



**STATE OF CONNECTICUT**  
OFFICE OF HEALTH CARE ACCESS

M. JODI RELL  
GOVERNOR

CRISTINE A. VOGEL  
COMMISSIONER

September 15, 2009

Mr. Johan Brag  
Chief Executive Officer  
HealthCenter Imaging of Fairfield County, LLC  
d/b/a HealthCenter Imaging  
999 Silver Lane, Suite 1B  
Trumbull, CT 06611

RE: Docket Number 09-25546-MDF; A Request to modify Docket Number 02-545 under which OHCA authorized a Certificate of Need for the establishment of a dedicated cardiac PET-CT imaging center in Trumbull, Connecticut  
HealthCenter Imaging of Fairfield County, LLC d/b/a Health Center Imaging

Dear Mr. Brag:

On May 20, 2003, under Docket Number 02-545, the Office of Health Care Access ("OHCA") granted a Certificate of Need ("CON") to HealthCenter Imaging, LLC<sup>1</sup> for the establishment of a dedicated cardiac PET-CT imaging center to be located at 999 Silver Lane in Trumbull, Connecticut, at a total capital cost of \$2,861,274, pursuant to both 19a-638 and 19a-639 of the Connecticut General Statutes. Pursuant to Condition #3 of that CON approval, "*The Applicant shall limit its procedures at the Center to the field of cardiology.*" According to OHCA's records, this facility became operational in December of 2005.

On September 3, 2009, HealthCenter Imaging of Fairfield County, LLC d/b/a Health Center Imaging (Applicant) filed a Form 2050 request to modify the CON authorized under Docket Number 02-545. The Applicant is seeking "*a modification to the scope of its current CON to have the restriction to cardiac PET-CT removed.*"

Modifications of OHCA's final decisions are allowed pursuant to Section 4-181a(b) of the Connecticut General Statutes, which states in part: (b) *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.*" Your September 3, 2009 request for modification does not provide sufficient evidence that there has been an unforeseen change in conditions under which the CON was originally reviewed and granted by OHCA over six years ago. Therefore, OHCA concludes that the request filed with OHCA does not constitute changed conditions.

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<sup>1</sup> HealthCenter Imaging, LLC was renamed HealthCenter Imaging of Fairfield County, LLC subsequent to the initial CON.

OHCA further notes that in a recent letter from OHCA to the Applicant dated June 5, 2009, OHCA indicated that “*OHCA specifically reviewed and authorized a dedicated cardiac PET-CT imaging center in the CON under Docket Number 02-545. Therefore, in order for the Applicant to provide services beyond the field of cardiology, the Applicant must file a Letter of Intent and Certificate of Need request pursuant to Section 19a-638(a)(2) of the Connecticut General Statutes for the introduction of an additional function or service by a health care facility or institution.*”

Sincerely,

***Signed by Commissioner Vogel on September 15, 2009***

Cristine A. Vogel  
Commissioner

CAV:kr