



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

M. JODI RELL  
GOVERNOR

CRISTINE A. VOGEL  
COMMISSIONER

August 9, 2006

Jeffrey M. Anderson, MD  
Carl M. Maresh, Ph.D.  
University of Connecticut, Department of Kinesiology, U-1110  
2095 Hillside Road  
Storrs, CT 06769-1110

RE: Certificate of Need Determination Report Number 06-30812-DTR  
University of Connecticut Human Performance Laboratory  
Temporary Use of a Mobile MRI Scanner for Granted-funded Research Project

Dear Drs. Anderson and Maresh:

On August 1, 2006, the Office of Health Care Access ("OHCA") received your Certificate of Need ("CON") Determination request concerning the proposal of the University of Connecticut Human Performance Laboratory to use a mobile magnetic resonance imaging ("MRI") scanner to assess muscular and bone morphologic response to exercise protocols, at no associated capital expenditure.

OHCA has reviewed the information contained in the request and makes the following findings:

1. The University of Connecticut Human Performance Laboratory ("UCHPL"), Storrs, Connecticut, and the United States Army Research Institute for Environmental Medicine ("USARIEM"), Natick, Massachusetts, are involved in a joint research project ("project") entitled "Maximizing the Osteogenic Properties of Plyometric Exercise to Induce Optimal Structural Adaptations in Bone and Muscle: Effects on Endocrine and Cellular Controls."
2. The project will involve the use of a magnetic resonance imaging scanner ("MRI") scanner to assess the muscular and bone morphologic response to three difference exercise protocols.
3. The UCHPL and the USARIEM propose to rent a mobile 1.5 Tesla General Electric Signa Horizon MRI scanner ("scanner") from InSight Health Corporation ("InSight") to perform the scans. The proposed mobile MRI scanner received Certificate of Need approval under OHCA Docket Number 00-507.
4. The use of the mobile MRI scanner will be temporary. The rental term from InSight is for six months. The MRI scanner, housed in a mobile trailer, will be located on the University

of Connecticut campus in Storrs for up to three days on three different occasions during the research project.

5. The mobile MRI scanner will be used solely for the purposes of the joint research project and will not be used for clinical purposes. The population served will be the research subjects recruited in the project.
6. There will be no fees charged and all costs for the MRI scans will be covered from the grant monies procedure for the project. InSight will charge a flat daily fee of \$5,000 per day plus any applicable sales tax.
7. UCHPL anticipates commencing use of the MRI in October or November 2006, depending on subject recruitment for the study.
8. Section 19a-630 of the Connecticut General Statutes (“C.G.S.”) states, in part, that a “health care facility or institution” is any facility or institution engaged primarily in providing services for the prevention, diagnosis or treatment of human health conditions...”
9. Section 19a-638 of the Connecticut General Statutes (“C.G.S.”) states, in part, CON approval is required for an applicant acquiring, purchasing, or accepting donation of a CT scanner, PET scanner, PET/CT scanner, MRI, cineangiography equipment, a linear accelerator or similar equipment utilizing new technology that is being introduced to the state.

Based on the above findings, OHCA has determined that the joint research project of the University of Connecticut Human Performance Laboratory and the United States Army Research Institute for Environmental Medicine is not engaged in primarily providing services for the prevention, diagnosis or treatment of human health conditions as defined in Section 19a-630 of the C.G.S.

Therefore, OHCA has determined that Certificate of Need approval is not required for the University of Connecticut Human Performance Laboratory (“Petitioner”) to rent a mobile MRI scanner for research purposes only. The MRI scanner may not be used for the diagnosis or treatment of human health conditions. If the use of the MRI scanner by the Petitioner is to be expanded or changed additional authorization from OHCA is required.

If you have any questions regarding the above, please contact Laurie K. Greci, Associate Research Analyst, at (860) 418-7001.

Sincerely,

Signed by Cristine A. Vogel  
Commissioner

CAV:lkg