

STATE OF CONNECTICUT

DEPARTMENT OF PUBLIC HEALTH



Raul Pino, M.D., M.P.H.
Commissioner

Dannel P. Malloy
Governor
Nancy Wyman
Lt. Governor

Office of Health Care Access

October 10, 2017

VIA ELECTRONIC MAIL ONLY

Nell Walker, Esq.
General Counsel
Jefferson Radiology
111 Founders Plaza - Suite 400
East Hartford, CT 06108
hwalker@jeffersonradiology.com

RE: Transfer of Ownership to Mednax

Dear Attorney Walker:

The Office of Health Care Access ("OHCA") has learned from various media sources that Jefferson Radiology and Jefferson Imaging Associates were recently acquired by Mednax.

Pursuant to Connecticut General Statutes § 19a-638(a)(3), a certificate of need is required for "A transfer of ownership of a large group practice to any entity other than a (A) physician, or (B) group of two or more physicians, legally organized in a partnership, professional corporation or limited liability company formed to render professional services and not employed by or an affiliate of any hospital, medical foundation, insurance company or other similar entity".

Connecticut general Statutes § 19a-630(10) defines a large group practice as "eight or more full-time equivalent physicians, legally organized in a partnership, professional corporation, limited liability company formed to render professional services, medical foundation, not-for-profit corporation, faculty practice plan or other similar entity (A) in which each physician who is a member of the group provides substantially the full range of services that the physician routinely provides, including, but not limited to, medical care, consultation, diagnosis or treatment, through the joint use of shared office space, facilities, equipment or personnel; (B) for which substantially all of the services of the physicians who are members of the group are provided through the group and are billed in the name of the group practice and amounts so received are treated as receipts of the group; or (C) in which the overhead expenses of, and the income from, the group are distributed in accordance with methods previously determined by members of the group. An entity that otherwise meets the definition of group practice under this section shall be considered a group



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practice although its shareholders, partners or owners of the group practice include single-physician professional corporations, limited liability companies formed to render professional services or other entities in which beneficial owners are individual physicians.”

Jefferson Radiology’s 2016 Group Practice filing indicates it has seventy-seven physicians. Therefore, it appears that Jefferson Radiology meets the definition of a large group practice and its transfer of ownership requires certificate of need authorization. However, OHCA wants to provide Jefferson Radiology an opportunity to provide further information. Therefore, please provide any information that you believe negates the need for certificate of need authorization by OHCA. Please respond in writing to the above inquiry by October 27, 2017.

Sincerely,



Digitally signed by
Kimberly Martone
Date: 2017.10.10 11:34:18
-04'00'

Kimberly R. Martone
Director of Operations

STATE OF CONNECTICUT

DEPARTMENT OF PUBLIC HEALTH



Raul Pino, M.D., M.P.H.
Commissioner

Dannel P. Malloy
Governor
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Lt. Governor

Office of Health Care Access

October 16, 2017

VIA ELECTRONIC MAIL ONLY

Nell Walker, Esq.
General Counsel
Jefferson Radiology
111 Founders Plaza - Suite 400
East Hartford, CT 06108
hwalker@jeffersonradiology.com

RE: Certificate of Need Determination Report Number 17-32198-DTR
Transfer of Ownership of Large Group Practice


Dear Attorney Walker:

Thank you for sending the Notice of Material Change for Jefferson Radiology, P.C. Based upon the Notice, Jefferson Radiology, P.C. was transferred to Medical Acquisition Services, P.C., a physician-owned Connecticut professional corporation.

Pursuant to Connecticut General Statutes § 19a-638(a)(3), a certificate of need is required for "A transfer of ownership of a large group practice to any entity other than a (A) physician, or (B) group of two or more physicians, legally organized in a partnership, professional corporation or limited liability company formed to render professional services and not employed by or an affiliate of any hospital, medical foundation, insurance company or other similar entity".

Based upon the aforementioned, the Office of Health Care Access hereby determines that ***a CON is not required*** for the transfer of ownership of Jefferson Radiology, P.C. to Medical Acquisition Services, P.C. since it meets the exception contained in Connecticut General Statutes § 19a-638(a)(3).

Sincerely,

 Digitally signed by
Kimberly Martone
Date: 2017.10.17 07:41:25
-04'00'

Kimberly R. Martone
Director of Operations



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Olejarz, Barbara

From: Microsoft Outlook
To: hwalker@jeffersonradiology.com
Sent: Tuesday, October 17, 2017 7:49 AM
Subject: Relayed: Determination

Delivery to these recipients or groups is complete, but no delivery notification was sent by the destination server:

hwalker@jeffersonradiology.com (hwalker@jeffersonradiology.com)

Subject: Determination

Olejarz, Barbara

From: Olejarz, Barbara
Sent: Tuesday, October 17, 2017 7:49 AM
To: 'hwalker@jeffersonradiology.com'
Subject: Determination
Attachments: 32198 determination.pdf

Tracking:	Recipient	Delivery
	'hwalker@jeffersonradiology.com'	
	Martone, Kim	Delivered: 10/17/2017 7:49 AM
	Hansted, Kevin	
	Riggott, Kaila	
	Kaila.Riggott@ct.gov	Delivered: 10/17/2017 7:49 AM
	Kevin.Hansted@ct.gov	Delivered: 10/17/2017 7:49 AM

10/17/17

Attorney Walker,

Please see the attached Determination for Report Number: 17-32198-DTR, for the transfer of ownership of a large group practice.

Barbara K. Olejarz
Administrative Assistant to Kimberly Martone
Office of Health Care Access
Department of Public Health
Phone: (860) 418-7005
Email: Barbara.Olejarz@ct.gov



Olejarz, Barbara

From: Walker, Helen <hwalker@jeffersonradiology.com>
Sent: Tuesday, October 17, 2017 8:33 AM
To: Olejarz, Barbara
Subject: RE: Determination

Thank you!

Best,
Nell Walker

JEFFERSON RADIOLOGY

Nell Walker
General Counsel & Chief HR Officer
860.289.3375 x86511 Voice
860.305.2524 Mobile
860.783.5731 Fax
hwalker@jeffersonradiology.com
www.jeffersonradiology.com



From: Olejarz, Barbara [mailto:Barbara.Olejarz@ct.gov]
Sent: Tuesday, October 17, 2017 7:49 AM
To: Walker, Helen
Subject: Determination

10/17/17

Attorney Walker,

Please see the attached Determination for Report Number: 17-32198-DTR, for the transfer of ownership of a large group practice.

Barbara K. Olejarz
Administrative Assistant to Kimberly Martone
Office of Health Care Access
Department of Public Health
Phone: (860) 418-7005
Email: Barbara.Olejarz@ct.gov



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Olejarz, Barbara

From: Hansted, Kevin
Sent: Wednesday, October 18, 2017 10:48 AM
To: Olejarz, Barbara
Subject: FW: Transfer of Ownership

Please add to 17-32198-DTR

Kevin T. Hansted
Staff Attorney
Office of Health Care Access
Connecticut Department of Public Health
410 Capitol Avenue
Hartford, CT 06134
Phone: 860-418-7044
kevin.hansted@ct.gov



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From: Walker, Helen [mailto:hwalker@jeffersonradiology.com]
Sent: Monday, October 16, 2017 2:01 PM
To: Hansted, Kevin <Kevin.Hansted@ct.gov>
Subject: Re: Transfer of Ownership

Good afternoon Attorney Hansted - thanks for confirming receipt of the Notice. In response to your question, one of the scanning equipment owned by Jefferson Radiology, P.C. prior to the transaction was transferred to another entity. As the surviving entity, Jefferson Radiology, P.C. continues to own all of the scanning equipment it owned pre-transaction.

Please let me know if you have questions.

With kind regards,

Nell Walker

From: Hansted, Kevin [Kevin.Hansted@ct.gov]
Sent: October 16, 2017 at 1:14:20 PM

To: Walker, Helen
Subject: Re: Transfer of Ownership

Good afternoon Attorney Walker:

Thank you for the Notice of Material Change. I have one follow-up question. Was the scanning equipment (MRI, CT, Etc.) previously owned by Jefferson Radiology, P.C. transferred to another entity?

?Kevin T. Hansted
Staff Attorney
Department of Public Health
Office of Health Care Access
410 Capitol Ave., MS #13HCA
P.O. Box 340308
Hartford, CT 06134
Phone: 860-418-7044

JEFFERSON RADIOLOGY

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hwalker@jeffersonradiology.com
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From: "Walker, Helen" <hwalker@jeffersonradiology.com<<mailto:hwalker@jeffersonradiology.com>>>
Date: October 11, 2017 at 3:56:54 PM EDT
To: "kimberly.martone@ct.gov<<mailto:kimberly.martone@ct.gov>>" <kimberly.martone@ct.gov<<mailto:kimberly.martone@ct.gov>>>
Subject: FW: Transfer of Ownership

Good afternoon, Ms. Martone. I wanted to confirm that you had received the Notice of Material Change form I submitted yesterday (another copy attached here for your ease of reference) and to ask if you have some time later this week or early next so we can connect by phone. Please let me know some dates/times that work for you and I'll get something on the calendar.

I look forward to speaking with you. My thanks in advance.

With kind regards,
Nell Walker

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JEFFERSON RADIOLOGY

Avon Bloomfield Enfield Farmington Glastonbury Granby Hartford West Hartford
Wethersfield Windsor

VIA EMAIL: OHCA@ct.gov

October 10, 2017

Commissioner
Department of Public Health
410 Capitol Avenue
P.O. Box 340308
Hartford, CT 06134-0308

Re: Notice of Material Change form
 Jefferson Radiology, P.C. and Medical Acquisition Services, P.C.

Dear Commissioner:

Pursuant to C.G.S. §19a-486i(d)(2), attached please find the Notice of Material Change form for Jefferson Radiology, P.C. ("JR") and Medical Acquisition Services, P.C. ("MAS"), a physician owned Connecticut professional corporation. This same submission was filed with the Office of the Attorney General on May 22, 2017.

Effective September 27, 2017, MAS, a professional corporation owned by a single licensed physician, merged with and into JR. Pursuant to Conn. Gen. Stat. 19a-638(a)(3), the transfer of ownership of JR was to a physician entity legally organized in a professional corporation formed to render professional services and not employed by or an affiliate of any hospital, medical foundation, insurance company or other similar entity.

Kindly confirm receipt of this email and the attachment. Please do not hesitate to contact me with any questions.

Thank you,



Nell Walker
General Counsel

Cc: Kimberly Martone, Office of Health Care Access (*via email: kimberly.martone@ct.gov*)

Phone 860.289.3375 Fax 860.291.6594 Web jeffersonradiology.com

Administration 111 Founders Plaza Suite 400 East Hartford Connecticut 06108-3240
