



# STATE OF CONNECTICUT

DEPARTMENT OF PUBLIC HEALTH

*Office of Health Care Access*

December 3, 2014

VIA FACSIMILE ONLY

Dr. Paula A. Moynahan  
Moynahan Medical Center  
687 Straits Turnpike  
Suite 1A  
Middlebury, CT 06702

RE: Certificate of Need Determination Report Number 14-31920-DTR  
Relocation and Sale of Interest in Moynahan Medical Center

Dear Dr. Moynahan:

On June 19, 2014, the Office of Health Care Access ("OHCA") issued a Certificate of Need ("CON") Determination Report bearing Docket No. 14-31920-DTR with respect to the relocation and sale of certain ownership interests in Moynahan Medical Center. The Determination Report was issued based upon certain representations made in your Determination Request dated June 10, 2014. On November 18, 2014, Saint Mary's Hospital brought to OHCA's attention that some of those representations may have been false and/or misinterpreted.<sup>1</sup>

Specifically, your Determination Request stated that Moynahan Medical Center is an outpatient surgical facility located at 141 East Main Street, Waterbury, Connecticut. First and foremost, Moynahan Medical Center has not yet been licensed as an outpatient surgical facility by the Connecticut Department of Public Health. Therefore, any operation as such may be in violation of licensing laws and regulations. Moreover, if it is your intention to establish a new outpatient surgical facility, such action requires CON authorization pursuant to Connecticut General Statutes § 19a-638(5). Any operation of an outpatient surgical facility without CON authorization is subject to penalties, including but not limited to those under Connecticut General Statutes § 19a-653.

Additionally, OHCA has been advised by Saint Mary's Hospital that Moynahan Medical Center is not currently located at 141 East Main Street, Waterbury, Connecticut, and has not been for several years. Rather, it has been suggested that the actual location is 687 Straits Turnpike, Suite 1A, Middlebury, Connecticut. Therefore, OHCA's previous determination regarding the relocation was based upon inaccurate information. Consequently, the Determination Report issued under Docket No. 14-31920-DTR is hereby rendered null and void. If you wish to seek

<sup>1</sup> A copy of Saint Mary's Hospital's letter dated November 18, 2014 was emailed to you on November 21, 2014.

*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

CON authorization for the establishment of an outpatient surgical facility you may do so using the application form on OHCA's website.

Sincerely,

A handwritten signature in black ink, appearing to read "Kim Martone", with a stylized flourish at the end.

Kimberly R. Martone  
Director of Operations

C: Rose McLellan, License and Applications Supervisor, DPH, DHSR.  
Thomas J. Regan, Esq.

\* \* \* COMMUNICATION RESULT REPORT ( DEC. 3. 2014 1:01PM ) \* \* \*

FAX HEADER:

TRANSMITTED/STORED : FILE MODE	DEC. 3. 2014 1:00PM OPTION	ADDRESS	RESULT	PAGE
780	MEMORY TX	912035980064	OK	3/3

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: DR. PAULA A. MOYNAHAN

FAX: 203 598-0064

AGENCY: MOYNAHAN MEDICAL CENTER

FROM: OHCA

DATE: 12/3/14 Time: \_\_\_\_\_

NUMBER OF PAGES: 3  
(including transmittal sheet)

**Comments:**

Determination for Report Number 14-31920-DTR.

**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

\* \* \* COMMUNICATION RESULT REPORT ( DEC. 3. 2014 1:22PM ) \* \* \*

FAX HEADER:

TRANSMITTED/STORED : FILE MODE	DEC. 3. 2014 1:21PM OPTION	ADDRESS	RESULT	PAGE
783	MEMORY TX	98605096501	OK	3/3

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: THOMAS J. REGAN, ESQ.

FAX: 860 509-6522 6501

AGENCY: BROWN RUDNICK, LLP

FROM: OHCA

DATE: 12/3/14 Time: \_\_\_\_\_

NUMBER OF PAGES: 3  
*(including transmittal sheet)*

**Comments:**

Determination for Report Number 14-31920-DTR.

**PLEASE PHONE Barbara K. Olejarsz 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