



STATE OF CONNECTICUT

DEPARTMENT OF PUBLIC HEALTH

Office of Health Care Access

IN THE MATTER OF:

A Certificate of Need Application by
Waterbury Health Network, Inc. and
Vanguard Health System, Inc.
Notice to Petitioner re: Request for Status

Docket Number: 13-31838-486

RULING ON A PETITION FILED BY NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE TO BE DESIGNATED AS AN INTERVENOR

By petition dated October 6, 2014, The National Association for the Advancement of Colored People ("NAACP") ("Petitioner") requested Intervenor status with full right of cross-examination in the public hearing to be held by the Department of Public Health ("DPH") Office of Health Care Access ("OHCA") regarding the Certificate of Need ("CON") application of Waterbury Health Network, Inc. and Vanguard Health System, Inc. ("Applicants") filed under Docket Number: 13-31838-486.

Pursuant to Connecticut General Statutes § 4-177a, the Petitioner is hereby designated as an Intervenor with full rights of cross-examination at the hearing scheduled for October 15, 2014, 1:00 p.m., at the Courtyard by Marriott, Grand Ballroom, 63 Grand Street, Waterbury, Connecticut. As an Intervenor with full rights of cross-examination, the Petitioner is allowed to participate as indicated below.

The Petitioner is granted the right to inspect and copy records on file with OHCA related to the CON filed under Docket Number 13-31838-486 and will be copied on all pleadings, correspondence and filings submitted from this point forward by the Applicants until the issuance of a final decision by OHCA. As an Intervenor with full rights of cross-examination, the Petitioner may be cross-examined by the Applicants and the Petitioner has the right to cross-examine the Applicants.

OHCA's jurisdiction in this matter is limited to the guidelines and principles set forth in Connecticut General Statutes §§ 19a-639 and 19a-486d. Therefore, with respect to pre-filed testimony and direct testimony at the hearing, the Petitioner may present written or verbal evidence related to those guidelines and principles and as set forth below.

- (1) Whether the proposed project is consistent with any applicable policies and standards adopted in regulations by the Department of Public Health;
- (2) The relationship of the proposed project to the state-wide health care facilities and services plan;
- (3) Whether there is a clear public need for the health care facility or services proposed by the Applicants;

An Equal Opportunity Provider

(If you require aid/accommodation to participate fully and fairly, contact us either by phone, fax or email)

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(4) Whether the Applicants have satisfactorily demonstrated how the proposal will impact the financial strength of the health care system in the state or that the proposal is financially feasible for the Applicants;

(5) Whether the Applicants have satisfactorily demonstrated how the proposal will improve quality, accessibility and cost effectiveness of health care delivery in the region;

(6) The Applicants' past and proposed provision of health care services to relevant patient populations and payer mix;

(7) Whether the Applicants have satisfactorily identified the population to be served by the proposed project and satisfactorily demonstrated that the identified population has a need for the proposed services;

(8) The utilization of existing health care facilities and health care services in the service area of the applicant; and

(9) Whether the Applicants have satisfactorily demonstrated that the proposed project shall not result in an unnecessary duplication of existing or approved health care services or facilities.

The Petitioner is not permitted to present written or verbal testimony regarding any matter beyond the scope of the guidelines and principles.

The Petitioner shall maintain compliance with Section 2-44A of the Connecticut Practice Book.

OHCA will make any additional rulings as to the extent of the hearing participation rights of the Petitioner throughout the hearing in the interest of justice and to promote the orderly conduct of the proceedings.

10/8/14
Date _____


Kevin T. Hansted
Hearing Officer