



STATE OF CONNECTICUT
DEPARTMENT OF PUBLIC HEALTH
Office of Health Care Access

August 11, 2015

IN THE MATTER OF:

An Application for a Certificate of Need filed
Pursuant to Section 19a-639a, C.G.S. by:

Notice of Final Decision
Office of Health Care Access
Docket Number: **15-31811-MDF**

Blue Sky Behavioral Health, LLC

**Modification of Previous Certificate of
Need Authorization 12-31811-CON**

To: David Palmer
Chief Executive Officer
Blue Sky Behavioral Health, Inc.
52 Federal Road
Suite 2A
Danbury, CT 06810

Dear Mr. Palmer:

Enclosed please find a copy of the decision rendered in the above-referenced matter pursuant to Connecticut General Statutes § 4-181a(b).

Sincerely,

A handwritten signature in black ink, appearing to read "Kim Martone".

Kimberly R. Martone
Director of Operations

Enclosure
KRM:KH:bko



**State of Connecticut
Department of Public Health
Office of Health Care Access**

Final Decision

**Modification of a Previously
Authorized Certificate of Need**

Applicants: Blue Sky Behavioral Health, LLC
52 Federal Road, Suite 2A, Danbury, CT 06810

Docket Number: 15-31811-MDF

Project Description: Modification of Previous Certificate of Need
Authorization 12-31811-CON

Procedural History: On August 1, 2013, the Office of Health Care Access ("OHCA") granted a Certificate of Need ("CON") to Blue Sky Behavioral Health, LLC ("Blue Sky") under Docket Number 12-31811-CON, for the establishment of a 6 bed Mental Health Residential Living Center to be located at 122 Franklin Street, Danbury, Connecticut.

On July 7, 2015, OHCA received a Request for Modification seeking to extend the CON expiration date to August 1, 2017. There were no Intervenors involved in the initial CON proceeding. Deputy Commissioner Brancifort has reviewed the entire record in this matter.

Findings of Fact

1. On August 1, 2013, OHCA granted a CON to Blue Sky for the establishment of a 6 bed Mental Health Residential Living Center to be located at 122 Franklin Street, Danbury, Connecticut.
2. Pursuant to Connecticut General Statutes §19a-639b(a), a CON is valid for two years from the date of issuance by OHCA.
3. As part of the project, Blue Sky was to renovate a residential home in order to bring it up to code for use as a Mental Health Residential Living Center.
4. On October 13, 2013, Blue Sky received a report from the Building and Fire Safety Unity of the Facility Licensing and Investigations Section ("Report").
5. The Report listed numerous repairs required to bring the house up to code.
6. Blue Sky estimates that the repairs will cost in excess of \$100,000.
7. Blue Sky requires additional time to secure the funds necessary to complete the repairs.

Discussion

Connecticut General Statutes § 4-181a (b) provides in relevant part: "On a showing of changed conditions, the agency may reverse or modify the final decision, at any time, at the request of any person or on the agency's own motion." The Applicant is seeking to extend the CON expiration date to August 1, 2017 as a result of changed conditions related to unexpected costs of construction that were revealed only after an inspection of the premises subsequent to the CON being issued by OHCA. The Applicant has sufficiently identified certain unforeseen conditions which impacted the timely completion of the construction required to implement the CON.

Order

Based upon the foregoing, the request to extend the CON expiration date to August 1, 2017 is hereby **GRANTED**.

August 11, 2015
Date

Janet M. Brancifort
Janet M. Brancifort, MPH, RRT
Deputy Commissioner