



M. JODI RELL
GOVERNOR

STATE OF CONNECTICUT
OFFICE OF HEALTH CARE ACCESS

CRISTINE A. VOGEL
COMMISSIONER

January 14, 2009

Matthew J. Searles, Manager
Wilton Surgery Center, LLC
195 Danbury Road
Wilton, CT 06897

RE: **Docket Number 08-30251-MDF**; An OHCA initiated modification of the Certificate of Need issued under Docket Number 04-30251-CON, as subsequently modified by Docket Number 05-30251-MDF

Dear Mr. Searles:

On July 7, 2004, the Office of Health Care Access ("OHCA") granted a Certificate of Need ("CON") to Wilton Pain Management Center, LLC d/b/a Wilton Surgery Center, LLC (the "Applicant") to expand the scope of its services at 195 Danbury Road in Wilton to include ophthalmic procedures and add two additional operating rooms at a total capital expenditure of \$449,000. Condition #4 of the CON authorization required the Applicant to "provide OHCA with utilization reports on a quarterly basis".

On December 12, 2008, OHCA issued to the Applicant, a *PROPOSED MODIFICATION NOTICE REGARDING THE DISCONTINUANCE OF THE COLLECTION OF PATIENT LEVEL DATA RELATED TO CERTAIN CERTIFICATES OF NEED AUTHORIZATIONS*. Such Notice indicated OHCA's intent to discontinue the collection of the data provided to OHCA by the Applicant in compliance with Condition #4 and explained that OHCA was initiating a modification process to vacate the condition and relieve the Applicant from further submission of data in compliance with such condition.

OHCA determines that this OHCA initiated modification does not affect the relationship of the CON authorization to Section 19a-637 of the Connecticut General Statutes and, as such, OHCA hereby modifies the CON authorized under Docket Number 04-30251-CON, as subsequently modified by Docket Number 05-30251-MDF. OHCA specifically **VACATES** Condition #4 as well as Attachment 1 of the CON order under Docket Number 03-30251-CON. All other conditions set forth in the final decision issued under Docket Number 04-30251-CON, as subsequently modified by Docket Number 05-30251-MDF, and not modified herein, will remain in full effect.

So Ordered by the Office of Health Care Access on January 14, 2009.

Signed by Commissioner Vogel on January 14, 2009

Cristine A. Vogel
Commissioner

Date

CAV: kr

Copy: Lisa Brady, Norwalk Hospital, Intervenor to the Proceeding under Docket Number 04-30251-CON

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