



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

M. JODI RELL  
GOVERNOR

CRISTINE A. VOGEL  
COMMISSIONER

September 22, 2009

VIA FAX ONLY

Thomas A. Kirk, Jr. Ph.D.  
Commissioner  
Department of Mental Health and Addiction Services  
410 Capitol Avenue  
Hartford, CT 06134

RE: Certificate of Need Application, Docket Number 09-31452-CON  
Department of Mental Health and Addiction Services  
Request for a Waiver of Letter of Intent Period for the Certificate of Need Application for  
the Termination of Services at Cedar Ridge Hospital in Newington

Dear Commissioner Kirk:

On September 14, 2009, the Office of Health Care Access ("OHCA") received your completed Certificate of Need ("CON") Determination request on behalf of the Department of Mental Health and Addiction Services ("DMHAS" or "Applicant") requesting OHCA to waive the Letter of Intent ("LOI") period for the CON for the termination of services at Cedar Ridge Hospital in Newington, with no associated capital expenditure.

Please be advised that OHCA has reviewed your request and makes the following findings:

1. OHCA finds that the proposed request is for OHCA to waive the LOI requirement under section 19a-638(b) for the CON for DMHAS to terminate services at Cedar Ridge Hospital in Newington.
2. OHCA finds that Cedar Ridge Hospital is a state-operated psychiatric hospital located in Newington, CT.
3. DMHAS contends that the retirement of 310 employees has resulted in mandatory overtime which is a stressful environment for both staff and individuals served.
4. DMHAS contends that employee and patient safety are of paramount concern and that moving towards one consolidated facility in a timely way will ensure that appropriate staffing levels are maintained.
5. DMHAS contends that some capital expenditures are needed immediately in order to keep Cedar Ridge Hospital operating in a safe and efficient manner.

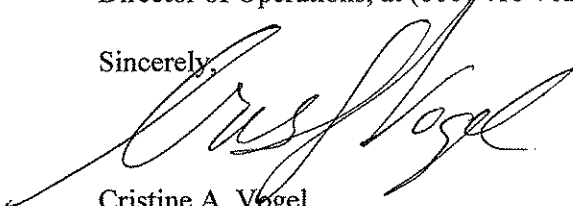
6. DMHAS estimates the starting date for the termination of services at Cedar Ridge Hospital to be spring of 2010.
7. 19a-638(b) C.G.S. states the following...

*“Upon a showing by such facility or institution that the need for such function, service or termination or change of ownership or control is of an emergency nature, in that the function, service or termination or change of ownership or control is necessary to maintain continued access to the health care services provided by the facility or institution, or to comply with requirements of any federal, state or local health, fire, building or life safety code, the commissioner may waive the letter of intent requirement, provided such request shall be submitted at least fourteen business days before the proposed date of institution of the function, service or termination or change of ownership or control.”*

Based on the findings presented above, OHCA determines that the request of the Department of Mental Health and Addiction Services to waive the LOI requirement pertaining to the CON application filing window cannot be granted in that the request has failed to provide satisfactory evidence to establish the emergency nature of the proposal, pursuant to the requirements contained in Section 19a-638(b) C.G.S.

The CON application will be faxed and emailed to the Applicant under a separate cover letter. If you have any questions regarding this letter, please feel free to contact Kimberly Martone, Director of Operations, at (860)418-7029.

Sincerely,



Cristine A. Vogel  
Commissioner

CAV:agf