



Office of Health Care Access

Modification of a Previously Authorized Certificate of Need

Applicant: The Griffin Hospital

Modification Docket Number: 07-30755-MDF

Modification Project Description: A request to modify a previous Certificate of Need authorization in order to acquire and operate a 24-slice Computed Tomography (“CT”) simulator rather than the authorized but not yet acquired 4-slice CT simulator, at no additional capital expenditure

Original Project Docket Numbers and Title Docket Number 06-30755-CON: Facility Renewal and Expansion Project Including the Establishment of an Ambulatory Services Building/Community Cancer Center

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

Modification Filing Date: November 13, 2007

Decision Date: December 27, 2007

Staff Karen Roberts
Alexis Fedorjaczenko

Project Description: The Certificate of Need (“CON”) issued under Docket Number 06-30755-CON authorized the request of The Griffin Hospital (“Hospital” or “Applicant”) to undertake a facility renewal and expansion project, including the establishment of an ambulatory services building/community cancer center, at a total capital expenditure of \$33,000,000.

Under Docket Number 07-30755-MDF, the Hospital is requesting a modification of that CON authorization in order to acquire and operate a 24-slice Computed Tomography (“CT”) simulator rather than the authorized but not yet acquired 4-slice CT simulator, at no additional capital expenditure.

Findings of Fact

1. On February 13, 2007, under Docket Number 06-30755-CON, the Office of Health Care Access (“OHCA”) granted a Certificate of Need (“CON”) to The Griffin Hospital (“Hospital” or “Applicant”) for a facility renewal and expansion project, including the establishment of an ambulatory services building/community cancer center, at a total proposed capital expenditure of \$33,000,000. Conditions #4, #5, and #6 of the CON authorization state the following:

“4. The Hospital is authorized to acquire and operate the following pieces of medical equipment for use in the approved Griffin Hospital Community Cancer Center:

- a) IGRT linear accelerator; and*
- b) 4-slice, computed tomography (“CT”) simulator.”*

“5. With respect to the acquisition of the new IGRT linear accelerator and new 4-slice, CT simulator, the Hospital shall submit to OHCA in writing the following information for each piece of medical equipment by no later than one month after each respective piece of equipment has become operational:

- a) The name of the medical equipment manufacturer;*
- b) The model name and description of the medical equipment; and*
- c) The initial date of the operation of the medical equipment.”*

“6. The 4-slice, CT scanner that will be acquired for use at the approved community cancer center as a treatment simulator and diagnostic examination unit shall be limited for use to patients whose radiation oncologist and(/or) medical oncologist are(/is) affiliated with the Griffin Hospital Community Cancer Center.”

(Final Decision for DN 06-30755-CON)

2. On November 13, 2007, OHCA received the Hospital’s request for a modification of the CON authorization. The Hospital is requesting authorization to acquire and operate a 24-slice CT simulator rather than the authorized but not yet acquired 4-slice CT simulator, at no additional capital expenditure. The Hospital indicates that when the CON application was submitted, vendor negotiations were still in progress. Since then, the Hospital has negotiated the purchase of a Siemens Oncology 24-slice *Sensation* computed tomography simulator at a lesser price than the 4-slice CT simulator that was included in the application. *(Page 4 of the November 13, 2007 modification request)*

3. The Hospital indicates that Phase 1 of its Facility Renewal and Expansion Project, which includes the construction of the Ambulatory Care Pavilion and Community Cancer Center, is progressing as scheduled and on budget, with foundations, site work, and structural steel work already completed. The new Center, located on what will become the Hospital's West Campus, remains on target for its scheduled October 2008 opening. *(Page 5 of the November 13, 2007 modification request)*
4. This request will not result in a change in the scope of the project originally reviewed and authorized by OHCA, nor any increase in the authorized capital expenditure. *(Page 2 of the November 13, 2007 modification request)*
5. The Hospital is not requesting an extension of the CON expiration date for the original CON authorization. *(Page 2 of the November 13, 2007 modification request)*
6. On December 18, 2007, after a public comment period, OHCA granted a waiver of public hearing related to this modification request, as the CON authorization issued under Docket Number 06-30755-CON, was a contested case. *(December 18, 2007 OHCA waiver of public hearing)*

Discussion

OHCA has reviewed this request for a modification to a previously authorized CON and finds that the relationship of the CON authorized under Docket Number 06-30755-CON to Section 19a-637 of the Connecticut General Statutes, is not significantly altered by this request for a modification under Docket Number 07-30755-MDF. The modification proposal does not alter the intended scope or timeframe for the project originally reviewed and acted upon by OHCA. The request to acquire and operate a 24-slice Computed Tomography ("CT") simulator rather than the authorized but not yet acquired 4-slice CT simulator, at no additional capital expenditure, appears to be reasonable.

Order

Based on the above discussion and the reasons provided in the Hospital's modification request, OHCA hereby **Grants** the request and allows a modification of the CON Order under Docket Number 06-30755-CON. Conditions # 4, #5, and #6 of the CON Order under Docket Number 06-30755-CON are modified as follows:

4. The Hospital is authorized to acquire and operate the following pieces of medical equipment for use in the approved Griffin Hospital Community Cancer Center:
 - a) IGRT linear accelerator; and
 - b) 24-slice, computed tomography ("CT") simulator.
5. With respect to the acquisition of the new IGRT linear accelerator and new 24-slice, CT simulator, the Hospital shall submit to OHCA in writing the following information for each piece of medical equipment by no later than one month after each respective piece of equipment has become operational:
 - a) The name of the medical equipment manufacturer;
 - b) The model name and description of the medical equipment; and
 - c) The initial date of the operation of the medical equipment.
6. The 24-slice, CT scanner that will be acquired for use at the approved community cancer center as a treatment simulator and diagnostic examination unit shall be limited for use to patients whose radiation oncologist and(/or) medical oncologist are(/is) affiliated with the Griffin Hospital Community Cancer Center.

All other conditions set forth in the CON authorization issued under Docket Number 06-30755-CON, not further modified herein, will remain in full effect.

By Order of the
Office of Health Care Access

Signed by Commissioner Vogel on December 27, 2007

Date

Cristine A. Vogel
Commissioner

CAV/agf