



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

May 9, 2011

Stephen M. Cowherd, Esquire
Jeffers Cowherd, P.C.
55 Walls Drive
Fairfield, CT 06824

Re: Certificate of Need Determination; Report Number: 11-31698-DTR
Naugatuck Valley Surgical Center

Dear Attorney Cowherd:

On April 14, 2011, the Office of Health Care Access ("OHCA") received your determination request on behalf of the Naugatuck Valley Surgical Center Limited Partnership ("NVSCLP") d/b/a Naugatuck Valley Surgical Center ("Center") with respect to whether a certificate of need ("CON") is required for St. Mary's Hospital ("SMH"), the general partner which currently holds an 85.3% ownership interest in NVSCLP, to purchase the limited partner units from 18 different physicians who collectively own the remaining 14.7% of NVSCLP. Upon acquiring 100% ownership in NVSCLP, SMH will relinquish the Center's outpatient surgical facility license and operate the Center as a hospital outpatient department under its hospital license.

Based upon the information provided, it appears that SMH already exercises exclusive control over the management and operations of the Center and, therefore, the proposed purchase by SMH of the remaining 14.7% ownership interest in NVSCLP will not impact or change the governance or controlling body of the Center. Accordingly, a CON is not required for this proposal pursuant to General Statutes § 19a-638a (2).

Thank you for informing OHCA of your plans and if you have any questions regarding this letter, please contact Steven W. Lazarus, Associate Health Care Analyst at (860) 418-7012.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeannette B. DeJesus".

Jeannette B. DeJesus, MPA, MSW
Deputy Commissioner, OHCA