



**Office of Health Care Access**  
**Modification of Previously**  
**Authorized Certificate of Need**  
**Final Decision**

**Applicant:** Waterbury Hospital

**Modification Docket Number:** 07-30210-MDF

**Modification Project Title:** A request to modify a previous Certificate of Need authorization to vacate further utilization reporting

**Original Project Docket Number and Title:** Docket Number 04-30210-CON;  
The closure of the Waterbury Hospital Dental Clinic

**Statutory Reference:** Sections 4-181a(b), Connecticut General Statutes

**Decision Date:** March 7, 2007

**Staff:** Karen Roberts

**Project Description:** The Office of Health Care Access is considering a modification of the Certificate of Need (“CON”) authorization under Docket Number 04-30210-CON in order to vacate Condition Number Five of the CON authorization which requires annual reporting of the number of patients receiving anesthesia for dental services at the Hospital.

**Findings of Fact**

1. On June 9, 2004, under Docket Number 04-30210-CON, the Office of Health Care Access (“OHCA”) issued a Certificate of Need (“CON”) to Waterbury Hospital (“Hospital”) to close its dental clinic located at the Hospital, pursuant to Section 19a-638 of the Connecticut General Statutes. As part of that CON authorization, the Hospital transferred its dental clinic services, three chairs, and related equipment to StayWell Health Center.

2. Conditions Number Four and Five of the CON authorization under Docket Number 04-30210-CON states the following:
  - “4. *The Hospital must continue to provide dental care to patients who require anesthesia for dental services.*”
  - “5. *The Hospital must report to OHCA annually (December 31<sup>st</sup> of each year), the number of patients receiving services at the Hospital for dental services requiring anesthesia.*”
3. On February 7, 2005, the Hospital filed its first report in fulfillment of Condition Number Five showing that 16 patients had received services at the Hospital for dental services requiring anesthesia for Calendar Year 2004.
4. On January 25, 2006, the Hospital filed its second report in fulfillment of Condition Number Five showing only 2 patients had received services at the Hospital for dental services requiring anesthesia for Calendar Year 2005.
5. On January 26, 2007, the Hospital filed its third report in fulfillment of Condition Number Five. A revised report was filed with OHCA on February 28, 2007 showing a total of 5 patients receiving services at the Hospital for dental services requiring anesthesia for Calendar Year 2006.
6. The Hospital indicates that the majority of patients requiring anesthesia for dental services were residents of Southbury Training School which has not admitted new residents for many years. The Hospital indicates that the resident base at Southbury Training School is entirely an elderly population and from that the Hospital concludes that the demand for services from this patient population will continue to diminish as the population of the residents at Southbury Training School declines.
7. The Hospital indicates that it “*will continue to book these cases as the demand arises*” and that it “*will not deny access to the Operating Rooms for these types of cases, whether done as a scheduled one day surgery, emergency or inpatient basis.*” The Hospital further states that it “*will continue to make our surgical suite available to adult patients that require anesthesia for dental procedures.*”

## **Discussion**

Based on a review of the intent of OHCA’s Condition Number Five and the fact that the Hospital has been providing the annual reports to OHCA in a timely manner for a period of three years, OHCA finds it appropriate to modify the CON authorization under Docket Number 04-30210-CON on its own motion as allowed by Section 4-181a (b) of the Connecticut General Statutes in order to vacate further annual utilization reporting by the Hospital.

OHCA has reviewed this modification to a previously authorized CON and finds that the relationship of the CON authorized under Docket Number 04-30210-CON, is not altered by this modification action under Docket Number 07-30210-MDF. The Hospital has filed the required utilization reports for three years and assures OHCA of its continued compliance with Condition Number Four of the Order which states that *“The Hospital must continue to provide dental care to patients who require anesthesia for dental services.”*

## Order

Based on this, OHCA hereby modifies, on its own motion, the CON authorized under Docket Number 04-30210-CON, and vacates Condition Number Five of the CON order. The Hospital is no longer required to file the annual utilization reports.

All other conditions set forth in the final decision issued under Docket Number 04-30210-CON not modified herein, will remain in full effect. OHCA stresses that the Hospital continues to be required to provide dental care to patients who require anesthesia for dental services as the need and demand arises.

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

*Signed by Commissioner Vogel on March 7, 2007*

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Date

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Cristine A. Vogel  
Commissioner

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