

Greer, Leslie

From: Hansted, Kevin
Sent: Friday, January 24, 2014 8:18 AM
To: Greer, Leslie
Cc: Riggott, Kaila
Subject: FW: Update on MRI at Saint Mary's Hospital
Attachments: SMH_Chase Relocation Determination Request.PDF

Leslie, please assign a docket number to this determination.

Thank you.

Kevin T. Hansted
Staff Attorney
Department of Public Health
Office of Health Care Access
410 Capitol Ave., MS #13HCA
P.O. Box 340308
Hartford, CT 06134
Phone: 860-418-7044

CONFIDENTIALITY NOTICE: This email and any attachments are for the exclusive and confidential use of the intended recipient. If you are not the intended recipient, please do not read, distribute or take action in reliance on this message. If I have sent you this message in error, please notify me immediately by return email and promptly delete this message and any attachments from your computer system. We do not waive attorney-client or work product privilege by the transmission of this message.

From: Klaffky, Stephen R. [mailto:SKlaffky@brownrudnick.com]
Sent: Thursday, January 23, 2014 3:22 PM
To: Hansted, Kevin; jtinley@tnrdlaw.com
Cc: Martone, Kim
Subject: RE: Update on MRI at Saint Mary's Hospital

Please see the attached determination request on behalf of Saint Mary's Hospital, Inc.



Stephen R. Klaffky
Counselor at Law

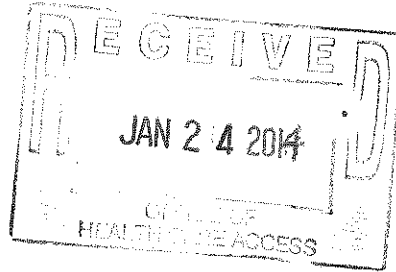
Brown Rudnick LLP
City Place 1 185 Asylum Street
Hartford, CT 06103
T: 860.509.6565
F: 860.509.6635
sklaffky@brownrudnick.com
www.brownrudnick.com

Please consider the environment before printing this e-mail

⊕

Saint Mary's HOSPITAL

January 23, 2013



VIA EMAIL AND FIRST CLASS MAIL

Kimberly Martone
Director of Operations
Department of Public Health
Office of Health Care Access
410 Capitol Ave.
MS #13HCA
Hartford, CT 06134-0308
Kimberly.Martone@ct.gov

RE: Determination Request for Relocation of MRI at Chase Parkway

Dear Ms. Martone,

Enclosed herewith please find a determination request seeking to relocate MRI services pursuant to Conn. Gen. Stat. § 19a-639c by Saint Mary's Hospital, Inc. (the "Hospital").

The request seeks to relocate the Hospital's wholly owned and operated MRI service at 475 Chase Parkway, Waterbury, to the Hospital campus at 56 Franklin Street, Waterbury. The request is part of a proposed settlement between the Hospital and Naugatuck Valley Radiological Associates, P.C. ("NVRA") relating to the dispute over the dissolution of Naugatuck Valley MRI, Limited Partnership ("NVMRI"). By separate correspondence, NVRA, as managing general partner, will address the relocation of the MRI currently owned and operated by NVMRI at 56 Franklin Street, Waterbury, to 1389 West Main Street, Waterbury. In each case, the proposed location is within two miles of the current location and will service the same patient population. The payor mix will not substantially change at either facility. In connection with both relocations, the parties will upgrade the existing MRI equipment to continue to provide modern and high quality imaging services to Waterbury area patients. The end result will be a single hospital-based MRI owned and operated by the Hospital pursuant to Docket No. 05-30580, and a single outpatient MRI owned and operated by NVMRI pursuant to Docket No. 88-512 and Docket 07-31056-WVR. The MRI service at Chase Parkway will be closed as a result of the relocation and the equipment there will be disposed of.

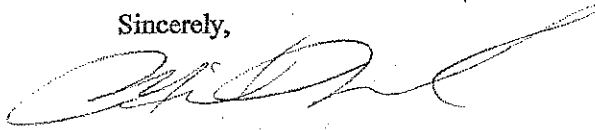
This resolution will provide the Hospital with complete ownership and control over the hospital-based MRI while allowing the parties to jointly provide outpatient services at a designated outpatient facility. The resolution will not introduce any additional MRI facilities into the Waterbury service area as the Chase Parkway service will be terminated.

The radiologists of NVRA will continue to perform the reads at both locations pursuant to a professional services agreement between the Hospital and NVRA, as they already do. The Hospital will also benefit by reducing the footprint of the hospital-based MRI, enabling it to utilize critical space for other Hospital purposes.

Both the Hospital and NVRA are available to address any questions or concerns you may have regarding these relocations, or to provide any additional information you may require.

Thank you for your consideration and assistance.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael Novak", written in a cursive style.

Michael Novak
Vice President, Operations

cc: Kevin Hansted, Esq.
Stephen Klaffky, Esq.
Jeffrey Tinley, Esq.

(enclosure)



**State of Connecticut
Office of Health Care Access
CON Determination Form
Relocation of a Health Care Facility**

All persons who are requesting a determination from OHCA as to whether a CON is required for their proposed relocation of a health care facility must complete this form. The completed form should be submitted to the Director of the Office of Health Care Access, 410 Capitol Avenue, MS#13HCA, P.O. Box 340308, Hartford, Connecticut 06134-0308.

SECTION I. PETITIONER INFORMATION

If this proposal has more than two Petitioners, please attach a separate sheet, supplying the same information for each Petitioner in the format presented in the following table.

	Petitioner	Petitioner
Full Legal Name	Saint Mary's Hospital Inc.	
Doing Business As	Saint Mary's Hospital	
Name of Parent Corporation	Saint Mary's Health Systems, Inc.	
Petitioner's Mailing Address, if Post Office (PO) Box, include a street mailing address for Certified Mail	56 Franklin St. Waterbury, CT 06706	
What is the Petitioner's Status: P for profit and NP for Nonprofit	NP	
Contact Person at Facility, including Title/Position: This Individual at the facility will be the Petitioner's Designee to receive all correspondence in this matter.	Michael A. Novak, FACHE Vice President: Operations	

Contact Person's Fax Number	(203) 709-3238	
Contact Person's Phone Number	(203) 709-3508	
Contact Person's e-mail Address	MNovak@Stmh.org	

SECTION II. INFORMATION ON PROPOSED RELOCATION

Please provide a description of the proposed relocation, highlighting each of its important aspects, on at least one, but not more than two separate 8.5" X 11" sheets of paper. At a minimum each of the following elements need to be addressed, if applicable.

Name of the Health Care Facility: Saint Mary's Medical Center on Chase Parkway, Waterbury, CT.

Current Location: 475 Chase Parkway, Waterbury, CT

Proposed Location: 56 Franklin Street, Waterbury, CT

Current Population Served: Primary and Secondary service areas of Saint Mary's Hospital. See Exhibit A for current population

Proposed Population Served: See Exhibit B for proposed population

Current Payor Mix: See Exhibit C

Proposed Payor Mix: See Exhibit C

Any other information that the Petitioner deems relevant:

Saint Mary's Hospital, Inc. (the "Hospital") seeks to relocate this MRI service to the Hospital at 56 Franklin Street and immediately upgrade the MRI equipment authorized under OHCA Dockets 05-30580-CON and 07-30580-MDF to a Siemens Espresso open, short bore magnet 1.5 T MRI. The Hospital would then shut down the MRI currently operating at Chase Parkway and dispose of that equipment. The documents indicating how the Chase Parkway MRI is disposed of will be submitted to OHCA prior to the shutdown of this MRI. The Hospital plans to utilize the Siemens Espresso MRI to serve Hospital patients, including inpatients and emergency patients.

This relocation is part of a proposed settlement between the Hospital and Naugatuck Valley Radiological Associates, P.C. ("NVRA") relating to the dispute over the dissolution of Naugatuck Valley MRI Limited Partnership ("NVMRI"). By separate correspondence NVRA, as

managing general partner, will address the relocation of the fixed MRI unit operated by NVMRI, currently at the Hospital campus, to 1389 West Main Street, Waterbury. As a result of the two relocations, the Hospital will have complete ownership and control of the Hospital-based MRI while the parties will maintain a shared interest in an outpatient MRI, without introducing any new MRI facilities into the service area. The resolution will also improve the accessibility of the Hospital-based MRI for larger or claustrophobic patients and reduce the footprint of the MRI equipment at the Hospital, freeing critical space for other Hospital purposes.

Once both relocations are complete, the Hospital will own and operate a single Hospital-based MRI at 56 Franklin Street pursuant to OHCA Dockets 05-30580 and 07-30580-MDF. The MRI service offered at the Chase Parkway location currently operates as a division of Saint Mary's Hospital Radiology Department. (See, OHCA Final Decision, July 3, 2007, Docket No. 07-30580-MDF, Finding of Fact No. 4.e, p.3). At the same time, NVMRI will own and operate a single free-standing outpatient MRI at 1389 West Main Street pursuant to Docket 88-512 and Docket 07-31056-WVR.

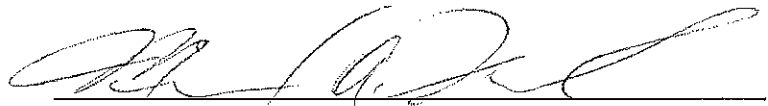
Description of the Proposed Relocation

The proposed location, 56 Franklin Street, is the Hospital's campus. It is approximately 1.9 miles from the current Chase Parkway location (estimated drive time of 4 minutes). The MRI will initially operate in a mobile unit attached to the Hospital by a newly constructed corridor. After the relocation of the fixed MRI operated by NVMRI, estimated to take 6-8 months, the Hospital will renovate its interior space, install a new fixed MRI, and dispose of the mobile unit.

Petitioner: Saint Mary's Hospital, Inc.

Project Title: Relocation of Chase Parkway MRI

I, Michael A. Novak, FACHE, Vice President of Operations
of Saint Mary's Hospital, Inc. being duly sworn, depose and state that the
information provided in this CON Determination form is true and accurate to the best of my
knowledge.



Signature

1/23/2014

Date

Subscribed and sworn to before me on January 23, 2014

Victoria Cipriano

Notary Public/Commissioner of Superior Court

VICTORIA CIPRIANO
NOTARY PUBLIC
MY COMMISSION EXPIRES FEB. 28, 2017

My commission expires: _____

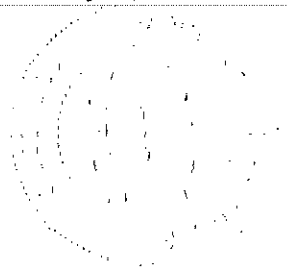


Exhibit A

Current Population at Chase Parkway MRI

The current population served at the Chase Parkway MRI includes patient from the following towns:

1. Waterbury
2. Naugatuck
3. Wolcott
4. Prospect
5. Watertown
6. Oakville
7. Cheshire
8. Middlebury

Exhibit B

Proposed Population at Saint Mary's Hospital

The relocated MRI scanner will be used primarily for inpatients and ER patients at St. Mary's Hospital. Consequently, the MRI will be available for patients from all of the towns that currently utilize the Chase Parkway facility, as well as the patients who live in towns that make up the primary and secondary service areas for St. Mary's Hospital.

Primary Service Area

1. Waterbury
2. Naugatuck
3. Wolcott
4. Prospect

Secondary Service Area

1. Watertown
2. Prospect
3. Oakville
4. Cheshire
5. Middlebury
6. Woodbury
7. Plymouth
8. Thomaston
9. Terryville
10. Plantsville
11. Beacon Falls
12. Southbury
13. Bethlehem
14. Morris

Exhibit C

Payor Mix for Chase Parkway for FY 2013

	FY 2013
Medicare*	23%
Medicaid*	29%
CHAMPUS & TriCare	-
Total Government	52%
Commercial Insurers*	33%
Uninsured	1%
Workers Compensation	13%
Total Non-Government	48%
Total Payer Mix	100.00%

*Includes managed care activity

Payor Mix for Saint Mary's Hospital for FY 2012

	FY 2012
Medicare*	39%
Medicaid*	23%
CHAMPUS & TriCare	-
Total Government	62%
Commercial Insurers*	35%
Uninsured	3%
Total Non-Government	38%
Total Payer Mix	100%

*Includes managed care activity.

Source: *Annual Report on the Financial Status of Connecticut's Short Term Hospitals for FY 2012*, September 2013, p91.

It is anticipated that the payor mix for the relocated MRI will be the same the Hospital's.

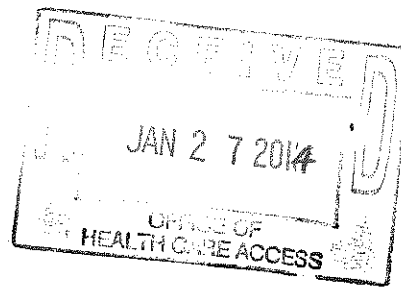
⊕

Saint Mary's HOSPITAL

January 23, 2013

VIA EMAIL AND FIRST CLASS MAIL

Kimberly Martone
Director of Operations
Department of Public Health
Office of Health Care Access
410 Capitol Ave.
MS #13HCA
Hartford, CT 06134-0308
Kimberly.Martone@ct.gov



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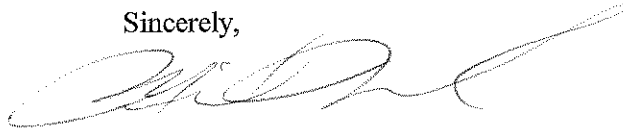
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Thank you for your consideration and assistance.

Sincerely,

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Michael Novak
Vice President, Operations

cc: Kevin Hansted, Esq.
Stephen Klaffky, Esq.
Jeffrey Tinley, Esq.

(enclosure)



State of Connecticut Office of Health Care Access CON Determination Form Relocation of a Health Care Facility

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Name of Parent Corporation	Saint Mary's Health Systems, Inc.	
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What is the Petitioner's Status: P for profit and NP for Nonprofit	NP	
Contact Person at Facility, including Title/Position: This Individual at the facility will be the Petitioner's Designee to receive all correspondence in this matter.	Michael A. Novak, FACHE Vice President: Operations	

Contact Person's Fax Number	(203) 709-3238	
Contact Person's Phone Number	(203) 709-3508	
Contact Person's e-mail Address	MNovak@Stmh.org	

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Petitioner: Saint Mary's Hospital, Inc.

Project Title: Relocation of Chase Parkway MRI

I, Michael A. Novak, FACHE, Vice President of Operations

of Saint Mary's Hospital, Inc. being duly sworn, depose and state that the

information provided in this CON Determination form is true and accurate to the best of my knowledge.



Signature

1/23/2014

Date

Subscribed and sworn to before me on January 23, 2014

Victoria Cipriano

Notary Public/Commissioner of Superior Court

VICTORIA CIPRIANO
NOTARY PUBLIC
MY COMMISSION EXPIRES FEB. 28, 2017

My commission expires: _____

Exhibit A

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Payor Mix for Chase Parkway for FY 2013

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It is anticipated that the payor mix for the relocated MRI will be the same the Hospital's.



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

January 30, 2014

VIA FACSIMILE ONLY

Michael A. Novak
Vice President: Operations
Saint Mary's Hospital Inc.
56 Franklin Street
Waterbury, CT 06706

RE: Certificate of Need Determination Report Number 14-31891-DTR
Termination and Relocation of Magnetic Resonance Imaging Services

Dear Mr. Novak:

On January 23, 2014, the Office of Health Care Access ("OHCA") received your Certificate of Need ("CON") Determination Form on behalf of Saint Mary's Hospital Inc. ("Petitioner") with respect to the termination and relocation of certain Magnetic Resonance Imaging ("MRI") scanning services.

The Petitioner asserts that its MRI scanner was approved under Docket No. 05-30580-CON and Docket No. 07-30580-MDF. The Petitioner currently uses this MRI to provide outpatient MRI scanning services at 475 Chase Parkway, Waterbury, Connecticut. The Petitioner plans to terminate those MRI services and relocate the MRI to the Hospital campus at 56 Franklin Street, Waterbury, Connecticut.

Connecticut General Statutes § 19a-638(a)(4) requires a CON for the "termination of inpatient or outpatient services offered by a hospital...". Since the MRI services currently provided at 475 Chase Parkway, Waterbury, Connecticut will be terminated, a CON *is required* for the Petitioner's proposal.

Sincerely,

Kimberly R. Martone
Director of Operations

C: Rose McLellan, License and Applications Supervisor, DPH, DHR
Michael Novak, Saint Mary's Hospital
Stephen Klaffky, Esq.
Jeffrey Tinley, Esq.

An Equal Opportunity Provider

(If you require aid/accommodation to participate fully and fairly, contact us either by phone, fax or email)
410 Capitol Ave., MS#13HCA, P.O.Box 340308, Hartford, CT 06134-0308
Telephone: (860) 418-7001 Fax: (860) 418-7053 Email: OHCA@ct.gov

* * * COMMUNICATION RESULT REPORT (JAN. 30. 2014 3:28PM) * * *

FAX HEADER:

TRANSMITTED/STORED : FILE MODE	JAN. 30. 2014 3:26PM OPTION	ADDRESS	RESULT	PAGE
028	MEMORY TX	912035969036	OK	2/2

REASON FOR ERROR
E-1) HANG UP OR LINE FAIL
E-3) NO ANSWER

E-2) BUSY
E-4) NO FACSIMILE CONNECTION



STATE OF CONNECTICUT
DEPARTMENT OF PUBLIC HEALTH
OFFICE OF HEALTH CARE ACCESS

FAX SHEET

TO: Jeffrey J. Tinley, Esq.

FAX: (203) 596-9036

AGENCY: Tinley, Nastri, Renehan & Dost, LLP

FROM: OHCA

DATE: 1/30/14 **Time:** _____

NUMBER OF PAGES: 2
(including transmittal sheet)

Comments:

Please see attached Determination for DN: 14-31891

PLEASE PHONE Barbara K. Olejarz IF THERE ARE ANY TRANSMISSION PROBLEMS.

Phone: (860) 418-7001

Fax: (860) 418-7053

410 Capitol Ave., MS#13HCA
P.O. Box 340308
Hartford, CT 06134

* * * COMMUNICATION RESULT REPORT (JAN. 30. 2014 3:29PM) * * *

FAX HEADER:

TRANSMITTED/STORED : FILE MODE	JAN. 30. 2014 3:27PM OPTION	ADDRESS	RESULT	PAGE
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REASON FOR ERROR
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E-3) NO ANSWER

E-2) BUSY
E-4) NO FACSIMILE CONNECTION



STATE OF CONNECTICUT
DEPARTMENT OF PUBLIC HEALTH
OFFICE OF HEALTH CARE ACCESS

FAX SHEET

TO: Stephen Klaffky, Esq.

FAX: 860-509-6501

AGENCY: Brown Rudnick

FROM: OHCA

DATE: 1/30/14 **Time:** _____

NUMBER OF PAGES: 2
(including transmittal sheet)

Comments:

Please see attached Determination for DN: 14-31891

PLEASE PHONE Barbara K. Olejarz IF THERE ARE ANY TRANSMISSION PROBLEMS.

Phone: (860) 418-7001

Fax: (860) 418-7053

410 Capitol Ave., MS#13HCA
P.O.Box 340308
Hartford, CT 06134

* * * COMMUNICATION RESULT REPORT (JAN. 30. 2014 2:54PM) * * *

FAX HEADER:

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 E-1) HANG UP OR LINE FAIL
 E-3) NO ANSWER

E-2) BUSY
 E-4) NO FACSIMILE CONNECTION



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

FAX SHEET

TO: MICHAEL A. NOVAK

FAX: 203 709-3238

AGENCY: SAINT MARY'S HOSPITAL

FROM: OHCA

DATE: 1/30/14 **Time:** _____

NUMBER OF PAGES: 2
(including transmittal sheet)

Comments:

Please see attached Determination for DN: 14-31891

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Fax: (860) 418-7053

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 P.O.Box 340308
 Hartford, CT 06134*