



STATE OF CONNECTICUT
OFFICE OF HEALTH CARE ACCESS

M. JODI RELL
GOVERNOR

CRISTINE A. VOGEL
COMMISSIONER

April 4, 2006

Sally F. Herlihy
Vice President, Planning & Marketing
New Milford Hospital
21 Elm Street
New Milford, CT 06776

RE: Certificate of Need Determination; Report Number 06-30703-DTR
New Milford Hospital
Replacement through the Acquisition of Digital Mammography Equipment

Dear Ms. Herlihy:

On March 3, 2006, the Office of Health Care Access ("OHCA") received New Milford Hospital's ("Hospital") request for a Certificate of Need Determination regarding the replacement of its existing mammography equipment through acquisition of digital mammography equipment. On April 3, 2006, OHCA determined under Report Number 06-30703-DTR that Certificate of Need ("CON") authorization was required to acquire the proposed digital mammography equipment.

This letter services to correct a technical error in OHCA's CON Determination Report Number 06-30703-DTR on April 3, 2006, as follows:

The following sections should be deleted:

- "7. The Hospital is not eligible for the waiver of CON for replacement equipment pursuant to Sections 19a-639c of the Connecticut General Statutes ("C.G.S.") as this proposal is greater than the original cost of the equipment to be replaced, plus an increase of ten percent for each twelve-month period that has elapsed since the equipment was originally purchased in 2002."

“Based on the above information, OHCA determines that New Milford Hospital’s proposal to replace its four year old mammography imaging and ancillary equipment at a total capital expenditure of \$539,186 does not meet the requirement for waiver of CON for replacement equipment and is greater than the \$400,000 threshold for major medical equipment, pursuant to Section 19a-639, C.G.S.

“Therefore, New Milford Hospital is required to file a Certificate of Need (“CON”) Application pursuant to 19a-639 C.G.S. The Application will be mailed to New Milford Hospital under a separate cover.”

The deleted sections should be replaced with the following:

Pursuant to Public Act 05-93 C.G.S., CON approval is required, regardless of cost, for anyone acquiring, purchasing or accepting donation of a CT scanner, PET scanner, PET/CT scanner, MRI, cineangiography equipment, a linear accelerator or other similar equipment utilizing new technology that is being introduced to the state. New Milford Hospital is not proposing to acquire a CON regulated piece of imaging equipment. In addition, the proposed capital expenditure does not exceed \$1,000,000. Therefore, based on the above information, OHCA determines that New Milford Hospital’s proposal to replace its four year old mammography imaging and ancillary equipment at a total capital expenditure of \$539,186 does not require CON authorization pursuant to Section 19a-639 C.G.S. and Public Act 95-93 C.G.S.

If you have any questions concerning this letter, please contact Steven W. Lazarus, Associate Health Care Analyst, at (860) 418-7012.

Sincerely,

Signed by Cristine A. Vogel
Commissioner

Copy: Rose McLellan, License and Applications Supervisor, DPH, DHSR