



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

M. JODI RELL  
GOVERNOR

CRISTINE A. VOGEL  
COMMISSIONER

August 6, 2009

Via Facsimile Only

Alan Kaye, M.D., President  
Advanced Radiology Consultants, LLC  
56 Quarry Road  
Trumbull, CT 06611

RE: Certificate of Need Determination Report Number 09-31385-DTR  
The acquisition of an MRI unit for the Orange practice location in 2005  
Advanced Radiology Consultants, LLC

Dear Dr. Kaye:

On June 9, 2009, the Office of Health Care Access ("OHCA") received a Certificate of Need Determination request from Advanced Radiology Consultants, LLC ("ARC") regarding ARC's acquisition of an MRI unit during 2005 for the ARC Orange practice location. Additional information was received on July 27, 2009. OHCA has reviewed your request and makes the following findings:

1. Advanced Radiology Consultants, LLC ("ARC") is a private physician group specializing in the practice of various radiology modalities in Fairfield County.
2. ARC currently owns and operates a 0.3 Tesla Hitachi Aris Elite Open MRI Unit ("Aris Elite") for the practice's office located at 320 Boston Post Road in Orange, Connecticut.
3. ARC entered into an agreement to purchase the Aris Elite unit for \$375,000 on April 14, 2005.
4. A deposit of \$50,000 was paid by ARC for the Aris Elite unit on April 14, 2005. A copy of the cancelled check for this deposit was provided by the Applicant.
5. ARC also provided an invoice from Hitachi demonstrating that the Aris Elite unit was shipped to ARC on July 11, 2005.

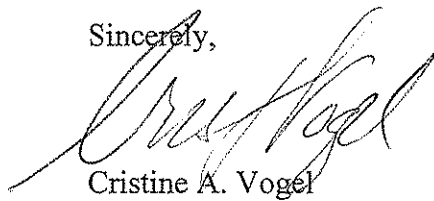
6. ARC indicates that although the Aris Elite unit was delivered and installed in July 2005, it did not ultimately accept the unit until March 8, 2006, at which time final payment in the amount of \$281,250.00 was made to Hitachi.

7. ARC provided evidence demonstrating that a patient was scanned at its office with the Aris Elite unit on March 11, 2006.

Based upon the foregoing, OHCA determines that Certificate of Need approval is not required for the acquisition of the 0.3 Tesla Hitachi Aris Elite Open MRI unit by ARC, as certain binding commitments were made prior to the implementation of Public Act 05-93 and the equipment was in operation prior to July 1, 2006

If you have any questions concerning this letter, please contact Melanie Dillon at (860) 418-7060.

Sincerely,



Cristine A. Vogel  
Commissioner