



M. JODI RELL
GOVERNOR

STATE OF CONNECTICUT
OFFICE OF HEALTH CARE ACCESS

CRISTINE A. VOGEL
COMMISSIONER

January 14, 2009

Mr. Vincent G. Capece
Senior Vice President and Chief Operating Officer
Middlesex Hospital
28 Crescent Street
Middletown, CT 06457-3650

RE: **Docket Number 08-31047-MDF**; An OHCA initiated modification of the Certificate of Need issued under Docket Number 07-31047-CON

Dear Mr. Capece:

On July 15, 2008, the Office of Health Care Access (“OHCA”) granted a Certificate of Need (“CON”) to Middlesex Hospital and Middlesex Center for Advanced Orthopedic Surgery, LLC (the “Applicants”) to establish and operate a new outpatient surgical services facility at 512 Saybrook Road in Middletown, Connecticut at a total capital expenditure of \$8,669,100. Condition #6 of the CON authorization requires the Applicants to “provide OHCA with utilization reports for the new outpatient surgical services facility on a quarterly basis”. The Applicants have not yet commenced such filings to OHCA.

On December 12, 2008, OHCA issued to the Applicants, 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 requirement to collect the utilization data in compliance with Condition #6 and explained that OHCA was initiating a modification process to vacate this condition and relieve the Applicants from its obligation to submit the 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 07-31047-CON. OHCA specifically **VACATES** Condition #6 as well as Attachment 1 of the CON order under Docket Number 07-31047-CON. All other conditions set forth in the CON decision issued under Docket Number 07-31047-CON 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: Michele M. Volpe., Esq., Bershtein, Volpe & McKeon for Middlesex Center for Advanced Orthopedic Surgery, LLC

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