



**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 Danbury Hospital
Doing Business As	Ridgefield Surgery Center
Name of Parent Corporation	Western Connecticut Health Network
Petitioner's Mailing Address, if Post Office (PO) Box, include a street mailing address for Certified Mail	24 Hospital Avenue, Danbury, CT 06810
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.	Sally F. Herlihy, VP, Planning

Contact Person's Mailing Address, if PO Box, include a street mailing address for Certified Mail	24 Hospital Avenue, Danbury, CT 06810
Contact Person's Telephone Number	203-739-4903
Contact Person's Fax Number	203-739-1974
Contact Person's e-mail Address	Sally.Herlihy@wchn.org

SECTION II. GENERAL PROPOSAL INFORMATION

- a. Proposal/Project Title: Ridgefield Surgery Center Joint Venture
- b. Estimated Total Project Cost: \$500,000
- c. Location of proposal, identifying Street Address, Town and Zip Code: 901 Ethan Allen Highway, Ridgefield, CT
 - List each town this project is intended to serve: Under both ownership models, the Ridgefield Surgical Center has served patients from Bethel, Brookfield, Danbury, Newtown, Redding, Ridgefield, Wilton and adjacent communities, including New York towns.
- d. Estimated starting date for the project: January 1, 2017

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.

Background

The Danbury Hospital (DH) is a short-term acute care hospital located at 24 Hospital Avenue in Danbury, CT.

- In September, 2005 DH received approval from the Office of Health Care Access (OHCA) to establish and operate the Ridgefield Surgical Center, LLC (Center); an ambulatory surgery center located at 901 Ethan Allen Highway in Ridgefield, CT (Exhibit A – Docket Number 04-30383-CON).
- In November, 2010 DH received approval from OHCA to acquire the 33.2% membership interests from the Ridgefield Surgery Center, LLC and become the sole owner of the freestanding ambulatory surgical facility operated as a hospital department (Exhibit B - Docket Number 10-31668-DTR). The outpatient surgical facility license was relinquished and the Center's operating rooms became part of DH's license (Exhibit C - DH license).

Proposal

DH proposes to enter into a joint venture with a management company and sell 49% or less of its membership interests to the management company and interested physicians to re-establish the Center as a free-standing ambulatory surgery center.

Under Connecticut General Statute 19a-638(a)(2), a Certificate of Need is required prior to a "transfer of ownership of a health care facility." As an outpatient surgical facility, the Center qualifies as a "health care facility." The term "transfer of ownership" is defined as "a transfer that impacts or changes the governance or controlling body of a health care facility or institution, including, but not limited to, all affiliations, mergers or any sale or transfer of net assets of a health care facility or institution."¹

After the proposed sale of 49% or less of the membership interests, DH will continue to maintain a majority ownership interest, and the governance or controlling body of the Center will not change. There will be no effective change of control or ownership as a result of the purchase by the management company and interested physicians. DH will continue to hold a majority of the ownership and voting control of the Center.

This approach parallels the path taken by Norwalk Hospital (NH), DH's affiliate in the Western Connecticut Health Network (WCHN) as follows:

- In December, 2005, with Docket Number 05-30439-CON, NH received approval to acquire the HEALTHSOUTH Surgery Center of Norwalk L.P., located at 40 Cross Street, Norwalk, CT and to operate it as an off-site ambulatory surgery outpatient department wholly-owned by NH.

¹ Conn. Gen. Stat. §19a-630(14), effective October 1, 2010.
Form 2020
Revised 08/11

- In September, 2010, NH received approval to sell ownership of its Norwalk Hospital Ambulatory Surgery Center to a joint venture, the Norwalk Surgery Center, LLC, in which NH would retain a majority ownership interest. As NH maintained a majority ownership interest and the governance or controlling body of the health care facility did not change, no CON approval was required (Exhibit D –Docket Number 10-31663-DTR).

The proposed transaction will not impact the services being provided at the Center or the population of patients served by the Center. No change in the payors for the services performed at the Center is anticipated. No additional operating rooms and no new services would be added. This change will be cost-effective for individuals seeking outpatient surgical care, as the billing will be adjusted from a Hospital Outpatient Department model to a freestanding outpatient provider model, providing a lower cost choice for the local community.

For the foregoing reasons, DH respectfully requests a determination that the transactions described above will not constitute a transfer of ownership or control of a health care facility as defined in Connecticut General Statute 19a-638(a)(2) and will not require a certificate of need.

SECTION V. AFFIDAVIT

(Each Petitioner must submit a completed Affidavit.)

Petitioner: The Danbury Hospital

Project Title: Ridgefield Surgery Center Joint Venture

I, John M. Murphy, MD, President & CEO of Western Connecticut Health Network being duly sworn, depose and state that the information provided in this CON Determination form is true and accurate to the best of my knowledge.

Signature John M. Murphy Date 7/20/16

Subscribed and sworn to before me on July 20th, 2016

Kelly Ann Carcaldi
Notary Public/Commissioner of Superior Court

My commission expires: KELLY ANN CARCALDI
NOTARY PUBLIC
MY COMMISSION EXPIRES SEP. 30, 2020

Exhibit A



**Office of Health Care Access
Certificate of Need**

Final Decision

Applicant: Ridgefield Surgical Center, LLC
Docket Number: 04-30383-CON
Project Title: Establishment of an Ambulatory Surgical Center
Statutory Reference: Sections 19a-638 and 19a-639, Connecticut General Statutes
Hearing Date: August 11, 2005
Presiding Officer: Commissioner Cristine A. Vogel
Filing Date: June 29, 2005
Decision Date: September 27, 2005
Default Date: September 27, 2005
Staff: Laurie Grecl

Project Description: Ridgefield Surgical Center, LLC ("Applicant") proposes to establish and operate an ambulatory surgery center to be located at 901 Ethan Allen Highway, Ridgefield, Connecticut, at an associated capital expenditure of \$7,227,182.

Nature of Proceeding: On June 29, 2005, the Office of Health Care Access ("OHCA") received the Certificate of Need ("CON") application of Ridgefield Surgical Center, LLC ("Applicant") to establish and operate an ambulatory surgery center to be located at 901 Ethan Allen Highway, Ridgefield, Connecticut, at an associated capital expenditure of \$7,227,182.

Order

Ridgefield Surgical Center, LLC ("Applicant") is hereby authorized to establish and operate an ambulatory surgery center to be located at 901 Ethan Allen Highway in Ridgefield, Connecticut, at a total capital cost of \$7,227,182. The authorization is subject to the following conditions:

1. The Applicant's ambulatory surgery center, to be located at 901 Ethan Allen Highway, Ridgefield, will consist of three (3) operating rooms, and one (1) endoscopy room, and one shelled operating room.
2. The procedures that may be performed at the Applicant's ambulatory surgery center in Ridgefield are limited to those within the following specialties: ear, nose, and throat surgery; plastic surgery; general surgery, including pediatric surgery; orthopedic surgery; urology; and gastroenterology procedures. Should the Applicant wish to perform surgical procedures within other specialties, Certification of Need authorization is required.
3. The Applicant shall request approval from OHCA through the Certificate of Need process authorization to equip the shelled operating room.
4. The Applicant will provide OHCA with utilization reports on a quarterly basis. The data elements and the format and submission requirements are described in Attachment 1.
5. The Applicant shall not exceed the approved total capital cost of \$7,227,182. In the event that the Applicant learns of potential cost increases or expect that the final project costs will exceed those approved, the Applicant shall file with OHCA a request for approval of the revised CON project budget.
6. This authorization shall expire on September 27, 2007, unless the Applicant presents evidence to OHCA that Ridgefield Surgical Center, LLC has received its license from the Department of Public Health.

All of the foregoing constitutes the final order of the Office of Health Care Access in this matter.

By Order of the
Office of Health Care Access

September 27, 2005

Signed by Cristine A. Vogel
Commissioner

Exhibit B



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

November 15, 2010

Michael J. Daglio
Senior Vice President, Operations
Ridgefield Surgical Center, LLC
901 Ethan Allen Highway
Suite 105
Ridgefield, CT 06877

Re: Certificate of Need Determination Request; Report Number: 10-31668-DTR
Acquisition of Interests in Ridgefield Surgical Center by Danbury Hospital

Dear Mr. Daglio:

On October 13, 2010, the Office of Health Care Access ("OHCA") received your Certificate of Need ("CON") Determination request regarding the planned acquisition of interests in Ridgefield Surgical Center, LLC by Danbury Hospital. The following information was provided to OHCA regarding this proposal:

1. Ridgefield Surgical Center, LLC (the "Petitioner") is a for-profit limited liability company, located at 901 Ethan Allen Highway, Suite 105, Ridgefield, CT.
2. At this location, the Petitioner operates a freestanding ambulatory surgery center.
3. The Petitioner is a limited liability company with two classes of members (collectively, the "Members").
4. The Class A Members are physicians, most of whom are members of the Danbury Hospital Medical Staff practicing in the greater Danbury area. The Class B Member is Western Connecticut Healthcare, Inc. formerly known as Danbury Health Systems, Inc. ("DHS"), a parent corporation of The Danbury Hospital.
5. The Class A Members currently own 33.2% of the membership interests in the Petitioner a DHS, as the Class B Member, currently owns 66.8% of the membership interests in the Petitioner.

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410 Capitol Ave., MS#13HCA, P.O. Box 340308, Hartford, CT 06134-0308
Telephone: (860) 418-7001 Toll-Free: 1-800-797-9688
Fax: (860) 418-7033

Ridgefield Surgical Center, LLC
CON Determination Report No. 10-31668-DTR

Page 2 c

6. DHS proposes to acquire all of the membership interests of the Petitioner currently held by the Class A Members, at an aggregate cost of \$1,375,000 or \$25,000 per membership unit.
7. Once DHS owns 100% of the membership interests of the Petitioner, DHS proposes to transfer its ownership interest in the Petitioner to its subsidiary, Danbury Hospital. The Center will then be wholly owned by Danbury Hospital and the Petitioner will be dissolved. The Center's outpatient surgical facility license will be relinquished and the Center's operating rooms will become part of Danbury Hospital's license.
8. Since DHS currently owns 66.8% (a controlling interest) of the membership units of the Petitioner, the purchase of the remaining 33.2% of the membership units of the Petitioner will not impact or change the governance or controlling body of the Petitioner.

Based on the above findings, OHCA has determined that the proposal of Danbury Hospital to acquire the remaining interests in Ridgefield Surgical Center, LLC will not result in the transfer of ownership as defined in Public Act 10-179 § 83(14). Therefore, the proposal of Danbury Hospital to acquire the remaining interests in Ridgefield Surgical Center, LLC does not require Certificate of Need approval from OHCA.

Thank you for advising OHCA of your plans. If you have any questions concerning this letter, please contact Melanie Dillon at (860) 418-7060.

Sincerely,



Norma D. Gyle, R.N., Ph.D.
OHCA Deputy Commissioner

NDG:MD:pf

C: Rose McLellan, License & Applications Supervisor, FLIS, DPH

Exhibit C

STATE OF CONNECTICUT

Department of Public Health

LICENSE

License No. 0039

General Hospital

In accordance with the provisions of the General Statutes of Connecticut Section 19a-493:

The Danbury Hospital of Danbury, CT d/b/a The Danbury Hospital is hereby licensed to maintain and operate a General Hospital.

The Danbury Hospital is located at 24 Hospital Avenue, Danbury, CT 06810.

The maximum number of beds shall not exceed at any time:

26 Bassinets
430 General Hospital Beds

This license expires September 30, 2015 and may be revoked for cause at any time.

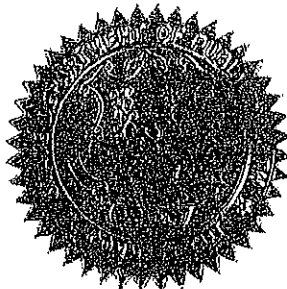
Dated at Hartford, Connecticut, October 1, 2013.

Satellites:

*New Milford Hospital Campus, 21 Elm Street, New Milford, CT
*New Milford Hospital Behavioral Health Services, 23 Poplar Street, New Milford, CT
Center for Child and Adolescent Treatment Services, 152 West Street, Danbury, CT
Community Center for Behavioral Health (ADH-PHP), 152 West Street, Danbury, CT
The Pediatric Health Center, 70 Main Street, Danbury, CT
Seifert & Ford Community Health Center, 70 Main Street, Danbury, CT
Ridgefield Surgical Center, 901 Ethan Allen Highway, Ridgefield, CT

License revised to reflect:

*Added (2) satellites and increase of 85 General Beds because The Danbury Hospital merged and took over New Milford Hospital effective 10/1/14.



A handwritten signature in cursive script that reads "Jewel Mullen".

Jewel Mullen, MD, MPH, MPA
Commissioner

Exhibit D

08/08/2010 10:13 FAX

002/003



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

September 8, 2010

VIA FAX ONLY

Daniel J. DeBarba, Jr.
President and Chief Executive Officer
Norwalk Hospital
34 Maple Street
Norwalk, CT 06856

Re: Certificate of Need Determination Report Number IO-31663-DTR
Norwalk Hospital
Transfer of Ownership of Norwalk Hospital Ambulatory Surgery Center

Dear Mr. DeBarba:

On August 12, 2010, the Office of Health Care Access ("OHCA") received your Certificate of Need ("CON") Determination request concerning the proposal of Norwalk Hospital ("NH") to transfer ownership of the Norwalk Hospital Ambulatory Surgery Center. NH provided the following information with respect to this proposal:

1. NH is a short term acute care general hospital located at 34 Maple Street, Norwalk.
2. In December 2005, NH obtained CON approval to acquire 100% ownership of the HEALTHSHOUTH Ambulatory Surgery Center of Norwalk, under Docket No. 05-30439. The center, now known as the Norwalk Hospital Ambulatory Surgery Center ("NH-ASC"), is located at 40 Case Street, Norwalk.
3. NH is proposing to sell the NH-ASC to a joint venture, the Norwalk Surgery Center, LLC ("NSC").
4. NH will have 70% ownership of NSC, and a management company, HI Investments Holding Company, LLC, will have the remaining 30% ownership interest.
5. No additional operating rooms and no new services are proposed as part of the restructuring.
6. NH contends that the total capital expenditure associated with this proposal is greater than 3 million dollars.

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Fax: (860) 418-7053

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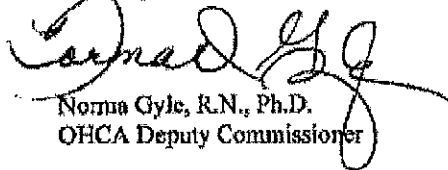
Norwalk Hospital
Report Number 10-31663-DTR

Page 2 of 2

Based upon the foregoing, OHCA has determined that NH's proposal to transfer ownership of the Norwalk Hospital Ambulatory Surgery Center will not require CON approval under C.G.S. § 19a-638, as modified by Public Act 10-179, as of October 1, 2010. After the proposed sale of ownership, NH will continue to maintain a majority ownership interest and the governance or controlling body of a health care facility will not change pursuant to 19a-630 (14), as modified by Public Act 10-179. Further, after October 1, 2010, there is no CON requirement for projects with capital expenditures in excess of 3 million dollars.

Thank you for providing information to OHCA regarding this proposal. If you have any questions regarding this letter, please contact Alexis Fedorjaczenko, Health Care Analyst, at (860) 418-7017.

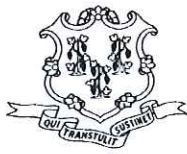
Sincerely,



Norma Gyle, R.N., Ph.D.
OHCA Deputy Commissioner

cc: Rosa McLellan, DPH

NG:sgf



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

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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 Danbury Hospital
Doing Business As	Ridgefield Surgery Center
Name of Parent Corporation	Western Connecticut Health Network
Petitioner's Mailing Address, if Post Office (PO) Box, include a street mailing address for Certified Mail	24 Hospital Avenue, Danbury, CT 06810
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.	Sally F. Herlihy, VP, Planning

Contact Person's Mailing Address, if PO Box, include a street mailing address for Certified Mail	24 Hospital Avenue, Danbury, CT 06810
Contact Person's Telephone Number	203-739-4903
Contact Person's Fax Number	203-739-1974
Contact Person's e-mail Address	Sally.Herlihy@wchn.org

SECTION II. GENERAL PROPOSAL INFORMATION

- a. Proposal/Project Title: Ridgefield Surgery Center Joint Venture
- b. Estimated Total Project Cost: \$500,000
- c. Location of proposal, identifying Street Address, Town and Zip Code: 901 Ethan Allen Highway, Ridgefield, CT
 - List each town this project is intended to serve: Under both ownership models, the Ridgefield Surgical Center has served patients from Bethel, Brookfield, Danbury, Newtown, Redding, Ridgefield, Wilton and adjacent communities, including New York towns.
- d. Estimated starting date for the project: January 1, 2017

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.

Background

The Danbury Hospital (DH) is a short-term acute care hospital located at 24 Hospital Avenue in Danbury, CT.

- In September, 2005 DH received approval from the Office of Health Care Access (OHCA) to establish and operate the Ridgefield Surgical Center, LLC (Center); an ambulatory surgery center located at 901 Ethan Allen Highway in Ridgefield, CT (Exhibit A – Docket Number 04-30383-CON).
- In November, 2010 DH received approval from OHCA to acquire the 33.2% membership interests from the Ridgefield Surgery Center, LLC and become the sole owner of the freestanding ambulatory surgical facility operated as a hospital department (Exhibit B - Docket Number 10-31668-DTR). The outpatient surgical facility license was relinquished and the Center's operating rooms became part of DH's license (Exhibit C - DH license).

Proposal

DH proposes to enter into a joint venture with a management company and sell 49% or less of its membership interests to the management company and interested physicians to re-establish the Center as a free-standing ambulatory surgery center.

Under Connecticut General Statute 19a-638(a)(2), a Certificate of Need is required prior to a "transfer of ownership of a health care facility." As an outpatient surgical facility, the Center qualifies as a "health care facility." The term "transfer of ownership" is defined as "a transfer that impacts or changes the governance or controlling body of a health care facility or institution, including, but not limited to, all affiliations, mergers or any sale or transfer of net assets of a health care facility or institution."¹

After the proposed sale of 49% or less of the membership interests, DH will continue to maintain a majority ownership interest, and the governance or controlling body of the Center will not change. There will be no effective change of control or ownership as a result of the purchase by the management company and interested physicians. DH will continue to hold a majority of the ownership and voting control of the Center.

This approach parallels the path taken by Norwalk Hospital (NH), DH's affiliate in the Western Connecticut Health Network (WCHN) as follows:

- In December, 2005, with Docket Number 05-30439-CON, NH received approval to acquire the HEALTHSOUTH Surgery Center of Norwalk L.P., located at 40 Cross Street, Norwalk, CT and to operate it as an off-site ambulatory surgery outpatient department wholly-owned by NH.

¹ Conn. Gen. Stat. §19a-630(14), effective October 1, 2010.
Form 2020
Revised 08/11

- In September, 2010, NH received approval to sell ownership of its Norwalk Hospital Ambulatory Surgery Center to a joint venture, the Norwalk Surgery Center, LLC, in which NH would retain a majority ownership interest. As NH maintained a majority ownership interest and the governance or controlling body of the health care facility did not change, no CON approval was required (Exhibit D –Docket Number 10-31663-DTR).

The proposed transaction will not impact the services being provided at the Center or the population of patients served by the Center. No change in the payors for the services performed at the Center is anticipated. No additional operating rooms and no new services would be added. This change will be cost-effective for individuals seeking outpatient surgical care, as the billing will be adjusted from a Hospital Outpatient Department model to a freestanding outpatient provider model, providing a lower cost choice for the local community.

For the foregoing reasons, DH respectfully requests a determination that the transactions described above will not constitute a transfer of ownership or control of a health care facility as defined in Connecticut General Statute 19a-638(a)(2) and will not require a certificate of need.

SECTION V. AFFIDAVIT

(Each Petitioner must submit a completed Affidavit.)

Petitioner: The Danbury Hospital

Project Title: Ridgefield Surgery Center Joint Venture

I, John M. Murphy, MD, President & CEO of Western Connecticut Health Network being duly sworn, depose and state that the information provided in this CON Determination form is true and accurate to the best of my knowledge.

Signature John M. Murphy Date 7/20/16

Subscribed and sworn to before me on July 20th, 2016

Kelly Ann Carcaldi
Notary Public/Commissioner of Superior Court

KELLY ANN CARCALDI
NOTARY PUBLIC
MY COMMISSION EXPIRES SEP. 30, 2020

My commission expires: _____

Exhibit A



**Office of Health Care Access
Certificate of Need**

Final Decision

Applicant: Ridgefield Surgical Center, LLC

Docket Number: 04-30383-CON

Project Title: Establishment of an Ambulatory Surgical Center

Statutory Reference: Sections 19a-638 and 19a-639, Connecticut General Statutes

Hearing Date: August 11, 2005

Presiding Officer: Commissioner Cristine A. Vogel

Filing Date: June 29, 2005

Decision Date: September 27, 2005

Default Date: September 27, 2005

Staff: Laurie Greci

Project Description: Ridgefield Surgical Center, LLC ("Applicant") proposes to establish and operate an ambulatory surgery center to be located at 901 Ethan Allen Highway, Ridgefield, Connecticut, at an associated capital expenditure of \$7,227,182.

Nature of Proceeding: On June 29, 2005, the Office of Health Care Access ("OHCA") received the Certificate of Need ("CON") application of Ridgefield Surgical Center, LLC ("Applicant") to establish and operate an ambulatory surgery center to be located at 901 Ethan Allen Highway, Ridgefield, Connecticut, at an associated capital expenditure of \$7,227,182.

Order

Ridgefield Surgical Center, LLC ("Applicant") is hereby authorized to establish and operate an ambulatory surgery center to be located at 901 Ethan Allen Highway in Ridgefield, Connecticut, at a total capital cost of \$7,227,182. The authorization is subject to the following conditions:

1. The Applicant's ambulatory surgery center, to be located at 901 Ethan Allen Highway, Ridgefield, will consist of three (3) operating rooms, and one (1) endoscopy room, and one shelled operating room.
2. The procedures that may be performed at the Applicant's ambulatory surgery center in Ridgefield are limited to those within the following specialties: ear, nose, and throat surgery; plastic surgery; general surgery, including pediatric surgery; orthopedic surgery; urology; and gastroenterology procedures. Should the Applicant wish to perform surgical procedures within other specialties, Certification of Need authorization is required.
3. The Applicant shall request approval from OHCA through the Certificate of Need process authorization to equip the shelled operating room.
4. The Applicant will provide OHCA with utilization reports on a quarterly basis. The data elements and the format and submission requirements are described in Attachment I.
5. The Applicant shall not exceed the approved total capital cost of \$7,227,182. In the event that the Applicant learns of potential cost increases or expect that the final project costs will exceed those approved, the Applicant shall file with OHCA a request for approval of the revised CON project budget.
6. This authorization shall expire on September 27, 2007, unless the Applicant presents evidence to OHCA that Ridgefield Surgical Center, LLC has received its license from the Department of Public Health.

All of the foregoing constitutes the final order of the Office of Health Care Access in this matter.

By Order of the
Office of Health Care Access

September 27, 2005

Signed by Cristine A. Vogel
Commissioner

Exhibit B



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

NOVEMBER 15, 2010

Michael J. Daglio
Senior Vice President, Operations
Ridgefield Surgical Center, LLC
901 Ethan Allen Highway
Suite 105
Ridgefield, CT 06877

Re: Certificate of Need Determination Request; Report Number: 10-31668-DTR
Acquisition of Interests in Ridgefield Surgical Center by Danbury Hospital

Dear Mr. Daglio:

On October 13, 2010, the Office of Health Care Access ("OHCA") received your Certificate of Need ("CON") Determination request regarding the planned acquisition of interests in Ridgefield Surgical Center, LLC by Danbury Hospital. The following information was provided to OHCA regarding this proposal:

1. Ridgefield Surgical Center, LLC (the "Petitioner") is a for-profit limited liability company, located at 901 Ethan Allen Highway, Suite 105, Ridgefield, CT.
2. At this location, the Petitioner operates a freestanding ambulatory surgery center.
3. The Petitioner is a limited liability company with two classes of members (collectively, the "Members").
4. The Class A Members are physicians, most of whom are members of the Danbury Hospital Medical Staff practicing in the greater Danbury area. The Class B Member is Western Connecticut Healthcare, Inc. formerly known as Danbury Health Systems, Inc. ("DHS"), the parent corporation of The Danbury Hospital.
5. The Class A Members currently own 33.2% of the membership interests in the Petitioner and DHS, as the Class B Member, currently owns 66.8% of the membership interests in the Petitioner.

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Fax: (860) 418-7053

Ridgefield Surgical Center, LLC
CON Determination Report No. 10-31668-DTR

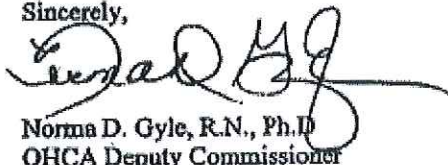
Page 2 c

6. DHS proposes to acquire all of the membership interests of the Petitioner currently held by the Class A Members, at an aggregate cost of \$1,375,000 or \$25,000 per membership unit.
7. Once DHS owns 100% of the membership interests of the Petitioner, DHS proposes to transfer its ownership interest in the Petitioner to its subsidiary, Danbury Hospital. The Center will then be wholly owned by Danbury Hospital and the Petitioner will be dissolved. The Center's outpatient surgical facility license will be relinquished and the Center's operating rooms will become part of Danbury Hospital's license.
8. Since DHS currently owns 66.8% (a controlling interest) of the membership units of the Petitioner, the purchase of the remaining 33.2% of the membership units of the Petitioner will not impact or change the governance or controlling body of the Petitioner.

Based on the above findings, OHCA has determined that the proposal of Danbury Hospital to acquire the remaining interests in Ridgefield Surgical Center, LLC will not result in the transfer of ownership as defined in Public Act 10-179 § 83(14). Therefore, the proposal of Danbury Hospital to acquire the remaining interests in Ridgefield Surgical Center, LLC does not require Certificate of Need approval from OHCA.

Thank you for advising OHCA of your plans. If you have any questions concerning this letter, please contact Melanie Dillon at (860) 418-7060.

Sincerely,



Norma D. Gyle, R.N., Ph.D.
OHCA Deputy Commissioner

NDG:MD:pf

C: Rose McLellan, License & Applications Supervisor, FLIS, DPH

Exhibit C

STATE OF CONNECTICUT

Department of Public Health

LICENSE

License No. 0039

General Hospital

In accordance with the provisions of the General Statutes of Connecticut Section 19a-493:

The Danbury Hospital of Danbury, CT d/b/a The Danbury Hospital is hereby licensed to maintain and operate a General Hospital.

The Danbury Hospital is located at 24 Hospital Avenue, Danbury, CT 06810.

The maximum number of beds shall not exceed at any time:

- 26 Bassinets
- 430 General Hospital Beds

This license expires **September 30, 2015** and may be revoked for cause at any time.

Dated at Hartford, Connecticut, October 1, 2013.

Satellites:

- *New Milford Hospital Campus, 21 Elm Street, New Milford, CT
- *New Milford Hospital Behavioral Health Services, 23 Poplar Street, New Milford, CT
- Center for Child and Adolescent Treatment Services, 152 West Street, Danbury, CT
- Community Center for Behavioral Health (ADH-PHP), 152 West Street, Danbury, CT
- The Pediatric Health Center, 70 Main Street, Danbury, CT
- Seifert & Ford Community Health Center, 70 Main Street, Danbury, CT
- Ridgefield Surgical Center, 901 Ethan Allen Highway, Ridgefield, CT

License revised to reflect:

*Added (2) satellites and increase of 85 General Beds because The Danbury Hospital merged and took over New Milford Hospital effective 10/1/14.



A handwritten signature in cursive script that reads "Jewel Mullen" followed by a date "10/1/13".

Jewel Mullen, MD, MPH, MPA
Commissioner

Exhibit D

09/08/2010 10:13 PAA

002/003



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

September 8, 2010

VIA FAX ONLY

Daniel J. DeBarba, Jr.
President and Chief Executive Officer
Norwalk Hospital
34 Maple Street
Norwalk, CT 06856

Re: Certificate of Need Determination Report Number 10-31663-DTR
Norwalk Hospital
Transfer of Ownership of Norwalk Hospital Ambulatory Surgery Center

Dear Mr. DeBarba:

On August 12, 2010, the Office of Health Care Access ("OHCA") received your Certificate of Need ("CON") Determination request concerning the proposal of Norwalk Hospital ("NH") to transfer ownership of the Norwalk Hospital Ambulatory Surgery Center. NH provided the following information with respect to this proposal:

1. NH is a short term acute care general hospital located at 34 Maple Street, Norwalk.
2. In December 2005, NH obtained CON approval to acquire 100% ownership of the HEALTHSHOUTH Ambulatory Surgery Center of Norwalk, under Docket No. 05-30439. The center, now known as the Norwalk Hospital Ambulatory Surgery Center ("NH-ASC"), is located at 40 Case Street, Norwalk.
3. NH is proposing to sell the NH-ASC to a joint venture, the Norwalk Surgery Center, LLC ("NSC").
4. NH will have 70% ownership of NSC, and a management company, HI Investments Holding Company, LLC, will have the remaining 30% ownership interest.
5. No additional operating rooms and no new services are proposed as part of the restructuring.
6. NH contends that the total capital expenditure associated with this proposal is greater than 3 million dollars.

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Fax: (860) 418-7053

10/08/2010 15:14 FAX

003/003

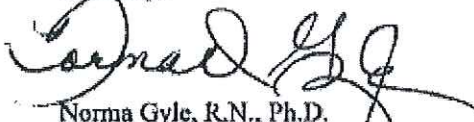
Norwalk Hospital
Report Number 10-31663-DTR

Page 2 of 2

Based upon the foregoing, OHCA has determined that NH's proposal to transfer ownership of the Norwalk Hospital Ambulatory Surgery Center will not require CON approval under C.G.S. § 19a-638, as modified by Public Act 10-179, as of October 1, 2010. After the proposed sale of ownership, NH will continue to maintain a majority ownership interest and the governance or controlling body of a health care facility will not change pursuant to 19a-630 (14), as modified by Public Act 10-179. Further, after October 1, 2010, there is no CON requirement for projects with capital expenditures in excess of 3 million dollars.

Thank you for providing information to OHCA regarding this proposal. If you have any questions regarding this letter, please contact Alexis Fedorjaczenko, Health Care Analyst, at (860) 418-7017.

Sincerely,



Norma Gyle, R.N., Ph.D.
OHCA Deputy Commissioner

cc: Rose McLellan, DPH

NG:agf

Olejarz, Barbara

From: Hansted, Kevin
Sent: Tuesday, August 09, 2016 1:27 PM
To: Olejarz, Barbara
Subject: FW: Determination Request #16-32109-DTR

Please add the below to the record.

Thank you,

Kevin T. Hansted
Staff Attorney
Office of Health Care Access
Connecticut Department of Public Health
410 Capitol Avenue
Hartford, CT 06134
Phone: 860-418-7044
kevin.hansted@ct.gov



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From: Herlihy, Sally [mailto:Sally.Herlihy@wchn.org]
Sent: Monday, August 08, 2016 7:56 AM
To: Hansted, Kevin <Kevin.Hansted@ct.gov>
Cc: Herlihy, Sally <Sally.Herlihy@wchn.org>
Subject: RE: Determination Request #16-32109-DTR

Good morning Attorney Hansted,

Yes, the transaction would result in a technical change to move the Ridgefield Surgery Center (RSC) from the Hospital's license to the name of the LLC. The result would be that the RSC would have a new license as an outpatient surgical facility. However, nothing will have changed at the facility otherwise. The same services will be provided in the same building and Danbury Hospital will still control the RSC. This is the same kind of technical corporate change that was addressed in the two previous determination letters that I provided with the determination request.

Thank you,

Sally F. Herlihy, MBA, FACHE | Vice President, Planning
Western Connecticut Health Network | wchn.org
tel: 203-739-4903 cell: 203-917-1181

Executive Assistant: Michelle Johnson
tel: 203-739-4935

From: Hansted, Kevin [<mailto:Kevin.Hansted@ct.gov>]
Sent: Friday, August 05, 2016 1:10 PM
To: Herlihy, Sally
Subject: Determination Request #16-32109-DTR

Good afternoon Ms. Herlihy,

I am reviewing your determination request regarding the Ridgefield Surgery Center and have a question. Will Ridgefield Surgery Center be seeking a license as a free-standing ambulatory surgery center?

Thank you,

Kevin T. Hansted
Staff Attorney
Office of Health Care Access
Connecticut Department of Public Health
410 Capitol Avenue
Hartford, CT 06134
Phone: 860-418-7044
kevin.hansted@ct.gov



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STATE OF CONNECTICUT

DEPARTMENT OF PUBLIC HEALTH



Raul Pino, M.D., M.P.H.
Commissioner

Dannel P. Malloy
Governor
Nancy Wyman
Lt. Governor

Office of Health Care Access

August 9, 2016

Sally F. Herlihy
Vice President, Planning
The Danbury Hospital
24 Hospital Avenue
Danbury, CT 06810

RE: Certificate of Need Determination Report Number 16-32109-DTR
Establishment of Outpatient Surgical Facility

Dear Ms. Herlihy:

On July 21, 2016, the Office of Health Care Access ("OHCA") received your Certificate of Need ("CON") Determination request on behalf of The Danbury Hospital ("Petitioner") with respect to the Ridgefield Surgical Center, LLC.

The Petitioner is a short-term acute care hospital located in Danbury, Connecticut. In September, 2005 the Petitioner received CON authorization to establish and operate an ambulatory surgery center (the "Center") in Ridgefield, Connecticut (Docket Number 04-30383-CON). In November, 2010 the Petitioner became the sole owner of the Center through an acquisition of certain membership interests. In that same month the petitioner relinquished the Center's outpatient surgical facility license and the operating rooms became part of the Petitioner's hospital license. The Petitioner is now proposing the re-establishment of the Center. The Petitioner will obtain a new ambulatory surgery center license for the Center.

Pursuant to Conn. Gen. Stat. § 19a-638(a)(1), a certificate of need is required for the "establishment of a new health care facility". Conn. Gen. Stat. § 19a-630(11) defines a health care facility as "(D) outpatient surgical facilities, as defined in section 19a-493b and licensed under chapter 368v". Based upon the Petitioner's proposal, a new health care facility will be established. Therefore, a *CON is required* for the Petitioner's proposal.

Sincerely,

Handwritten signature of Kimberly R. Martone in black ink.

Kimberly R. Martone
Director of Operations

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



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Olejarz, Barbara

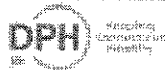
From: Olejarz, Barbara
Sent: Tuesday, August 09, 2016 10:30 AM
To: 'sally.herlihy@wchn.org'
Cc: Martone, Kim
Subject: Determination
Attachments: 32109-1.pdf

Tracking:	Recipient	Delivery
	'sally.herlihy@wchn.org'	
	Martone, Kim	Delivered: 8/9/2016 10:30 AM

8/9/16

Please see attached determination for the establishment of Outpatient Surgical Facility.

Barbara K. Olejarz
Administrative Assistant to Kimberly Martone
Office of Health Care Access
Department of Public Health
Phone: (860) 418-7005
Email: Barbara.Olejarz@ct.gov



Olejarz, Barbara

From: Microsoft Outlook
To: sally.herlihy@wchn.org
Sent: Tuesday, August 09, 2016 10:30 AM
Subject: Relayed: Determination

Delivery to these recipients or groups is complete, but no delivery notification was sent by the destination server:

sally.herlihy@wchn.org (sally.herlihy@wchn.org)

Subject: Determination