donald St. Onge
Senior Vice President, COO, CNO
Day Kimball Hospital
320 Pomfret Street
Putnam, CT 06260

Dear Mr. St. Onge:

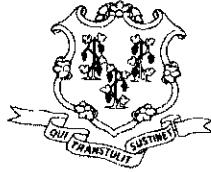
Enclosed please find a copy of the decision rendered in the above-referenced matter pursuant to Connecticut General Statutes § 4-181a(b).

Thank you,

A handwritten signature in black ink, appearing to read "Kimberly R. Martone".

Kimberly R. Martone
Director of Operations

Enclosure
KRM:KH:bko



**State of Connecticut
Department of Public Health
Office of Health Care Access**

Final Decision

**Requested Modification of a Previously
Authorized Certificate of Need**

Applicant: Day Kimball Hospital
320 Pomfret Street, Putnam, CT 06260

Docket Number: 15-31992-MDF

Project Description: Requested Modification of Previous Certificate of Need
authorization 10-31602-CON

Procedural History: On January 10, 2011, the Office of Health Care Access ("OHCA") granted a Certificate of Need ("CON") to Day Kimball Hospital issued under Docket Number 10-31602-CON, for the acquisition and operation of a second MRI scanner in Putnam, Connecticut ("Final Decision").

On April 16, 2015, OHCA received a Request for Modification from Day Kimball Hospital seeking to modify the Final Decision. Deputy Commissioner Brancifort has reviewed the entire record in this matter.

Findings of Fact

1. Day Kimball Hospital is a general acute care hospital located at 320 Pomfret Street in Putnam, Connecticut.
2. The CON issued under Docket Number 10-31602-CON permitted Day Kimball Hospital to acquire and operate a second MRI scanner from Norwich Radiology Group, P.C.
3. Day Kimball Hospital has been operating the subject MRI scanner at 39 Kennedy Drive, Putnam, Connecticut since the CON issued under Docket Number 10-31602-CON was approved.
4. Day Kimball Hospital wishes to terminate MRI services at 39 Kennedy Drive, Putnam, Connecticut due to a lack of anticipated growth at this location.
5. Currently, Connecticut General Statutes § 19a-638(a)(5) requires certificate of need authorization for the termination of inpatient or outpatient services offered by a hospital.

Discussion

Connecticut General Statutes § 4-181a (b) provides in relevant part: "On a showing of changed conditions, the agency may reverse or modify the final decision, at any time, at the request of any person or on the agency's own motion." Day Kimball Hospital asserts that the lack of anticipated growth in MRI volume at its 39 Kennedy Drive, Putnam, Connecticut location constitutes a change in conditions warranting a modification of the Final Decision. Currently, Connecticut General Statutes § 19a-638(a)(5) requires certificate of need authorization for the termination of inpatient or outpatient services offered by a hospital. Therefore, rather than simply modifying the CON issued under Docket Number 10-31602-CON, Day Kimball Hospital is required to obtain CON authorization to terminate its MRI service at 39 Kennedy Drive, Putnam, Connecticut.

Order

Based upon the foregoing, Day Kimball Hospital's request to modify the Final Decision issued under Docket Number 10-31602-CON is hereby **DENIED**.

5/27/15
Date

Janet M. Brancifort
Janet M. Brancifort, MPH, RRA
Deputy Commissioner