



**STATE OF CONNECTICUT**  
OFFICE OF HEALTH CARE ACCESS

M. JODI RELL  
GOVERNOR

CRISTINE A. VOGEL  
COMMISSIONER

November 13, 2007

Scott Nadel, M.D.  
President  
Northeast Radiology of Connecticut, LLC  
3839 Danbury Road  
Brewster, NY 10509

Re: Certificate of Need Determination; Report Number: 07-31000-DTR  
Northeast Radiology of Connecticut, LLC  
Software Upgrade for an Existing Extremity MRI Unit

Dear Dr. Nadel:

On July 9, 2007, the Office of Health Care Access ("OHCA") received your Certificate of Need ("CON") Determination request concerning the proposal of Northeast Radiology of Connecticut, LLC, to upgrade software for an existing extremity magnetic resonance imaging ("MRI") unit for its Danbury office, at an estimated total capital cost of \$1,500. OHCA has reviewed the information contained in your CON Determination request letter and makes the following findings:

1. Northeast Radiology of Connecticut, LLC, ("Applicant") is a physician practice that provides imaging services at multiple offices in Connecticut and New York.
2. The Applicant's Danbury office, located at 73 Sand Pit Road, currently provides extremity magnetic resonance imaging ("MRI") services.
3. The Applicant is proposing a software upgrade to its existing 1.0 tesla-strength, extremity MRI unit for its Danbury practice site.
4. The MRI service will continue to serve individuals residing or working in Danbury and the surrounding Connecticut towns of New Fairfield, Brookfield, Newtown, Redding, Bethel and Ridgefield.
5. The proposal's total capital cost to provide the software upgrade is \$1,500.

*An Equal Opportunity Employer*  
410 Capitol Ave., MS#13HCA, P.O.Box 340308, Hartford, CT 06134-0308  
Telephone: (860) 418-7001 Toll-Free: 1-800-797-9688  
Fax: (860) 418-7053

6. The Applicant will fund the software upgrade through the use of equity.

7. The estimated start date for the MRI service was May 31, 2005.

Based on the aforementioned findings, OHCA determines that Certificate of Need approval is not required for Northeast Radiology of Connecticut, LLC's to upgrade the software of its extremity MRI unit for its Danbury practice site, at an estimated total capital cost of \$1,500. Please be advised, however, that if the Applicant changes the scope of the proposal or decides to replace the MRI unit, Certificate of Need approval from OHCA may then be required.

Although OHCA is not the entity charged with enforcing Connecticut General Statutes § 19a-690, it is our understanding that § 19a-690 requires all MRI equipment to be accredited by the American College of Radiology ("ACR"). Since it also our understanding that the ACR does not provide accreditation for extremity MRI units, we recommend that you contact the Department of Public Health to discuss this matter further to ensure that you may continue to operate the extremity MRI unit without violating § 19a-690.

Thank you for informing OHCA of your plans. If you have any questions concerning this letter, please contact Jack A. Huber, OHCA Health Care Analyst, at OHCA at (860) 418-7034.

Sincerely,

*Signed by Commissioner Vogel on November 13, 2007*

Cristine A. Vogel  
Commissioner

cc: Rose McLellan, Licensing Examination Assistant, DHSR, DPH

CAV:jah