



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

M. JODI RELL  
GOVERNOR

CRISTINE A. VOGEL  
COMMISSIONER

May 31, 2006

Ms. Andrea Rynn  
Community/Government Relations Manager  
Danbury Health Care Affiliates, Inc.  
24 Hospital Avenue  
Danbury, CT 06810

Re: CON Determination Request; Report Number: 06-30747-DTR  
Danbury Health Care Affiliates, Inc. d/b/a Danbury Diagnostic Imaging, Inc.  
Proposal to Upgrade Existing 1.5 Tesla-Strength MRI Scanner

Dear Ms. Rynn:

On May 17, 2006, with additional information submitted on May 25, 2006, the Office of Health Care Access ("OHCA") received the Certificate of Need Determination request regarding the proposal of Danbury Health Care Affiliates, Inc. d/b/a Danbury Diagnostic Imaging, Inc. ("Applicant") to upgrade its existing Philips Intera 1.5 Tesla magnetic resonance imaging scanner with hardware and software, at a total capital expenditure of \$331,500. OHCA has reviewed the information contained in your request and makes the following findings:

1. Danbury Health Care Affiliates, Inc. d/b/a Danbury Diagnostic Imaging, Inc. ("Applicant") is a freestanding not-for-profit imaging center located at 20 Germantown Road, Danbury, Connecticut. (*May 17, 2006, Letter of Intent/Waiver Form 2030, page 9*)
2. The Applicant provides magnetic resonance imaging ("MRI") services to residents within the greater Danbury area, primarily those residing in Danbury, Bethel, Brookfield, New Fairfield, and Newtown. (*May 17, 2006, Letter of Intent/Waiver Form 2030, page 2*)

3. The Applicant is proposing to upgrade its existing Philips Intera 1.5 Tesla MRI scanner with hardware and software at a total capital expenditure of \$331,500. *(May 17, 2006, Letter of Intent/Waiver Form 2030, page 5)*
4. Under Docket Number 99-549, the Applicant received CON authorization from OHCA to purchase and operate a MRI scanner. *(February 16, 2000, Docket Number 99-540, page Response to Question 9)*
5. The Applicant's proposal will upgrade the existing MRI scanner to the latest level of functionality, performance and ease-of-use. *(May 25, 2006, Additional Information, Vendor Quote, page 3)*
6. The upgrade package to be provided by Philips Medical System include the following:
  - Windows XP host computer;
  - RapidView image reconstructor software;
  - Softone gradient acoustic noise reducer;
  - ScanTools clinical application software; and
  - The Latest version of all optional packages available on the system before the upgrade.*(May 25, 2006, Additional Information, Vendor Quote, page 4)*
7. The total capital expenditure for the hardware and software to upgrade the existing MRI scanner is \$331,500. *(May 17, 2006, Letter of Intent/Waiver Form 2030, page 4)*
8. The Applicant will fund the total capital expenditure of \$331,500 for the upgrade through an equity contribution. *(May 17, 2006, Letter of Intent/Waiver Form 2030, page 4)*
9. Section 1 (4) (b) of Public Act No. 05-93, "An Act Concerning the Capital Expenditure Threshold for the Regulation of Equipment Acquisitions" requires CON approval for a capital expenditure over one million dollars, or, regardless of cost, for anyone acquiring, purchasing or accepting donation of a CT scanner, PET scanner, PET/CT scanner, MRI, cineangiography equipment, a linear accelerator or other similar equipment utilizing new technology that is being introduced to the state.
10. Section 19a-639, C.G.S. states, in part, that each health care facility or institution proposing a capital expenditure exceeding one million dollars (\$1,000,000), or the acquisition of major medical equipment requiring a capital expenditure in excess of four hundred thousand dollars (\$400,000) requires authorization from OHCA.

Based on the above findings the proposal of Danbury Health Care Affiliates, Inc. d/b/a Danbury Diagnostic Imaging, Inc. to upgrade its existing 1.5 tesla-strength MRI scanner does not constitute the establishment of a new or additional imaging service, nor is it considered within the scope of imaging equipment acquisition, as delineated in Section 19a-638 of the Connecticut General Statutes. OHCA has determined that Certificate of Need approval is not required for the proposal.

Thank you for informing OHCA of your plans. If you have any questions concerning this letter, please contact Laurie Greci, Associate Research Analyst, at (860) 418-7001.

Sincerely,

Signed by Cristine A. Vogel  
Commissioner

CAV:lkq