

M. JODI RELL
GOVERNOR

STATE OF CONNECTICUT
OFFICE OF HEALTH CARE ACCESS

CRISTINE A. VOGEL
COMMISSIONER

September 22, 2009

Conrad Ehrlich, M.D.
President
Housatonic Valley Radiological Associates, P.C.
67 Sand Pit Road
Danbury, CT 06810

Re: CON Determination Request; Report Number 09-31445-DTR
Housatonic Valley Radiological Associates, P.C.
Acquisition of a Replacement CT Scanner for the Southbury Office

Dear Dr. Ehrlich:

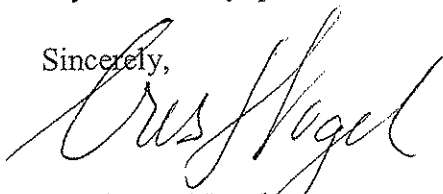
On September 1, 2009, the Office of Health Care Access ("OHCA") received your request seeking a waiver from Certificate of Need ("CON") requirements to replace equipment pursuant to Public Act 09-232. Please be advised that Public Act 09-232 provides that an applicant must have previously obtained a Certificate of Need or a Certificate of Need Determination with respect to the piece of equipment to be replaced before seeking a waiver from this office. Accordingly, OHCA is processing this request as a CON Determination pursuant to § 19a-639a (c) with respect to the acquisition of the GE CTi Spiral, single-slice CT scanner by Housatonic Valley Radiological Associates in 2001. OHCA has reviewed this matter and makes the following findings:

1. Housatonic Valley Radiological Associates, P.C., ("Applicant") is a for-profit corporation, providing, in part, computed tomography ("CT") services at its office located at 800 Main Street in Southbury, Connecticut.
2. The Applicant currently owns and operates a GE CTi Spiral, single-slice CT scanner at its Southbury office.
3. On April 5, 2001, the Applicant entered into an agreement with Barrington Medical Imaging, LLC, for the purchase of a GE CTi Spiral, single-slice CT scanner at a total equipment expenditure of \$348,000.
4. The Applicant provided evidence demonstrating that it operated the GE CTi Spiral, single-slice CT scanner prior to July 1 2005.

Based on these findings, OHCA has determined that Housatonic Valley Radiological Associates, P.C., is not required to file a Certificate of Need request for the purchase of its existing GE CTi Spiral, single-slice CT scanner, because the Applicant purchased this equipment 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 Jack A. Huber at (860) 418-7034.

Sincerely,



Cristine A. Vogel
Commissioner

CAV:jah

Copy: Rose McLellan, License and Applications Supervisor, DPH