



STATE OF CONNECTICUT
DEPARTMENT OF PUBLIC HEALTH
Office of Health Care Access

December 31, 2009

Via Facsimile Only

Crista Durand
Vice President, Planning
365 Montauk Avenue
Lawrence & Memorial Hospital
New London, CT 06320

Re: CON Determination; Report Number: 09-31511-DTR
Lawrence & Memorial Hospital
Proposal to Establish and Operate Radiology, Laboratory Services, and Specialty
Physician Services in Stonington (Pawcatuck); Pursuant to 19a-638(a) of the
Connecticut General Statutes, as amended by Public Act: 09-232, Section 93(f)

Dear Ms. Duran:

On December 18, 2009, the Office of Health Care Access ("OHCA") received your completed Certificate of Need ("CON") Determination request on behalf of Lawrence & Memorial Hospital to establish Radiology and Laboratory Services in Stonington (Pawcatuck). OHCA has reviewed your request and makes the following findings:

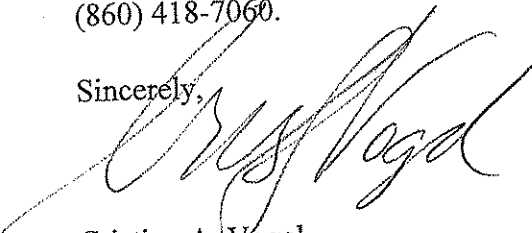
1. Lawrence & Memorial Hospital ("Hospital") is an acute care general hospital located at 365 Montauk Avenue, New London, Connecticut.
2. The Hospital in collaboration with Sound Medical Associates, PC ("SMA") intends to provide radiological testing services with the following equipment:
 - a) Discovery SL –Bone Densitometer;
 - b) Selenia Mammographer;
 - c) Quantum Q-Rad DS-3 Radiographic System (x-ray); and
 - d) Phillips 100600 iU22 Ultrasound System.
3. SMA will be relocating its physician office practice from its current office at 37 South Broad Street, Pawcatuck, to 91 Voluntown Road, Pawcatuck. The Hospital will locate its radiology and laboratory services at the same location.
4. SMA will continue to provide those services that are typically associated with a primary care physician's office practice. Once relocated SMA will be reorganized and transfer all of SMA's assets to the L & M Physician Association, Inc. ("LPA"). The LPA is a newly

- created medical foundation owned by the Lawrence & Memorial Corporation. The LPA will ultimately be the primary care physician service provider.
5. The Hospital will provide a laboratory drawing station and mammography, ultrasound, bone density and basic x-ray radiology services.
 6. The Hospital will also lease a portion of the Voluntown road location to a number of specialty physicians who will rotate to the Voluntown Road location at least one half day per week to provide specialty physician services.
 7. The Hospital contends that the total capital expenditure associated with the proposal is \$2,061,940.
 8. Pursuant to 19a-638 of the Connecticut General Statutes("C.G.S."), as amended by Public Act: 09-332, Section 93(f)

"Each short-term acute care general or children's hospital, chronic disease hospital or hospital for the mentally ill that on July 1, 2009, is providing outpatient services,that thereafter proposes to provide such services at an alternative location within the primary service area of the health care facility or institution, shall be exempt from the certificate of need requirements prescribed in subsection (a) of section 19a-638, as amended by this act,..."

After careful consideration of the findings above, OHCA is unable to conclusively determine that the town of Stonington is within the primary service area of Lawrence & Memorial Hospital. Therefore, OHCA determines that Lawrence & Memorial Hospital will be required to file a Certificate of Need application to obtain authorization to proceed with its proposal establish and operate radiology, laboratory services, and specialty physician services in Stonington (Pawcatuck). If you have any questions concerning this letter, please contact Melanie Dillon at (860) 418-7060.

Sincerely,



Cristine A. Vogel
Deputy Commissioner

C: Rose McClellan, Licensing Examination Assistant, DHSR, DPH
Joan W. Feldman, Esq., Shipman & Goodwin, LLP

CAV:MD:lkg