

STATE OF CONNECTICUT

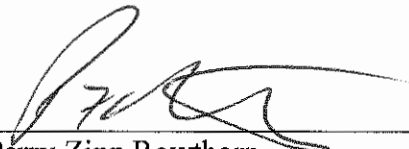
IN RE APPLICATION FOR TRANSFER : OFFICE OF HEALTH CARE ACCESS
OF ASSETS BETWEEN SAINT MARY'S : DOCKET NO. 14-31927-486
HEALTH SYSTEM, INC. AND TENET :
HEALTHCARE CORPORATION : OFFICE OF THE ATTORNEY GENERAL
: DOCKET NO. 14-486-02
:
: OCTOBER 15, 2014

RULING ON MOTION OF APPLICANTS TO: (1) STRIKE PRE-FILED TESTIMONY OF MIKE FADEL; AND (2) PRECLUDE TESTIMONY OF THE INTERVENOR OUTSIDE THE PARAMETERS OF OAG AND OHCA'S GRANT OF INTERVENOR STATUS TO MASSACHUSETTS NURSES ASSOCIATION


By motion dated October 14, 2014, Saint Mary's Health System, Inc. ("SMHS") and Tenet Healthcare Corporation ("Tenet") (together, the "Applicants") move to strike the pre-filed testimony of Mike Fadel, and to preclude any irrelevant testimony of the Massachusetts Nurses Association ("MNA") at the hospital conversion hearing being held on October 16, 2014, in connection with the Application for the transfer of assets of SMHS to Tenet (the "Application"), OAG Docket No. 14-486-02 and OHCA Docket No. 14-31927-486. The Applicants have requested oral argument.

The Office of the Attorney General ("OAG") and the Department of Public Health, Office of Health Care Access ("OHCA")(together, the "State") hereby deny the Applicants' Motion to Strike the pre-filed testimony of Mike Fadel. The State interprets the Motion to Preclude as a Motion in Limine and also denies that motion.

The OAG and OHCA conclude that the challenged testimony and subject matter are generally within the scope of both the hearing and MNA's permitted participation therein. To the extent any testimony has relevancy or materiality issues, the hearing officers will weigh and consider those factors in assessing the testimony as part of their decision-making process. At the hearing, the Applicants will be provided an opportunity to argue the relative weight the State should give to the intervenor's testimony and to object to irrelevant questions presented in cross examination. In addition, the Applicants will have the opportunity to cross-examine MNA and offer rebuttal evidence on these topics in addition to that set forth in the Applicants' pre-filed testimony.



Perry Zinn Rowthorn
Deputy Attorney General
Office of the Attorney General



Kevin T. Hansted
Hearing Officer
Office of Health Care Access

10/15/14
Date

10/15/14
Date