



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

M. JODI RELL  
GOVERNOR

CRISTINE A. VOGEL  
COMMISSIONER

August 11, 2004

Chad Wable  
Vice President of Marketing  
and Business Development  
St. Mary's Hospital Corporation  
56 Franklin Avenue  
Waterbury, CT 06706

Re: Certificate of Need Determination, Report Number 04-30346-DTR  
St. Mary's Hospital Corporation  
Disposal of Linear Accelerator

Dear Mr. Wable:

On July 29, 2004 the Office of Health Care Access ("OHCA") received a Certificate of Need ("CON") Determination request for the disposal of the linear accelerator equipment located at the St. Mary's Hospital. OHCA has reviewed the information contained in your request and makes the following findings:

1. St. Mary's Hospital ("Hospital") is an acute care hospital located at 56 Franklin Avenue, Waterbury, Connecticut.
2. The Harold Leever Regional Center ("Center") is a freestanding cancer center in Waterbury Connecticut, owned jointly by the Hospital and Waterbury Hospital ("WH"), authorized under Docket Number 00-562. Both hospitals transferred their outpatient radiation therapy treatments to the Center upon its opening in October 2002. However, the hospitals continued to perform inpatient radiation treatments determined to be medically necessary. The need for radiation therapy for inpatients at the hospital is infrequent.
3. The final decision for Docket Number 00-562 states that SMH and WH will maintain their current linear accelerators to accommodate inpatients too ill to be transported to the Center.

4. The Hospital's linear accelerator was purchased in 1982 and is fully depreciated. It was expected to have an eight-year life. The Hospital is no longer able to buy parts to repair this equipment from the original manufacturer.
5. Due to the limited use and age of the equipment, the linear accererator began to experience more frequent down times. In 2004, the Center worked with SMH and WH and area physicians to establish protocols to arrange for transport of inpatients requiring radiation therapy to the Center.
6. The Hospital proposes to dispose of the linear accelerator equipment at SMH. The equipment failed 50% of the times it would have been utilized over the past year.
7. There is no capital cost associated with the disposal of the linear accelerator. There is approximately \$10,000 in operating expense to the Hospital.
8. Inpatient and outpatient radiation therapy needs are being met currently by the Center with state-of-the-art equipment.

Based on the above findings, inpatient and outpatient radiation treatments for SMH patients will be provided at the Center on state-of-the-art equipment. SMH's proposal to dispose of its linear accelerator at the hospital does not represent a termination of a function or service, pursuant to Section 19a-638 of the Connecticut General Statutes ("C.G.S."). The same service will be provided at the Center. Therefore, a CON is not required for SMH to proceed with the disposal of its linear accelerator located at the hospital.

Thank you for letting OHCA know of your plans. If you have any questions concerning this letter, please contact Steven Lazarus, Health System Development, at OHCA at (860) 418-7001.

Sincerely,

Signed by Cristine A. Vogel  
Commissioner

cc: Rose McLellan, Licensing Examination Assistant, DHSR, DPH

CAV: sl

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