

M. JODI RELL  
GOVERNOR

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

CRISTINE A. VOGEL  
COMMISSIONER

September 22, 2009

Conrad Ehrlich, M.D.  
President  
Housatonic Valley Radiological Associates, P.C.  
67 Sand Pit Road  
Danbury, CT 06810

Re: CON Determination Request; Report Number 09-31443-DTR  
Housatonic Valley Radiological Associates, P.C.  
Acquisition of a Replacement MRI Scanner for the Southbury Office

Dear Dr. Ehrlich:

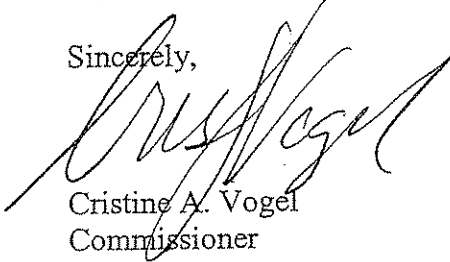
On September 1, 2009, the Office of Health Care Access ("OHCA") received your request seeking a waiver from Certificate of Need ("CON") requirements to replace equipment pursuant to Public Act 09-232. Please be advised that Public Act 09-232 provides that an applicant must have previously obtained a Certificate of Need or a Certificate of Need Determination with respect to the piece of equipment to be replaced before seeking a waiver from this office. Accordingly, OHCA is processing this request as a CON Determination pursuant to § 19a-639a (c) with respect to the acquisition of the mobile-based Siemens Impact, 1.0 tesla-strength MRI scanner by Housatonic Valley Radiological Associates in 2001. OHCA has reviewed this matter and makes the following findings:

1. Housatonic Valley Radiological Associates, P.C., ("Applicant") is a for-profit corporation, providing, in part, magnetic resonance imaging ("MRI") services at its office located at 800 Main Street in Southbury, Connecticut.
2. The Applicant currently owns and operates a mobile-based Siemens Impact, 1.0 tesla-strength MRI scanner at its Southbury office.
3. On May 4, 2001, the Applicant entered into an agreement with MRI/AMI Imaging Partners, LLC for the purchase of the mobile-based Siemens Impact, 1.0 tesla-strength MRI scanner at a total equipment expenditure of \$343,000.
4. The Applicant provided evidence demonstrating that it operated the mobile-based Siemens Impact, 1.0 tesla-strength MRI scanner prior to July 1 2005.

Based on these findings, OHCA has determined that Housatonic Valley Radiological Associates, P.C., is not required to file a Certificate of Need request for the purchase of its existing mobile-based Siemens Impact, 1.0 tesla-strength MRI scanner, because the Applicant purchased this equipment prior to the implementation of Public Act 05-93 and the equipment was in operation prior to July 1, 2006.

If you have any questions concerning this letter, please contact Jack A. Huber at (860) 418-7034.

Sincerely,

A handwritten signature in black ink, appearing to read "Cristine A. Vogel". The signature is fluid and cursive, written over the printed name and title.

Cristine A. Vogel  
Commissioner

CAV:jah

Copy: Rose McLellan, License and Applications Supervisor, DPH