



YALE NEW HAVEN HEALTH



Planning
2 Howe Street, 3rd Floor
New Haven, CT 06519
Phone: (203) 863-3908
Fax: (203) 863-4736.

Fax Transmission Sheet

TO: Office of Health Care Access
FROM: Nancy Rosenthal, SR. VP Health Systems Development
DATE: September 30, 2014
RE: Determination Request

This message originates from Yale New Haven Health System. The information contained in this message may be privileged and confidential. If you are the intended recipient, you must maintain this message in a secure and confidential manner. If you are not the intended recipient, please notify the sender immediately and destroy this message. Thank you.



September 30, 2014

VIA FACSIMILE & REGULAR MAIL

Ms. Kimberly Martone
Director of Operations
Office of Health Care Access
410 Capitol Avenue, MS #13HCA
P.O. Box 340308
Hartford, CT 06134

RE: Yale-New Haven Hospital

Dear Ms. Martone:

Please find enclosed a CON Determination Form from Yale-New Haven Hospital regarding the retirement of certain oncology physicians in a group with sites in Sharon and Torrington. A hard copy of the CON Determination Form is also being delivered to OHCA by regular mail.

Please contact me at 203-863-3908 with any questions. Thank you for your prompt consideration.

Sincerely,

Nancy Rosenthal
Sr. VP, Health Systems Development

Enclosures



State of Connecticut Office of Health Care Access CON Determination Form Form 2020

All persons who are requesting a determination from OHCA as to whether a CON is required for their proposed project must complete this Form 2020. 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
Full Legal Name	Yale-New Haven Hospital
Doing Business As	Yale-New Haven Hospital Smilow Cancer Hospital
Name of Parent Corporation	Yale-New Haven Health Services Corporation
Petitioner's Mailing Address, if Post Office (PO) Box, include a street mailing address for Certified Mail	20 York Street New Haven, CT 06510
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.	Nancy Rosenthal Senior VP Health System Development

Contact Person's Mailing Address, if PO Box, include a street mailing address for Certified Mail	20 York Street New Haven, CT 06510
Contact Person's Telephone Number	(203) 863-3908
Contact Person's Fax Number	(203) 863-4736
Contact Person's e-mail Address	nancy.rosenthal@greenwichhospital.org

SECTION II. GENERAL PROPOSAL INFORMATION

- a. Proposal/Project Title: Reconfiguration and Consolidation of Outpatient Oncology Services offered by Smilow Cancer Hospital in Sharon, CT
- b. Estimated Total Project Cost: \$0
- c. Location of proposal, identifying Street Address, Town and Zip Code: Sharon Hospital, 50 Hospital Hill Road, Sharon, CT 06069
- d. List each town this project is intended to serve: Sharon, Sharon, Torrington, Salisbury, Canaan, Goshen, Litchfield, Warren, Cornwall, Kent
- e. Estimated starting date for the project: Upon confirmation from OHCA

SECTION IV. PROPOSAL DESCRIPTION

Please provide a description of the proposed project, 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:

1. If applicable, identify the types of services currently provided and provide a copy of each Department of Public Health license held by the Petitioner.

Yale-New Haven Hospital (YNHH) is a 1,541 bed (including bassinets) teaching hospital with two integrated campuses located in New Haven and a pediatric campus in Bridgeport. YNHH includes the Smilow Cancer Hospital, the Yale-New Haven Children's Hospital, the Yale-New Haven Psychiatric Hospital, and is the primary teaching hospital of the Yale School of Medicine. Y-NHH provides primary, secondary, tertiary and many quaternary acute care services. A copy of the Department of Public Health license for YNHH is attached in Exhibit A.

The Smilow Cancer Hospital (Smilow) opened in 2009, and is a 14 story, 500,000 square-foot cancer center located in New Haven. It offers comprehensive oncology services including chemotherapy, radiation therapy, advanced imaging, and other support care services. Smilow is affiliated with the Yale Cancer Center which is one of a select network of 41 comprehensive cancer centers in the country designated by the National Cancer Institute.

In addition to its flagship location in New Haven, Smilow also operates a network of community based cancer care centers across the region, including sites in Derby, Fairfield, Guilford, Greenwich, North Haven, Orange, Sharon, Torrington, Trumbull and Waterbury. All of these sites offer chemotherapy services and physician visits, and are operated in close collaboration with board certified physicians.

In 2012, YNHH/Smilow acquired an existing five physician private medical practice that offers oncology services in Sharon and Torrington, Connecticut, and the physicians joined the Yale School of Medicine (YSM). The physician group has provided physician office visits and infusion therapy at these two sites for several years. Since its acquisition of this group, Smilow and the YSM oncology physicians have continued to offer outpatient cancer services at both of these locations. The Smilow site in Sharon is physically located in space that YNHH/Smilow leases at Sharon Hospital, and the Smilow site in Torrington is physically located in space that YNHH/Smilow leases from Charlotte Hungerford Hospital.

One of the YSM physicians in the group practices primarily in Sharon, and one other physician sees patients once per week in Sharon. The remaining three physicians practice exclusively in Torrington. The Sharon site is open three and a half days per week and the Torrington site is open five days a week. Notably, the primary physician at the Sharon site will retire at the end of the calendar year and the secondary physician has given us notice that he is retiring in the Spring of 2015.

2. Identify the types of services that are being proposed and what DPH licensure categories will be sought, if applicable.

Due to the impending retirement of the oncology physicians at the Sharon site, YNH/Smilow proposes to consolidate the outpatient oncology services offered in Sharon with those offered in Torrington.

As noted earlier, all of the cancer care centers in the Smilow network are operated in collaboration with board-certified physicians. Importantly, the oncology services provided at these sites cannot be offered without the supervision and medical direction of a board certified medical oncologist/hematologist.

With the retirement of the physicians at the Sharon site, Smilow will no longer be able to offer oncology services in Sharon. However, over 40% of the treatments/visits at this site are non-oncology related and these patients will continue to be offered services locally by Sharon Hospital. This is a low volume site due to its geographic location which has made it difficult for YSM to recruit and staff the location with a replacement physician. In addition, the site does not offer radiation therapy which is critical for oncology patients. Patients in need of this service must to travel to Torrington, New Milford, Poughkeepsie NY or elsewhere to receive radiation therapy. Nearly 40% of the patients at the Sharon site are from out-of-state, and will continue to have access to the same services in New York and Massachusetts. The remaining physicians in the group will continue to provide services in Torrington.

Current patients of the retiring physicians will receive a written notice about the impending retirement and staff will assist in scheduling or rescheduling any future appointments at the patient's direction. Patients may be redirected to the Smilow practice in Torrington, but will also be provided options, with similar travel times, in New York, Massachusetts, and elsewhere in Connecticut where the same services are offered. Patients in need of non-oncology treatments such as infusions that do not involve chemotherapy will continue to have access to these services at Sharon Hospital. The site in Sharon uses the same electronic medical record as the Smilow site in Torrington ensuring an efficient transition of patient appointments and access to medical records.

It is our understanding that pursuant to Sec. 19a-638(a)(4) of the Connecticut General Statutes, a Certificate of Need is required for the termination of hospital services.

With this Determination Request, YNH and Smilow seek confirmation from the Office of Health Care Access that the consolidation of two outpatient oncology sites staffed by the same group of physicians does not require Certificate of Need approval based on the retirement of physicians at one site. Smilow will continue to provide the same oncology services in the region, including at its site in Torrington, where the same group of physicians continues to practice.

3. Identify the current population served and the target population to be served.

The current population served includes outpatient oncology patients seeking chemotherapy infusion, physician services, and related cancer care at the Smilow site in Sharon. The current patient population originates from: Sharon, Salisbury, Torrington, Canaan, Litchfield, Kent, New Milford, 40% from towns in New York, and 1% from towns in Massachusetts. The total payor mix includes less than 5% Medicaid.

SECTION V. AFFIDAVIT

(Each Petitioner must submit a completed Affidavit.)

Petitioner: Yale-New Haven Hospital

Project Title: Reconfiguration and Consolidation of Outpatient Oncology Services offered by Smilow Cancer Hospital in Sharon, CT

I, Nancy Rosenthal, Sr. VP Health Systems Deveopment
(Name) (Position – CEO or CFO)

of Yale-New Haven Health System being duly sworn, depose and state that the
(Organization Name)

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


Signature

9-30-2014
Date

Subscribed and sworn to before me on September 30, 2014


Notary Public/Commissioner of Superior Court

My commission expires:

AMY E ROZMUS
Notary Public
My Commission Expires Oct. 31, 2018

STATE OF CONNECTICUT

Department of Public Health

LICENSE

License No. 0044

General Hospital

In accordance with the provisions of the General Statutes of Connecticut Section 19a-493:

Yale-New Haven Hospital, Inc. of New Haven, CT d/b/a Yale-New Haven Hospital, Inc. is hereby licensed to maintain and operate a General Hospital.

Yale-New Haven Hospital, Inc. is located at 20 York Street, New Haven, CT 06510-3220.

The maximum number of beds shall not exceed at any time:

- 134 Bassinets
- 1407 General Hospital Beds

This license expires September 30, 2015 and may be revoked for cause at any time.

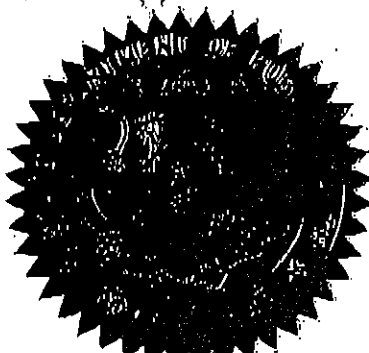
Dated at Hartford, Connecticut, October 1, 2013.

SATELLITES

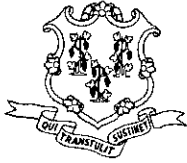
- Hill Regional Career High School, 140 Legion Avenue, New Haven, CT
- Branford High School Based Health Center, 185 East Main Street, Branford, CT
- Walsh Middle School, 185 Damascus Road, Branford, CT
- Jamez Hillhouse High School Based Health Center, 480 Sherman Parkway, New Haven, CT
- Wester Building, 423 George Street, New Haven, CT
- Yale-New Haven Psychiatric Hospital, 184 Liberty Street, New Haven, CT
- Yale-New Haven Shoreline Medical Center, 111 Gause Lane, Guilford, CT
- Pediatric Dentistry Center, 1 Lark Wharf Drive, New Haven, CT
- YNHASC Temple Surgical Center, 60 Temple Street, New Haven, CT
- YNHASC Wojcicki's Surgical Center, 40 Temple Street, New Haven, CT
- Maryo-Sheridan School Based Health Center, 191 Faunium Street, New Haven, CT
- Yale-New Haven Hospital Dental Center, 2560 Drexell Avenue, Hamden, CT
- Murphy School Based Health Center, 14 Brushy Plain Road, Branford, CT
- YNHCH at Bridgeport, 267 Grant Street, 6th Floor, Bridgeport, CT
- Pediatric Primary Care Center, 136 Mill Hill Avenue, Bridgeport, CT
- Yale-New Haven Hospital-Saint Raphael Campus, 1430 Chapel Street, New Haven, CT
- Adolescent Day Hospital, 636 George Street, New Haven, CT
- Psychiatric Day Hospital, 1294 Chapel Street, New Haven, CT
- Children's Psychiatric Day Hospital, 1430 Chapel Street, New Haven, CT
- Elder Care Clinic/Anxiety Clinic, 26 Ansonie Street, New Haven, CT
- Elder Care Clinic/Tower One, 18 Tower Lane, New Haven, CT
- Elder Care Clinic/Lass Omond, 133 Sylvan Avenue, New Haven, CT
- Elder Care Clinic/Edith Johnson Tower, 114 Bristol Street, New Haven, CT
- Adult Psychiatric PHP and Continuing Care, 1294 Chapel Street, New Haven, CT
- Elder Care Clinic/Southside, 200 Oak Street, West Haven, CT
- Troup Magnet Academy School-Based Health Center, 259 Edgewood Avenue, New Haven, CT
- Adult PHP, 1109 Sherman Avenue, Hamden, CT
- Project MotherCare at Wood, 674 Washington Avenue, West Haven, CT
- Harvard Environmental Studies Magnet School, 170 Derby Avenue, New Haven, CT
- Project Elderscare, 2080 Whitney Avenue, Suite 150, Hamden, CT
- Shoreline Child and Adolescent Mental Health Services, 21 Business Park Drive, Branford, CT

License Revised to Reflect:

*Removed (1) Satellite effective 10/3/13



Jewel Mullen
 Jewel Mullen, MD, MPH, MPA
 Commissioner



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

October 1, 2014

VIA FACSIMILE ONLY

Nancy Rosenthal
Senior VP Health System Development
Yale-New Haven Hospital
20 York Street
New Haven, CT 06510

RE: Certificate of Need Determination Report Number 14-31950-DTR
Termination of Oncology Services

Dear Ms. Rosenthal:

On September 30, 2014, the Office of Health Care Access ("OHCA") received your Certificate of Need ("CON") Determination request on behalf of Yale-New Haven Hospital ("Petitioner") with respect to the termination of oncology services in Sharon, Connecticut.

The Petitioner is a 1,541 bed teaching hospital with two integrated campuses located in New Haven and a pediatric campus in Bridgeport. The Petitioner also operates the Smilow Cancer Hospital. The Smilow Cancer Hospital operates a network of community based cancer care centers, including sites in Derby, Fairfield, Guilford, Greenwich, North Haven, Orange, Sharon, Torrington, Trumbull and Waterbury. All of these sites offer chemotherapy services and physician visits. The oncology services provided at these sites cannot be offered without the supervision and medical direction of a board certified medical oncologist/hematologist. The Sharon site includes two such physicians who are scheduled to retire in the near future. As a result, cancer treatment services provided by the Petitioner at the Sharon site will be eliminated and consolidated into the Torrington location. Patients currently being treated at the Sharon site will be referred to the Torrington location, as well as other sites.

Pursuant to Conn. Gen. Stat. § 19a-638(a)(4), a certificate of need is required for the "termination of inpatient or outpatient services offered by a hospital..." The Petitioner is a hospital that is proposing the termination of cancer treatment services at its Sharon, Connecticut location. Therefore, a **CON is required** for the Petitioner's proposal.

Sincerely,

Kimberly R. Martone
Director of Operations

C: Rose McLellan, License and Applications Supervisor, DPH, DHSR

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 (OCT. 1. 2014 11:59AM) * * *

FAX HEADER:

TRANSMITTED/STORED FILE MODE	OCT. 1. 2014 11:58AM OPTION	ADDRESS	RESULT	PAGE
653	MEMORY TX	912038634736	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: NANCY ROSENTHAL

FAX: 203 863-4736

AGENCY: YALE-NEW HAVEN HOSPITAL

FROM: OHCA

DATE: 10/1/14 Time: _____

NUMBER OF PAGES: 2
(including transmittal sheet)

Comments: Please see attached Determination

PLEASE PHONE Barbara K. Olejrz 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