

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

September 24, 2014

**IN THE MATTER OF:**

An Application for a Certificate of Need filed  
Pursuant to Section 19a-638, C.G.S. by:

Notice of Final Decision  
Office of Health Care Access  
Docket Number: 13-31880-CON


**Yale-New Haven Hospital**

**Termination of Services at the Yale-  
New Haven Hospital Pediatric Specialty  
Center in Guilford**

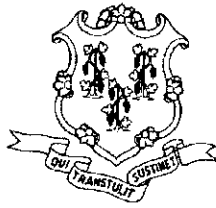
To: Nancy Rosenthal  
Sr. Vice President-Health Systems Development  
Yale-New Haven Hospital  
20 York Street  
New Haven, CT 06510

Dear Ms. Rosenthal:

This letter will serve as notice of the approved Certificate of Need Application in the above-referenced matter. On September 24, 2014, the Agreed Settlement, attached hereto, was adopted and issued as an Order by the Department of Public Health, Office of Health Care Access.

  
\_\_\_\_\_  
Kimberly R. Martone  
Director of Operations

Enclosure  
KRM:lkj



**Department of Public Health  
Office of Health Care Access  
Certificate of Need Application**

**Agreed Settlement**

**Applicants:** Yale-New Haven Hospital  
20 York Street, New Haven, CT 06510

**Docket Number:** 13-31880-CON

**Project Title:** Termination of Services at the Yale-New Haven Hospital  
Pediatric Specialty Center at Guilford

**Project Description:** Yale-New Haven Hospital ("YNHH" or "Applicant") seeks authorization to terminate services at YNHH's Pediatric Specialty Center at 405 Church Street, Guilford, Connecticut, with no associated capital expenditure.

**Procedural History:** The Applicant published notice of its intent to file the Certificate of Need ("CON") application in the *New Haven Register* on September 30, October 1 and 2, 2013. On December 20, 2013, the Office of Health Care Access ("OHCA") received the initial CON application from the Applicant for the above-referenced project. The application was deemed complete on April 16, 2014.

On July 9, 2014, the Applicant was notified of the date, time and place of the public hearing. On July 10, 2014, a notice to the public announcing the hearing was published in the *New Haven Register*. Thereafter, pursuant to Connecticut General Statutes ("Conn. Gen. Stat.") § 19a-639a, a public hearing regarding the CON application was held on July 24, 2014.

Commissioner Jewel Mullen designated Attorney Kevin T. Hansted as the hearing officer in this matter. The hearing was conducted in accordance with the provisions of the Uniform Administrative Procedure Act (Chapter 54 of the Conn. Gen. Stat.) and Conn. Gen. Stat. § 19a-639a. The public hearing record was closed on August 12, 2014. Deputy Commissioner Davis considered the entire record in this matter.

### **Findings of Fact and Conclusions of Law**

To the extent the findings of fact actually represent conclusions of law, they should be so considered, and vice versa. *SAS Inst., Inc., v. S & H Computer Systems, Inc.*, 605 F.Supp. 816 (Md. Tenn. 1985).

1. The Applicant is a 1,541-bed (including bassinets) teaching hospital with two integrated campuses in New Haven and a pediatric campus in Bridgeport, Connecticut. Ex. A, p. 16.
2. YNHH includes the Yale-New Haven Children's Hospital, the Smilow Cancer Hospital, the Yale-New Haven Psychiatric Hospital, and is the Yale School of Medicine's primary teaching hospital. YNHH provides primary, secondary, tertiary and many quaternary acute care services. Ex. A, p. 16.
3. The Yale-New Haven Children's Hospital ("YNHCH") opened in 1993. It offers inpatient, outpatient, emergency, primary and preventive care, and features a dedicated pediatric emergency department, operating rooms, a diagnostic imaging suite, a neonatal intensive care unit and maternity services. Ex. A, p. 16.
4. At the time this CON application was filed, YNHCH offered outpatient pediatric specialty care (e.g., physician office visits, laboratory, routine imaging, etc.) at the following Pediatric Specialty Centers:
  - Its main location:
  - One Park Street, New Haven
  - and four offsite locations:
  - One Long Wharf, New Haven;
  - 405 Church Street, Guilford;
  - 5 Perryridge Road, Greenwich; and
  - 747 Belden Avenue, Norwalk.Ex. A, pp. 6, 52, 57, 197.
5. An additional site offering pediatric services opened at 5520 Park Avenue, Trumbull in 2014. YNHH will be opening another site in Old Saybrook in January 2015, at which certain pediatric services will be offered. Ex. A, pp. 16, 125; Transcript of July 24, 2014 Public Hearing Testimony ("Tr. Testimony") of Lynn Sherman, Director of Pediatric Specialty Centers, Yale-New Haven Hospital; Ex. K, p. 10.
6. Each Pediatric Specialty Center is staffed by a multidisciplinary team of health professionals that includes physicians from the Yale Medical Group ("YMG") who are also attending physicians at YNHCH. The YMG physicians provide specialty care at each of the Pediatric Specialty Centers. The specialty services offered at the Pediatric Specialty Centers vary by location. The following table identifies the services offered at each location.

**TABLE 1**  
**PEDIATRIC SPECIALTY CENTER SERVICES BY LOCATION**

Notes: ♦ Establishment of services are in development.

Pediatric Service	Guilford	Long Wharf	YNHCH (WP2)	Smilow 7	Norwalk	Greenwich	Trumbull	Old Saybrook
Adolescent Comprehensive Care		●			●			
Adoption		●						
Allergy Immunology		●						♦
Cardiology	●	●	●		●		●	♦
Cardiothoracic Surgery			●					
Craniofacial Surgery		●			●			
Development/Behavioral		●						
Endocrinology	●	●			●	●	●	♦
Ear, Nose and Throat			●					
Genetics		●	●					
Gastroenterology	●	●	●		●	●	●	♦
Hematology	●		●	●	●		●	
Oncology	●			●			●	
Infectious Disease			●					
Nephrology		●	●		●		●	
Infusion Center	●	●	●	●			●	
Neurology		●	●		●			
Neurosurgery		●	●	●				
Ophthalmology								
Orthopedics		●			●	●		♦
Pediatric Surgery		●	●		●		●	♦
Respiratory	●	●	●			●	●	♦
Rheumatology		●	●					
Urology		●	●		●			♦

YNHCH provides non-oncological infusion.

Ex. A, pp. 16, 17; Tr. Testimony of Ms. Sherman, p. 13.

7. The Pediatric Specialty Center at Guilford ("Guilford Center") offered outpatient pediatric chemotherapy infusion services and physician office visits in the specialties of hematology/oncology, cardiology, endocrinology, respiratory and gastroenterology. Ex. A, p. 17.
8. YNHH proposes to terminate services at the Guilford Center due to declining volumes, space limitations and the expiration of its lease term. Ex. A, p. 18.
9. YNHH began providing infusion services at the Guilford Center in May 2010 and, up until February 2013, YNHH was the responsible provider. In February 2013, YNHH converted the specialty physician services to a provider-based department of YNHH. At that time, billing for the physician visits and infusion visits were no longer done separately. The following

table reports the number of infusion visits to the Guilford Center as determined by the Applicant for Fiscal Years 2010 to 2013.

**TABLE 2**  
**INFUSION VISITS TO THE YNH PEDIATRIC SPECIALTY CENTER AT GUILFORD**

Fiscal Year*	Number of Visits Reported	Number of Visits Annualized
2010	828**	1,987
2011	1,961	1,961
2012	1,966	1,966
2013	631	1,515***
2014	****	****

\* October 1 to September 30.

\*\* Based on start of services May 2010.

\*\*\* Number based on 631 infusion visits from Oct 2012 to Feb 2013.

\*\*\*\* From Oct 2013 to Jan 2014 there were 749 physician visits for hematology/oncology related services. The number of infusion visits and the annualized number of infusion visits cannot be determined as they are included with the counts of the medical visits.

Ex. A, p. 24; Ex. C, p. 120.

10. The decrease from FY 2012 to FY 2013 is attributed to patient preference for state-of-the-art services at alternative sites where advanced diagnostic imaging and other support services are provided in one coordinated visit. Ex. A, p. 24.

11. The following tables report the number of visits<sup>1</sup> to the identified Pediatric Specialty Center based on information provided by the YMG and YNH. The Guilford Center's hematology/oncology visits declined by 32% between FY 2011 and FY 2014 and overall specialty center visits declined by over 23%.

**TABLE 3a**  
**VISITS<sup>1</sup> TO THE GUILFORD PEDIATRIC SPECIALTY CENTER**

Visits by Service	FY2011	FY2012	FY2013*	FY 2014**	% Change from FY2011 to FY 2014
Hematology/Oncology	3,294	3,215	2,547	2,254	-32%
Cardiology	397	378	349	345	-13%
Endocrinology	234	297	375	335	43%
Gastroenterology	19	49	56	33	74%
Respiratory	91	104	128	72	-21%
<b>TOTAL</b>	<b>4,035</b>	<b>4,043</b>	<b>3,455</b>	<b>3,093</b>	<b>-23%</b>
% change from previous year	-	-0.02%	-14.5%	-10.5%	

\* Sources: YMG Visit Data and YNH Visit Data.

\*\* Annualized number based on first 8 months of fiscal year.

Ex. L, pp. 308, 309, 312.

<sup>1</sup> Each service provided to a patient counts as a visit. For example, a blood draw, medical visit and infusion equals 3 visits.

**TABLE 3b**  
VISITS TO THE LONG WHARF PEDIATRIC SPECIALTY CENTER

Visits by Service	FY2011	FY2012	FY2013*	FY 2014**	% Change from FY2011 to FY 2014
Hematology/Oncology	0	0	0	0	0%
Cardiology	0	0	0	0	0%
Endocrinology	304	329	1,620	2,455	708%
Gastroenterology	241	295	285	404	68%
Respiratory	441	345	503	995	126%
<b>TOTAL</b>	<b>986</b>	<b>969</b>	<b>2,408</b>	<b>3,854</b>	<b>291%</b>
% change from previous year		-1.72%	144%	60.0%	

\* Sources: YMG Visit Data and YNH Visit Data.

\*\* Annualized number based on first 8 months of fiscal year.

Ex. L, p. 314.

**TABLE 3c**  
VISITS TO THE YALE-NEW HAVEN CHILDREN'S HOSPITAL'S PEDIATRIC SPECIALTY CENTER

Visits by Service	FY2011	FY2012	FY2013*	FY 2014**	% Change from FY2011 to FY 2014
Hematology/Oncology	96	107	95	60	-37%
Cardiology	3,215	3,182	3,016	1,959	-39%
Endocrinology	0	612	1,608	729	-
Gastroenterology	1,706	2,098	2,262	1,414	-17%
Respiratory	1,999	1,535	1,730	1,162	-42%
<b>TOTAL</b>	<b>7,016</b>	<b>7,534</b>	<b>8,711</b>	<b>7,986</b>	<b>14%</b>
% change from previous year		7.4%	15.6%	-8.3%	

\* Sources: YMG Visit Data and YNH Visit Data.

\*\* Annualized number based on first 8 months of fiscal year.

Ex. L, p. 316.

**TABLE 3d:**  
VISITS TO THE SMILOW CANCER CENTER

Visits by Service	FY2011	FY2012	FY2013	FY 2014*	% Change from FY2011 to FY 2014
Hematology/Oncology Related Infusions	2,298	1,874	2,080	1,534	-33%
Hematology/Oncology	3,994	4,198	4,031	2,414	-40%
Cardiology	0	0	0	0	-
Endocrinology	0	0	0	0	-
Gastroenterology	0	0	0	0	-
Respiratory	0	0	0	0	-
<b>TOTAL</b>	<b>6,292</b>	<b>6,072</b>	<b>6,111</b>	<b>5,922</b>	<b>-5.9%</b>
% change from previous year		-3.5%	0.64%	-3.1%	

\* Annualized number based on first 8 months of fiscal year.

Ex. I, p. 247.

**TABLE 3e**  
**VISITS TO THE NORWALK PEDIATRIC SPECIALTY CENTER\***

Visits by Service	FY2012**	FY2013	FY 2014***	% Change from FY2012 to FY 2014
Hematology/Oncology	8	56	114	1325%
Cardiology	64	137	113	77%
Endocrinology	232	645	430	85%
Gastroenterology	260	321	826	218%
Respiratory	0	52	173	-
<b>TOTAL</b>	<b>564</b>	<b>1,211</b>	<b>1,656</b>	<b>194%</b>
% change from previous year		115%	30%	

\* Opened in July 2012.

\*\* Annualized number based on last 3 months of fiscal year.

\*\*\* Annualized number based on first 8 months of fiscal year.

Ex. I, p. 255.

**TABLE 3f**  
**VISITS TO THE GREENWICH PEDIATRIC SPECIALTY CENTER**

Visits by Service	FY2012	FY2013*	FY 2014**	% Change from FY2012 to FY 2014
Hematology/Oncology	0	0	0	
Cardiology	0	0	0	-
Endocrinology	54	261	252	-
Gastroenterology	80	1,334	1,539	367%
Respiratory	0	116	216	1,824%
<b>TOTAL</b>	<b>134</b>	<b>1,711</b>	<b>2,007</b>	<b>-</b>
% change from previous year	-	1,177%	17.3%	1,398%

\* Sources: YMG Visit Data and YNHH Visit Data.

\*\* Annualized number based on first 8 months of fiscal year.

Ex. L, p. 318.

12. The increase in the number of visits to One Long Wharf (Table 3b) is attributed to its state-of-the-art facilities. The infusion and medical office space supports the privacy needs of patients and is more spacious and sensitive to a child's and his or her family's needs compared to the Guilford Center. Ex. A, p. 19; Ex. C, pp. 200, 202.
  
13. The Guilford Center is within the YNHH service area, which includes Ansonia, Bethany, Branford, Cheshire, Clinton, Deep River, Derby, East Haven, Essex, Guilford, Hamden, Killingworth, Madison, Meriden, Milford, New Haven, North Branford, North Haven, Old Saybrook, Orange, Oxford, Seymour, Wallingford, Westbrook, West Haven and Woodbridge. Ex. A, p. 18.

14. The Applicant reports the following number of visits at the Guilford Center in FY 2013 for the towns in the service area:

**TABLE 4**  
**VISITS AT THE GUILFORD CENTER IN FY 2013 BY TOWN\***

Town	Visits	Town	Visits	Town	Visits	Town	Visits
Ansonia	19	Fairfield	64	New Canaan	26	Stonington	19
Branford	83	Greenwich	31	New Haven	46	Stratford	24
Bridgeport	100	Griswold	69	New London	58	Trumbull	33
Brooklyn	20	Groton	74	North Branford	58	Wallingford	49
Cheshire	24	Guilford	135	North Haven	77	Waterbury	27
Clinton	77	Hamden	140	Norwalk	58	Waterford	16
Colchester	34	Ledyard	45	Norwich	57	West Haven	56
Danbury	15	Madison	96	Old Lyme	89	Weston	19
Darien	33	Meriden	22	Old Saybrook	19	Westport	53
Derby	28	Milford	78	Orange	17	Wilton	29
East Haven	147	Monroe	35	Seymour	24	All Other Towns	227
East Lyme	85	Montville	20	Stamford	67	Out-of-State	44
						<b>Total Visits*</b>	<b>2,622</b>

\* There were no reported visits for Bethany, West Haven and Woodbridge.

Ex. A, p. 23.

15. Visits from patients residing in New Haven or Fairfield counties made up 68% (1,160 + 628/2,622) and patients residing in New London county made up 22% (585/2,622) of the total visits to the Guilford Center in FY 2013. Ex. A, p. 23.
16. The Guilford Center does not have the space to provide advanced imaging, complex diagnostic testing and other complementary support services. Patients in need of more complex care, such as MRI or another specialist, may be required to make a second trip to a different location. Ex. A, p. 19.
17. The Guilford Center does not have the space needed to accommodate a family during a treatment session and does not offer privacy during infusion treatments. Ex. A, p. 19; Ex. C, p. 122.
18. The Guilford Center does not have adequate space allocation for patient intake areas to complete pre-work, such as height, weight and vitals as well as other monitoring. There is inadequate physical privacy in the infusion space to provide treatment or have private conversations with a parent. Transcript of July 24, 2014 Public Hearing Testimony ("Tr. Testimony") of Lynn Sherman, Director of Pediatric Specialty Centers, Yale-New Haven Hospital; Ex. K, pp. 15, 16.
19. Renovation at the Guilford Center is not a cost-effective option given the limitations of the physical space. Ex. A, p. 19.
20. The lease for the Guilford Center expired on June 30, 2014. Ex. A, p. 17; Ex. I, p. 304.



21. Patients that had previously utilized the Guilford Center have access to services at YNHH, the Long Wharf facility or the new Trumbull facility. Ex. A, p. 20.
22. The newest Pediatric Specialty Center in Old Saybrook will provide New London County patients with additional options for access to specialties. This new center will have allergy immunology, cardiology, endocrinology, gastroenterology, orthopedics, pediatric surgery, respiratory and urology specialties. Infusion and oncology are not currently included in the planning because a market analysis determined most infusion and oncology patients were from western Connecticut. Tr. Testimony of Ms. Sherman; Ex. K, pp. 10, 11, 13.
23. The specialists that cared for patients at the Guilford Center will continue to treat the same patients at other YNHH locations, thereby providing continuity of care. Ex. A, p. 20.
24. YNHH's Pediatric Specialty Centers all have one centralized phone number and call center that patients can access to schedule appointments at any of the various locations. Ex. A, p. 23.
25. All patients that were receiving active treatment at the Guilford Center have been transitioned to an existing Pediatric Specialty Center. The hematology/oncology patients are being treated at either YNHCH or Trumbull. Tr. Testimony of Ms. Sherman, p. 10.
26. YNHH projects that revenues will not change due to the closure of the Guilford Center because the Applicant will provide services to the patients at alternate locations. The incremental or additional cost of providing these services at the Guilford Center is less at the New Haven and Trumbull sites. Ex. A, p. 28.
27. The Applicant projects that the proposal will result in the following gain from operations:

**TABLE 5**  
**PROJECTED INCREMENTAL REVENUES AND EXPENSES**

	Fiscal Year		
	2014	2015	2016
Revenue from Operations	\$ 0	\$ 0	\$ 0
Total Operating Expenses*	(104,000)	(207,000)	(207,000)
Gain from Operations	\$ 104,000	\$ 207,000	\$ 207,000

\* Operating expenses represent the savings from lease payments and professional and contracted services.  
Ex. A, p. 111.

28. The Guilford Center's historical and current payer mix is as follows:

**TABLE 6**  
GUILFORD CENTER'S HISTORICAL AND CURRENT PAYER MIX

Payer	Fiscal Year		
	2012	2013	2014
Medicare	0%	0%	0%
Medicaid	18%	24%	28%
CHAMPUS & TriCare	3%	4%	4%
<b>Total Government</b>	<b>21%</b>	<b>28%</b>	<b>32%</b>
Commercial Insurers*	79%	71%	68%
Uninsured	0%	0%	0%
Other	0%	1%	0%
<b>Total Non-Government</b>	<b>79%</b>	<b>72%</b>	<b>68%</b>
<b>Total Payer Mix</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>

Ex. C, p. 121.

29. YNHCH provides comprehensive health care services to pediatric patients with Medicaid and other forms of insurance, as well as those without insurance. This practice will continue and will not be impacted by this proposal. Ex. A, p. 22; Ex. C, p. 123.
30. Patients with Medicaid that have been seen in Guilford were from New Haven and points west. Access for these patients will be enhanced by transitioning them to one of the other sites. Tr. Testimony of Ms. Sherman, p. 11.
31. There will be no change to the provision of services for Medicaid recipients. The same services will continue to be provided at multiple locations including: the YNHCH, the Pediatric Specialty Center at One Long Wharf, and the Smilow Cancer Hospital in New Haven. Ex. C. p. 121.
32. All patients, including Medicaid patients, will have access to cost-effective coordinated care with a multispecialty team of physicians and access to advanced diagnostic services, thus reducing the need and associated costs of multiple follow-up visits at a different location. Ex. C, p. 122.
33. OHCA is currently in the process of establishing its policies and standards as regulations. Therefore, OHCA has not made any findings as to this proposal's relationship to any regulations not yet adopted by OHCA. (Conn. Gen. Stat. § 19a-639(a)(1))
34. This CON application is consistent with the overall goals of the Statewide Health Care Facilities and Service Plan. (Conn. Gen. Stat. § 19a-639(a)(2))
35. The Applicant has established that there is a clear public need for its proposal. (Conn. Gen. Stat. § 19a-639(a)(3))
36. The Applicant has demonstrated that the proposal is financially feasible. (Conn. Gen. Stat. § 19a-639(a)(4))

37. The Applicant has satisfactorily demonstrated that quality and access to services in the region will be maintained for all relevant patient populations and has satisfactorily demonstrated a potential improvement in cost effectiveness. (Conn. Gen. Stat. § 19a-639(a)(5))
38. The Applicant has shown that there would be no adverse change to the provision of health care services to the relevant populations and payer mix. (Conn. Gen. Stat. § 19a-639(a)(6))
39. The Applicant has satisfactorily identified the population to be affected by this proposal. (Conn. Gen. Stat. § 19a-639(a)(7))
40. The declining historical visits in the service area support this proposal. (Conn. Gen. Stat. § 19a-639(a)(8))
41. The Applicant has satisfactorily demonstrated that this proposal would not result in an unnecessary duplication of existing services in the area. (Conn. Gen. Stat. § 19a-639(a)(9))
42. The Applicant has demonstrated that there will be no reduction in access to services by Medicaid recipients or indigent persons. (Conn. Gen. Stat. § 19a-639(a)(10))

## Discussion

CON applications are decided on a case-by-case basis and do not lend themselves to general applicability due to the uniqueness of the facts in each case. In rendering its decision, OHCA considers the factors set forth in Conn. Gen. Stat. § 19a-639(a). The Applicant bears the burden of proof in this matter by a preponderance of the evidence. *Jones v. Connecticut Medical Examining Board*, 309 Conn. 727 (2013).

The Applicant is an acute-care teaching hospital located in New Haven, Connecticut. *FF1* YNHH includes the Yale-New Haven Children's Hospital ("YNHCH"), the Smilow Cancer Hospital and the Yale-New Haven Psychiatric Hospital. *FF2* YNHCH offers inpatient, outpatient, emergency, primary and preventive care and features a dedicated pediatric emergency department, operating rooms, a diagnostic imaging suite, neonatal intensive care unit and maternity services. *FF3* YNHCH currently offers outpatient pediatric specialty care in New Haven at YNHH and at One Long Wharf. YNHCH also provides such services in Guilford, Greenwich, Norwalk and Trumbull. *FF4-5* Each of YNHCH's Pediatric Specialty Centers is staffed by a multidisciplinary team of health professions. The services offered at each center vary by location. *FF6*

Up until June 30, 2014, the Pediatric Specialty Center at Guilford ("Guilford Center") provided outpatient pediatric chemotherapy infusion services and physician office visits in the specialties of hematology/oncology, cardiology, endocrinology, respiratory and gastroenterology. *FF7,20* The Applicant's request to terminate services at the Guilford Center is in response to space limitations and declining volumes. *FF8* Notably, from FY2012 to FY2013 the number of chemotherapy infusion visits dropped from 1,961 visits to 1,515. *FF9* The decrease in demand is attributed to patient preference for the state-of-the-art facilities and coordinated care that is available at the other YNHCH locations, but not at the Guilford Center. *FF10* The Guilford Center does not have the space needed to provide coordinated care. Specifically, the space to provide advanced imaging, complex diagnostic testing and other complementary support services is lacking. Patients in need of more complex care, such as MRI or another specialist, may be required to make a second trip to a different location. Nor does the Guilford Center have the space needed to accommodate a family during a treatment session or provide a private area during infusion treatments. There is inadequate physical privacy in the infusion space to provide treatment or have private conversations with a parent. *FF16-19* Renovation of the Guilford Center is not a cost-effective option given the inability to expand the physical space. *FF16,18* Conversely, the Applicant's sites in New Haven and Fairfield counties provide space for families and privacy during treatments as well as advanced imaging, complex diagnostic testing and other complementary support services. *FF15, 16* Patients that have utilized the Guilford Center will have access to services at YNHH, the Long Wharf facility or the new Trumbull facility. *FF20* Additionally, the same specialists that care for patients in Guilford will continue to treat the same patients at other YNHH locations, providing continuity of care. *FF 21*

With respect to reimbursement, YNHH provides comprehensive health care services to pediatric patients with Medicaid and other forms of insurance, as well as those without insurance. *FF28* The Applicant's proposal will not change this practice. All patients, including Medicaid patients, will have access to coordinated pediatric specialty services. *FF 27-29* For the convenience of the patients, YNHH's Pediatric Specialty Centers all have one centralized phone number and call

center that can be accessed to schedule appointments at any of the various locations. *FF 23* YNHH will ensure that patients are made aware that services at the Guilford Center have been discontinued and provide information regarding alternate locations where patients can receive similar services. Additionally, staff will assist patients in scheduling appointments and arrange for transportation when required. *Ex. A, p. 23.* The Applicant has provided evidence that there are more comprehensive services offered at other YNHH sites. Based upon the foregoing, with the exception of New London County residents, the Applicant has satisfactorily demonstrated that access to pediatric specialty services will be maintained for the relevant patient population in the Applicant's service area, including Medicaid patients. In order to address this deficiency, the attached Order provides for the provision of pediatric hematology and oncology infusion services at the Old Saybrook Pediatric Specialty Center.

The Applicant's revenue will not change due to the closure of the Guilford Center because YNHH will provide services to the patients at alternate locations. The Applicant projects that the proposal will result in operating gains of \$104,000, \$207,000 and \$207,000 in FY 2014, 2015 and 2016, respectively, through savings from salaries, contracted services and lease payments. *FF27* Therefore, the Applicant has sufficiently demonstrated that its proposal is financially feasible.

One of the overarching goals of the Statewide Health Care Facilities and Services Plan is the use of health care facility resources in an efficient, cost-effective manner while maintaining or improving patients' access to quality health care services. This proposal will allow for comprehensive pediatric specialty services to be provided in a more cost-effective and efficient setting by reducing the possibility of the need to make a second appointment at a different location for additional services required. *FF16,34* YNHH will provide the same services to the same patients with the same affiliated physicians, providing continuity of care. *FF21.* The result of the proposal will be coordinated and patient-centered specialty care in a more cost-effective and efficient manner. Thus, the Applicant has sufficiently demonstrated a clear public need for this proposal.

## Order

NOW, THEREFORE, the Department of Public Health, Office of Health Care Access (“OHCA”) and Yale-New Haven Hospital (“YNHH”) hereby stipulate and agree to the terms of settlement with respect to the termination of services at YNHH's Pediatric Specialty Center at 405 Church Street, Guilford, as follows:

1. YNHH's request to terminate services at the Yale-New Haven Hospital Pediatric Specialty Center at Guilford, located at 405 Church Street, Guilford, is **approved**.
2. YNHH shall release a one-time notification to patients of the Guilford Pediatric Specialty Center seen in the last year that clearly identifies alternate locations where patients can receive the same services. Such notification shall be mailed to the patient's address and shall include the alternative locations' name, address and main phone number. A copy of such notification shall be filed with OHCA not later than ten (10) business days from the execution of this Agreed Settlement.
3. YNHH shall assist former Guilford Pediatric Specialty Center patients in scheduling appointments for the appropriate services and will assist with the arrangement for transportation when required.
4. YNHH shall file with OHCA, on an annual basis for a period of no less than three (3) years, data regarding the number of pediatric hematology/oncology infusion patients and visits at YNHCH PSC locations in New Haven and Trumbull that originate from New London County. Representatives of YNHH and OHCA will meet as necessary to discuss the status of these services and the need to establish them at the Old Saybrook PSC.
5. This Agreed Settlement is an order of OHCA with all rights and obligations attendant thereto, and OHCA may enforce this Agreed Settlement under the provisions of Conn. Gen. Stat. §§ 19a-642 and 19a-653 with all fees and costs of such enforcement being the responsibility of YNHH.
6. OHCA and YNHH agree that this Agreed Settlement represents a final agreement between OHCA and all parties with respect to this Application. The signing of this Agreed Settlement resolves all objections, claims and disputes that may have been raised by the Applicant with regard to Docket Number: 13-31880-CON.
7. This Agreed Settlement shall be binding upon YNHH and its successors and assigns.


Signed by Nancy Rosenthal, Vice President  
(Print name) (Title)

9/24/2014  
Date

  
Duly Authorized Agent for  
Yale-New Haven Hospital

The above Agreed Settlement is hereby accepted and so ordered by the Department of Public Health Office of Health Care Access on September 24, 2014.

9/24/14  
Date:

  
Lisa A. Davis, MBA, BS, RN  
Deputy Commissioner