

STATE OF CONNECTICUT

IN RE APPLICATION FOR JOINT VENTURE BETWEEN GREATER WATERBURY HEALTH NETWORK, INC. and VANGUARD HEALTH SYSTEMS, INC. : OFFICE OF HEALTH CARE ACCESS DOCKET NO. 13-31838-CON : OFFICE OF THE ATTORNEY GENERAL DOCKET NO. 13-486-01 : OCTOBER 14, 2014

RULING ON MOTION OF APPLICANTS TO: (1) STRIKE PRE-FILED TESTIMONY OF BARABARA SIMONETTA, RN; AND (2) PRECLUDE TESTIMONY OF THE INTERVENORS OUTSIDE THE PARAMETERS OF OAG AND OHCA’S GRANT OF INTERVENOR STATUS TO CONNECTICUT HEALTH CARE ASSOCIATES

By motion dated October 13, 2014, the Greater Waterbury Health Network, Inc. (“GWHN”) and Vanguard Health Systems, Inc. (“Vanguard”) (together, the “Applicants”) move to strike the pre-filed testimony of Barbara Simonetta, RN, and to preclude any irrelevant testimony of the Connecticut Health Care Associates (the “CHCA”) at the hospital conversion hearing being held on October 15, 2014, in connection with the Application for Joint Venture between Greater Waterbury Health Network, Inc., and Vanguard Health Systems, Inc. (the “Application”), OAG Docket No. 13-486-1 and OHCA Docket No. 13-31838-CON. The Applicants have requested oral argument.

The Office of the Attorney General (“OAG”) and the Department of Public Health, Office of Health Care Access (“OHCA”)(together, the “State”) hereby deny the Applicants’ Motion to Strike the pre-filed testimony of Barbara Simonetta, RN. The State interprets the Motion to Preclude as a Motion in Limine and also denies that motion.

The OAG and OHCA conclude that the challenged testimony and subject matter are generally within the scope of both the hearing and the CHCA’s permitted participation therein. To the extent any testimony has relevancy or materiality issues, the hearing officers will weigh and consider those factors in assessing the testimony as part of their decision-making process. At the hearing, the Applicants will be provided an opportunity to argue the relative weight the State should give to the intervenor's testimony and to object to irrelevant questions presented in cross examination. In addition, the Applicants will have the opportunity to cross-examine the CHCA and offer rebuttal evidence on these topics in addition to that set forth in the Applicants’ pre-filed testimony.

Perry Zinn Rowthorn
Deputy Attorney General
Office of the Attorney General

Kevin T. Hansted
Hearing Officer
Office of Health Care Access

10/14/14

Date

10/14/14

Date