



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

**IN THE MATTER OF:**

A Certificate of Need Application by  
Saint Mary's Health System, Inc. and  
Tenet Healthcare Corporation, Inc.  
Notice to Petitioner re: Request for Status

Docket Number: 14-31927-486

**RULING ON A PETITION FILED BY  
MASSACHUSETTS NURSES ASSOCIATION  
TO BE DESIGNATED AS AN INTERVENOR**

By petition dated September 5, 2014, Massachusetts Nurses Association ("Petitioner") requested Intervenor status with full right of cross-examination in the public hearing to be held by the Department of Public Health ("DPH") Office of Health Care Access ("OHCA") regarding the Certificate of Need ("CON") application of Saint Mary's Health System ("SMHS") and Tenet Healthcare Corporation, Inc. ("Tenet") ("Applicants") filed under Docket Number: 14-31927-486.

Pursuant to Connecticut General Statutes § 4-177a, the Petitioner is hereby designated as an Intervenor with limited rights of cross-examination at the hearing scheduled for October 16, 2014, 1:00 p.m., at the Courtyard by Marriott, Grand Ballroom, 63 Grand Street, Waterbury, Connecticut. As an Intervenor with limited rights of cross-examination, the Petitioner is allowed to participate as indicated below.

The Petitioner is granted the right to inspect and copy records on file with OHCA related to the CON filed under Docket Number 14-31927-486 and will be copied on all pleadings, correspondence and filings submitted from this point forward by the Applicants until the issuance of a final decision by OHCA. As an Intervenor with limited rights of cross-examination, the Petitioner may be cross-examined by the Applicants; however, the Petitioner does not have the right to cross-examine the Applicants or other Intervenor. The Petitioner shall submit its pre-filed testimony on or before the close of business on October 10, 2014.

OHCA's jurisdiction in this matter is limited to the guidelines and principles set forth in Connecticut General Statutes §§ 19a-639 and 19a-486d. Therefore, with respect to pre-filed testimony and direct testimony at the hearing, the Petitioner may present written or verbal evidence related to those guidelines and principles and as set forth below.

- (1) Whether the proposed project is consistent with any applicable policies and standards adopted in regulations by the Department of Public Health;
- (2) The relationship of the proposed project to the state-wide health care facilities and services plan;
- (3) Whether there is a clear public need for the health care facility or services proposed by the Applicants;

*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

(4) Whether the Applicants have satisfactorily demonstrated how the proposal will impact the financial strength of the health care system in the state or that the proposal is financially feasible for the Applicants;

(5) Whether the Applicants have satisfactorily demonstrated how the proposal will improve quality, accessibility and cost effectiveness of health care delivery in the region;

(6) The Applicants' past and proposed provision of health care services to relevant patient populations and payer mix;

(7) Whether the Applicants have satisfactorily identified the population to be served by the proposed project and satisfactorily demonstrated that the identified population has a need for the proposed services;

(8) The utilization of existing health care facilities and health care services in the service area of the applicant; and

(9) Whether the Applicants have satisfactorily demonstrated that the proposed project shall not result in an unnecessary duplication of existing or approved health care services or facilities.

The Petitioner is not permitted to present written or verbal testimony regarding any matter beyond the scope of the guidelines and principles.

**The Petitioner shall maintain compliance with Section 2-44A of the Connecticut Practice Book.**

OHCA will make any additional rulings as to the extent of the hearing participation rights of the Petitioner throughout the hearing in the interest of justice and to promote the orderly conduct of the proceedings.

Date

10/8/14

Kevin T. Hansted  
Hearing Officer