



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

March 20, 2013

VIA FACSIMILE TRANSMISSION ONLY

Gary Richo, MD  
Valley Orthopaedic Specialists, LLC  
2 Trap Falls Road, Suite 404  
Shelton, CT 06484

RE: Certificate of Need Determination; Report Number: 13-31825-DTR  
Valley Orthopaedic Specialists, LLC  
Change of Ownership of Outpatient Surgical Facility

Dear Dr. Richo:

On March 8, 2013, the Office of Health Care Access ("OHCA") received your Certificate of Need ("CON") determination request on behalf of Valley Orthopaedic Specialists, LLC ("VOS" or "the Applicant") with respect to whether a CON is required to transfer part ownership of VOS to three CT licensed physician investors and the remaining minority share to Merritt Healthcare. The transfer of ownership would be done under Trap Falls Surgery Center, LLC ("TFSC") at a cost of \$2,993,300. Current physician owners and the three new physician investors will own and control over 75% interest in TFSC. Merritt Healthcare will act as the third party management firm for VOS while a Board of Managers will have the overall responsibility for governance.

The Board of Managers would be composed of two physician owner members, one physician investor and one representative from Merritt Healthcare. The proposed change in ownership conforms to Conn. Gen. Stat. §19a-493b(c).

Based upon the foregoing, OHCA concludes a CON is *not required* for VOS or TFSC to change ownership as submitted.

If you have any questions regarding this letter, please contact Olga Armah, Associate Research Analyst, at (860) 418-7070.

Sincerely,

Kimberly R. Martone  
Director of Operations, OHCA

Cc: Rose McLellan, License and Applications Supervisor, DPH, DHSR

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*(If you require aid/accommodation to participate fully and fairly, contact us either by phone, fax or email)*

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