



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

October 22, 2013

VIA FACSIMILE ONLY

Carlos M. Badiola, M.D.
The Farmington Imaging Center, LLC
353 Scott Swamp Road
Farmington, CT 06032

RE: Certificate of Need Determination Report Number 13-31869-DTR
Sale of Minority Membership Interest in the Farmington Imaging Center, LLC

Dear Dr. Badiola:

On October 10, 2013, the Office of Health Care Access ("OHCA") received your Certificate of Need ("CON") Determination request on behalf of The Farmington Imaging Center, LLC ("Applicant" or "The Farmington Imaging Center") with respect to whether a CON is required for the sale of a minority membership interest in The Farmington Imaging Center.

The Farmington Imaging Center is a member-managed Connecticut limited liability company wholly owned by seven radiologists who each own an equal interest. The Farmington Imaging Center owns and operates a magnetic resonance imaging scanner ("MRI") and a computed tomography ("CT") and provides advanced imaging services in the Greater Farmington area. The Applicant is proposing the sale of a minority membership interest to Jefferson Radiology, P.C. or another legal entity owned exclusively by its physician shareholders. The seven radiologists who presently own The Farmington Imaging Center will maintain control and no changes will be made to the Operating Agreement.

Pursuant to Connecticut General Statutes § 19a-638(a)(2), a CON is required for the transfer of ownership of a health care facility. However, The Farmington Imaging Center does not meet the definition of a health care facility as specified in Connecticut General Statutes § 19a-630(10).

Pursuant to Connecticut General Statutes § 19a-638(a)(9), a CON is required for the acquisition of an MRI or CT. However, no acquisition is taking place since The Farmington Imaging Center will maintain ownership of its MRI and CT and the seven current radiologist owners will continue to control The Farmington Imaging Center pursuant to the Operating Agreement.

Based upon the foregoing, OHCA concludes that a CON *is not required* for the Applicant's proposal.

Please feel free to contact me if you have any questions.

Sincerely,

Kimberly R. Martone
Director of Operations

C: Rose McLellan, License and Applications Supervisor, DPH, DHSR

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

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