

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

January 17, 2014

Darlene Stromstad, FACHE
President/Chief Executive Officer
Greater Waterbury Health Network, Inc.
64 Robbins Street
Waterbury, Connecticut 06708

VIA FACSIMILE ONLY

Travis Messina
Director, Development
Vanguard Health Systems, Inc.
20 Burton Hills Boulevard, Suite 100
Nashville, Tennessee 37215

RE: Request for Certificate of Need Determinations related to The Waterbury Hospital's proposed change of ownership

Dear Ms. Stromstad and Mr. Messina:

The Office of Health Care Access ("OHCA") is in receipt of three Certificate of Need ("CON") applications for the transfer of ownership of Waterbury Imaging Center Limited Partnership, LLC, Imaging Partners, LLC, and Valley Imaging Partners, LLC, related to the proposed change of ownership of the Greater Waterbury Health Network, Inc. ("GWHN").

However, according to OHCA's records, CON approval related to the proposed change of ownership may also be required for: the Heart Center of Greater Waterbury, Harold Leever Cancer Center, a 64-Slice Computed Tomography scanner owned and operated by The Waterbury Hospital and the off-site Waterbury Hospital Sleep Laboratory. OHCA requests that you file a CON Determination (available at www.ct.gov/ohca) for each of the above four items, so that OHCA can formally determine if a CON is required pursuant Connecticut General Statutes § 19a-638.

Please file the four CON Determination requests by January 31, 2014. If for any reason, you are unable to do so by that date, you must file a written explanation detailing the need for the time extension prior to January 31, 2014.

If you have any questions regarding this correspondence, please contact Steven W. Lazarus at (860) 418-7012.

Sincerely,

A handwritten signature in cursive script, appearing to read "Kim Martone", with a horizontal line extending from the end of the signature.

Kimberly R. Martone
Director of Operations, OHCA

C: Ann H. Zucker, Carmody Torrance Sandak & Hennessey LLP
Kristin Connors, Carmody Torrance Sandak & Hennessey LLP
Henry A. Saltan, Attorney General's Office

*** TX REPORT ***

TRANSMISSION OK

TX/RX NO 3939
RECIPIENT ADDRESS 912035736181
DESTINATION ID
ST. TIME 01/21 12:55
TIME USE 00'27
PAGES SENT 3 ✓
RESULT OK



STATE OF CONNECTICUT
DEPARTMENT OF PUBLIC HEALTH
OFFICE OF HEALTH CARE ACCESS

FAX SHEET

TO: DRENE STRUMSTAD

FAX: (203) 573-6161

AGENCY: _____

FROM: STEVEN LAZARUS

DATE: 1/21/14 Time: _____

NUMBER OF PAGES: 3
(including transmittal sheet)

Comments:

See enclosed correspondence regarding Waterbury Health System Network and Vanguard Health Systems, Inc.

*** TX REPORT ***

TRANSMISSION OK

TX/RX NO 3940
RECIPIENT ADDRESS 916158658099
DESTINATION ID
ST. TIME 01/21 12:56
TIME USE 00'31
PAGES SENT 3
RESULT OK ✓



STATE OF CONNECTICUT
DEPARTMENT OF PUBLIC HEALTH
OFFICE OF HEALTH CARE ACCESS

FAX SHEET

TO: TRAVIS MESISINA ✓

FAX: (615) 665-6099

AGENCY: _____

FROM: STEVEN LAZARUS

DATE: 1/21/14 Time: _____

NUMBER OF PAGES: 3

(including transmittal sheet)

Comments:

See enclosed correspondence regarding Waterbury Health System Network and Vanguard Health Systems, Inc.

*** TX REPORT ***

TRANSMISSION OK

TX/RX NO 3941
RECIPIENT ADDRESS 912035752600
DESTINATION ID
ST. TIME 01/21 12:57
TIME USE 00'28
PAGES SENT 3 ✓
RESULT OK



STATE OF CONNECTICUT
DEPARTMENT OF PUBLIC HEALTH
OFFICE OF HEALTH CARE ACCESS

FAX SHEET

TO: ANN H. ZUCKER

FAX: (203) 575-2600

AGENCY: _____

FROM: STEVEN LAZARUS

DATE: 1/21/14 Time: _____

NUMBER OF PAGES: 3
(including transmittal sheet)

Comments:

See enclosed correspondence regarding Waterbury Health System Network and Vanguard Health Systems, Inc.



TORRANCE | SANDAK | HENNESSEY^{LLP}

Post Office Box 1950
New Haven, Connecticut
06509-1950

Telephone: 203 777-5501
Facsimile: 203 784-3199
<http://www.carmodylaw.com>

Facsimile Transmission

DATE: 01/28/2014

TIME SENT:

PAGES (INCLUDING COVER):

SENT TO: STEVE LAZARUS

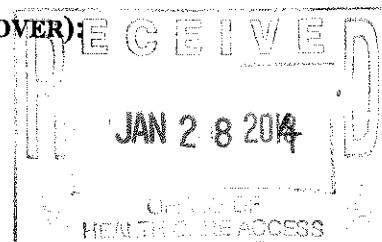
FAX: (860) 418-7053

COMPANY: Office of Health Care Access

TELEPHONE:

FROM: Ann H. Zucker

FAX (NEW HAVEN) (203) 784-3199



CARMODY TORRANCE SANDAK & HENNESSEY LLP

RE: GREATER WATERBURY HEALTH NETWORK REQUESTS FOR DETERMINATION

COMMENTS:

IMPORTANT

The information contained in this facsimile transmission is intended for the use of the designated recipients named above. This message may be an attorney-client communication and as such is privileged and confidential. If the reader of this message is not the intended recipient or agent responsible for delivering it to the intended recipient, you are hereby notified that you have received this document in error and that any review, dissemination or copying of this message is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone and return the original message to us by mail. Thank you.

Please call 203-777-5501 if you have trouble receiving this facsimile transmission.

NEW HAVEN

STAMFORD

WATERBURY

SOUTHBURY

CARMODY

TORRANCE | SANDAK | HENNESSEY_{LLP}

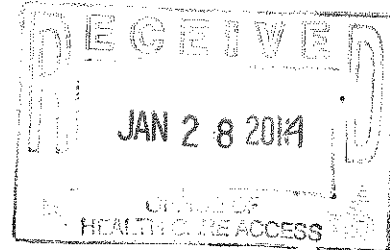
Ann H. Zucker
Partner
Direct: 203.784.3108
Fax: 203.784.3199
azucker@carmodylaw.com

195 Church Street
P.O. Box 1950
New Haven, CT 06509

January 28, 2014

VIA FACSIMILE

Office of Health Care Access, Dept. of Public Health
410 Capitol Avenue
Hartford, CT 06134
Attn: Kimberly Martone



Re: Greater Waterbury Health Network Requests for Determination

Dear Ms. Martone:

By letter dated January 17, 2014, OHCA asked that Greater Waterbury Health Network prepare requests for determination for four matters. The letter requested that these be filed by January 31, 2014.

We are asking for a one week extension, until February 7, 2014, to file these requests for determination. The harsh weather conditions and typical wintertime illnesses have made it difficult to complete the requests for determination within the required time line.

If you have any questions or need anything further, please contact me at (203) 784 3108. Thank you for your assistance in this matter.

Very truly yours,

CARMODY TORRANCE SANDAK & HENNESSEY LLP

By Ann H. Zucker (sig)
Ann H. Zucker
Its Partner

cc: Darlene Stromstad - Greater Waterbury Health Network, Inc.
Travis Messina - Tenet Healthcare Corporation
Trip Pilgrim - Tenet Healthcare Corporation

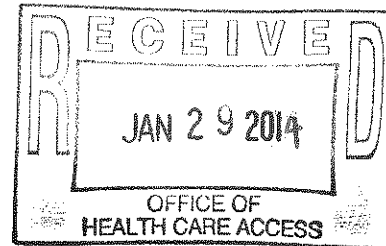
Office of the Attorney General
55 Elm Street, P.O. Box 120
Hartford, CT 06141-0120 - Attn: Gary W. Hawes, AAG

{NO987317}

January 28, 2014

VIA FACSIMILE

Office of Health Care Access, Dept. of Public Health
410 Capitol Avenue
Hartford, CT 06134
Attn: Kimberly Martone



Re: Greater Waterbury Health Network Requests for Determination

Dear Ms. Martone:

By letter dated January 17, 2014, OHCA asked that Greater Waterbury Health Network prepare requests for determination for four matters. The letter requested that these be filed by January 31, 2014.

We are asking for a one week extension, until February 7, 2014, to file these requests for determination. The harsh weather conditions and typical wintertime illnesses have made it difficult to complete the requests for determination within the required time line.

If you have any questions or need anything further, please contact me at (203) 784 3108. Thank you for your assistance in this matter.

Very truly yours,

CARMODY TORRANCE SANDAK & HENNESSEY LLP

By Ann H. Zucker
Ann H. Zucker
Its Partner

cc: Darlene Stromstad - Greater Waterbury Health Network, Inc.
Travis Messina - Tenet Healthcare Corporation
Trip Pilgrim - Tenet Healthcare Corporation

Office of the Attorney General
55 Elm Street, P.O. Box 120
Hartford, CT 06141-0120 - Attn: Gary W. Hawes, AAG

(0987317)



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

January 31, 2014

VIA FACSIMILE ONLY

Ann H. Zucker, Esq.
Partner
Carmody, Torrance, Sandak, Hennessy, LLP
195 Church Street
New Haven, CT 06509

RE: Outstanding Certificate of Need Determinations related to The Waterbury Hospital's
change of ownership
Request for Time Extension

Dear Attorney Zucker:

The Office of Health Care Access ("OHCA") is in receipt of your request for a time extension filed with OHCA on January 28, 2014, regarding the four Certificate of Need ("CON") Determinations that OHCA requested Greater Waterbury Health Network, Inc. to file by January 31, 2014.

OHCA has reviewed your request and grants your request for a time extension from January 31, 2014, to February 7, 2014.

If you have any questions regarding this correspondence, please contact Steven W. Lazarus at (860) 418-7012.

Sincerely,

A handwritten signature in cursive script, appearing to read "Kimberly R. Martone".

Kimberly R. Martone
Director of Operations

C: Darlene Stromstad, Greater Waterbury Health Network, Inc.
Travis Messina, Tenent Healthcare Corporation
Henry A. Saltan, Attorney General's Office

* * * COMMUNICATION RESULT REPORT (JAN. 31. 2014 2:23PM) * * *

FAX HEADER:

TRANSMITTED/STORED : JAN. 31. 2014 2:22PM
FILE MODE OPTION

ADDRESS

RESULT

PAGE

043 MEMORY TX

912037843199 ✓

OK

2/2

REASON FOR ERROR
E-1) HANG UP OR LINE FAIL
E-3) NO ANSWER

E-2) BUSY
E-4) NO FACSIMILE CONNECTION



STATE OF CONNECTICUT
DEPARTMENT OF PUBLIC HEALTH
OFFICE OF HEALTH CARE ACCESS

FAX SHEET

TO: ANN H. ZUCKER
FAX: (203) 784-3199
AGENCY: _____
FROM: STEVEN W. LAZARUS
DATE: 1/31/14 Time: _____
NUMBER OF PAGES: _____
(including transmittal sheet)

Comments: OHCA's response to the request for time extension for the 4 outstanding CON Determinations.

PLEASE PHONE IF THERE ARE ANY TRANSMISSION PROBLEMS.

Phone: (860) 418-7001 Fax: (860) 418-7053
410 Capitol Ave., MS#13HCA
P.O. Box 340308
Hartford, CT 06134

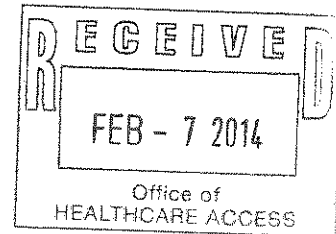
Kristin Connors
Partner
Direct: 203-578-4202
Fax: 203-575-2600
kconnors@carmodylaw.com

50 Leavenworth Street
PO Box 1110
Waterbury, CT 06721-1110

February 7, 2014

VIA ELECTRONICALLY IN PDF FORMAT

Office of Health Care Access, Dept. of Public Health
410 Capitol Avenue
Hartford, CT 06134
Attn: Kimberly Martone



Re: Greater Waterbury Health Network CON Determinations

Dear Ms. Martone:

Previously the Greater Waterbury Health Network, Inc. (GWHN) submitted to the Office of Health Care Access ("OHCA") three Certificate of Need ("CON") applications for the transfer of ownership of Waterbury Imaging Center Limited Partnership, LLC, Imaging partners, LLC, and Valley Imaging Partners, LLC related to the proposed change of ownership of GWHN (OHCA Docket No. 13-31840-CON). By letter dated January 17, 2014, OHCA asked that GWHN prepare CON Determination Form 2020s for the following four related matters:

1. The Heart Center of Greater Waterbury
2. Harold Leever Regional Cancer Center
3. 64-Slice Computer Tomography Scanner
- ✓ 4. Off-site Waterbury Hospital Sleep Laboratory

We asked for and received a one week extension, until February 7, 2014, to file these four CON Determinations that are enclosed.

If you have any questions or require additional information, please contact me at (203) 578-4202 or kconnors@carmodylaw.com.

Very truly yours,

CARMODY TORRANCE SANDAK & HENNESSEY LLP

By


Kristin Connors
Its Partner

c: VIA EMAIL

Darlene Stromstad – Greater Waterbury Health Network, Inc. (w/enclosures)

Travis Messina – Tenet Healthcare Corporation (w/enclosures)

Trip Pilgrim – Tenet Healthcare Corporation (w/enclosures)

VIA EMAIL AND US MAIL

Office of the Attorney General (w/enclosures)

Attn: Gary W. Hawes, AAG

55 Elm Street, P.O. Box 120

Hartford, CT 06141-0120

VIA US MAIL AND CERTIFIED MAIL

Chad Wable, President & CEO

St. Mary's Hospital

56 Franklin Street

Waterbury, CT 06706

(w/enclosures re: Heart Center of Greater Waterbury & Harold Leever Regional Cancer Center)

VIA US MAIL AND CERTIFIED MAIL

Frank M. Torti, M.D., M.P.H., Executive Vice President for Health Affairs

John Dempsey Hospital

263 Farmington Avenue

Farmington, CT 06030

(w/enclosures re: Heart Center of Greater Waterbury)



**State of Connecticut
Office of Health Care Access
CON Determination Form
Form 2020**

All persons who are requesting a determination from OHCA as to whether a CON is required for their proposed project must complete this Form 2020. The completed form should be submitted to the Director of the Office of Health Care Access, 410 Capitol Avenue, MS#13HCA, P.O. Box 340308, Hartford, Connecticut 06134-0308.

SECTION I. PETITIONER INFORMATION

If this proposal has more than two Petitioners, please attach a separate sheet, supplying the same information for each Petitioner in the format presented in the following table.

	Petitioner
Full Legal Name	The Waterbury Hospital
Doing Business As	The Waterbury Hospital
Name of Parent Corporation	Greater Waterbury Health Network, Inc.
Petitioner's Mailing Address, if Post Office (PO) Box, include a street mailing address for Certified Mail	64 Robbins Street Waterbury, CT 06708
What is the Petitioner's Status: P for profit and NP for Nonprofit	NP
Contact Person at Facility, including Title/Position: This Individual at the facility will be the Petitioner's Designee to receive all correspondence in this matter.	Darlene Stromstad, FACHE President/CEO

Contact Person's Mailing Address, if PO Box, include a street mailing address for Certified Mail	64 Robbins Street Waterbury, CT 06708
Contact Person's Telephone Number	203-573-7101
Contact Person's Fax Number	203-573-6161
Contact Person's e-mail Address	dstromstad@wtbyhosp.org

SECTION II. GENERAL PROPOSAL INFORMATION

a. Proposal/Project Title:

Consolidation of Sleep Lab Services to the Regional Sleep Laboratory in Middlebury, Connecticut

b. Estimated Total Project Cost: \$0

c. Location of proposal, identifying Street Address, Town and Zip Code:

1625 Straits Turnpike, Middlebury, Connecticut, 06762

d. List each town this project is intended to serve:

Beacon Falls, Bethlehem, Cheshire, Middlebury, Morris, Naugatuck, Oakville, Oxford, Plantsville, Plymouth, Prospect, Seymour, Southbury, Southington, Terryville, Thomaston, Torrington, Waterbury, Watertown, Wolcott, Woodbury.

e. Estimated starting date for the project: Not applicable.

SECTION IV. PROPOSAL DESCRIPTION

Please provide a description of the proposed project, highlighting each of its important aspects, on at least one, but not more than two separate 8.5" X 11" sheets of paper. At a minimum each of the following elements need to be addressed, if applicable:

1. If applicable, identify the types of services currently provided and provide a copy of each Department of Public Health license held by the Petitioner.

2. Identify the types of services that are being proposed and what DPH licensure categories will be sought, if applicable.
3. Identify the current population served and the target population to be served.

PROPOSAL DESCRIPTION:

The Waterbury Hospital ("Hospital") is a tax exempt Connecticut nonstock corporation and operates a 6 bed sleep lab, the Regional Sleep Laboratory, at 1625 Straits Turnpike in Middlebury, Connecticut ("Middlebury Sleep Lab"). Middlebury Sleep Lab experienced significant growth between 2005 and 2008 with demand beginning to out-pace capacity. On February 19, 2009, the State of Connecticut Office of Health Care Access ("OHCA") granted a Certificate of Need under Docket Number: 08-31211-CON ("CON") to the Hospital to establish and operate a second sleep laboratory at the Crowne Plaza Hotel, 1284 Strongtown Road, Southbury, Connecticut ("Southbury Sleep Lab") to be operated under the Hospital's acute care hospital license. Southbury Sleep Lab opened in April 2009 and completed its first patient study on April 29, 2009.

Because of increased competition from other hospital providers as well as the advent of home-based sleep testing, the expected volume never materialized. The following table summarizes the projected as well as actual total sleep study volume for the Hospital's sleep lab service.

FY 2010		FY 2011	
Projected*	Actual	Projected*	Actual
1805	1395	2022	1192

*DN: 08-31211-CON

Based on declining volume and the cost in-effectiveness of maintaining two sleep lab locations, the Hospital consolidated sleep lab services to Middlebury Sleep Lab effective August 31, 2011. As indicated by the table below, Middlebury Sleep Lab is able to accommodate all referred volume. Indeed, Middlebury Sleep Lab has capacity to accommodate anticipated future growth.

FY 2012	FY 2013	FY 2014*
1115	995	231

*3 months actual

Middlebury Sleep Lab serves the Hospital's service area which consists of the following towns: Beacon Falls, Bethlehem, Cheshire, Middlebury, Morris, Naugatuck, Oakville, Oxford, Plantsville, Plymouth, Prospect, Seymour, Southbury, Southington, Terryville, Thomaston, Torrington, Waterbury, Watertown, Wolcott and Woodbury. No new services are proposed.

SECTION V. AFFIDAVIT

(Each Petitioner must submit a completed Affidavit.)

Petitioner: **The Waterbury Hospital**

Project Title:

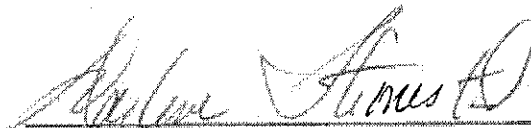
Consolidation of Sleep Lab Services to the Regional Sleep Laboratory in Middlebury, Connecticut

I, Darlene Stromstad, FACHE,
(Name)

President/CEO
(Position – CEO or CFO)

of The Waterbury Hospital, being duly sworn, depose and state that the
(Organization Name)

information provided in this CON Determination form is true and accurate to the best of my knowledge.

 2/7/14
Signature Date

Subscribed and sworn to before me on February 7, 2014


Notary Public/Commissioner of Superior Court

My commission expires: August 31, 2014



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

February 19, 2014

VIA FACSIMILE ONLY

Darlene Stromstad
President/CEO
The Waterbury Hospital
64 Robbins Street
Waterbury, CT 06708

RE: Certificate of Need Determination Report Number 14-31897-DTR
Termination of Sleep Laboratory Services

Dear Ms. Stromstad:

On February 7, 2014, the Office of Health Care Access ("OHCA") received your Certificate of Need ("CON") Determination Form on behalf of The Waterbury Hospital ("Petitioner") with respect to the Petitioner's consolidation of its sleep laboratory services.

The Petitioner is a hospital that operates a 6 bed sleep laboratory at 1625 Straits Turnpike, Middlebury, Connecticut ("Middlebury Sleep Lab"). The Petitioner also operates a second sleep laboratory at 1284 Strongtown Road, Southbury, Connecticut (Southbury Sleep Lab"). The Petitioner asserts that declining volume and the cost in-effectiveness of maintaining two sleep labs lead to the decision to consolidate the Southbury Sleep Lab into the Middlebury Sleep Lab effective August 31, 2011.

Connecticut General Statutes § 19a-638(a)(4) requires CON authorization for the "termination of inpatient or outpatient services offered by a hospital..." The Petitioner's consolidation of the Southbury Sleep Lab into the Middlebury Sleep Lab constitutes a termination of services at the Southbury Sleep Lab. Therefore, a CON *was required* for the Petitioner's actions.

Sincerely,

Kimberly R. Martone
Director of Operations

C: Rose McLellan, License and Applications Supervisor, DPH, DHSR
Kristin Connors, Esq.

An Equal Opportunity Provider

(If you require aid/accommodation to participate fully and fairly, contact us either by phone, fax or email)
410 Capitol Ave., MS#13HCA, P.O.Box 340308, Hartford, CT 06134-0308
Telephone: (860) 418-7001 Fax: (860) 418-7053 Email: OHCA@ct.gov

* * * COMMUNICATION RESULT REPORT (FEB. 19. 2014 9:44AM) * * *

FAX HEADER:

TRANSMITTED/STORED : FEB. 19. 2014 9:43AM
FILE MODE OPTION

ADDRESS

RESULT

PAGE

087 MEMORY TX

912035752600

OK

2/2

REASON FOR ERROR
E-1) HANG UP OR LINE FAIL
E-3) NO ANSWER

E-2) BUSY
E-4) NO FACSIMILE CONNECTION



STATE OF CONNECTICUT
DEPARTMENT OF PUBLIC HEALTH
OFFICE OF HEALTH CARE ACCESS

FAX SHEET

TO: KRISTIN CONNORS
FAX: 203 575-2600
AGENCY: _____
FROM: OHCA
DATE: 2/19/14 Time: _____
NUMBER OF PAGES: 2
(including transmittal sheet)

Comments:
Determination for Report Number: 14-31897-DTR is attached.

PLEASE PHONE Barbara K. Olejars IF THERE ARE ANY TRANSMISSION PROBLEMS.

Phone: (860) 418-7001 Fax: (860) 418-7053
410 Capitol Ave., MS#13HCA
P.O.Box 340308
Hartford, CT 06134

* * * COMMUNICATION RESULT REPORT (FEB. 19. 2014 9:43AM) * * *

FAX HEADER:

TRANSMITTED/STORED : FILE MODE	FEB. 19. 2014 9:42AM OPTION	ADDRESS	RESULT	PAGE
086	MEMORY TX	912035736161	OK	2/2

REASON FOR ERROR
 E-1) HANG UP OR LINE FAIL
 E-3) NO ANSWER

E-2) BUSY
 E-4) NO FACSIMILE CONNECTION



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

FAX SHEET

TO: DARLENE STROMSTAD

FAX: 203 573-6161

AGENCY: WATERBURY HOSPITAL

FROM: OHCA

DATE: 2/19/14 **Time:** _____

NUMBER OF PAGES: 2
(including transmittal sheet)

Comments: Determination for Report Number: 14-31897-DTR is attached.

PLEASE PHONE Barbara K. Olejarz IF THERE ARE ANY TRANSMISSION PROBLEMS.

Phone: (860) 418-7001

Fax: (860) 418-7053

**410 Capitol Ave., MS#13HCA
 P.O.Box 340308
 Hartford, CT 06134**