



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

May 10, 2010

Richard Henley
Interim President and
Chief Executive Officer
New Milford Hospital
21 Elm Street
New Milford, CT 06776

RE: Certificate of Need Determination; Report Number 10-31606-DTR
New Milford Hospital
Termination of Affiliation of New Milford Hospital with Columbia-Presbyterian Medical
Center

Dear Mr. Henley:

On April 16, 2010, the Office of Health Care Access ("OHCA") received your Certificate of Need ("CON") Determination request concerning termination of the affiliation of New Milford Hospital ("Hospital") with New York Presbyterian Hospital and Columbia University College of Physicians and Surgeons d/b/a New York-Presbyterian ("NY Presbyterian").

OHCA has reviewed the information contained in your CON Determination request and makes the following findings:

1. The Hospital contends that it developed an affiliation with NY Presbyterian in 1995.
2. On March 14, 1996, OHCA rendered a CON Determination, Report No.: 95-H3 stating that the affiliation between the Hospital and NY Presbyterian did not require a CON since none of the following elements were involved: transfer of ownership, change in the corporate structure, a new service or capital expenditure.
3. The Hospital contends that the Affiliation agreement was limited to an agreement to cooperate and determine activities which should be mutually beneficial to the parties.
4. The Hospital asserts that this termination of the affiliation was mutually agreed to between the Hospital and NY Presbyterian.

5. The Hospital indicates that at the present time the Hospital does not have any major services that requires New York Presbyterian assistance and the few minor projects that are still being collaborated on will be ending as of June 30, 2010.
6. **The Hospital contends that their affiliation with NY Presbyterian will end on June 30, 2010.**

Based on these findings, OHCA has determined that Certificate of Need approval is not required for New Milford Hospital to proceed with termination of their affiliation with New York Presbyterian Hospital and Columbia University College of Physicians and Surgeons d/b/a New York-Presbyterian, as it does not involve a transfer of ownership or a termination of services under Section 19a-638 of the Connecticut General Statutes.

Thank you for providing information to OHCA regarding this proposal. If you have any questions regarding this letter, please contact Steven W. Lazarus, Associate Health Care Analyst (860) 418-7012.

Sincerely,



Cristine A. Vogel
Deputy Commissioner

c: Rose McLellan, DPH

CAV:swl