



STATE OF CONNECTICUT
OFFICE OF HEALTH CARE ACCESS

M. JODI RELL
GOVERNOR

CRISTINE A. VOGEL
COMMISSIONER

August 30, 2004

Robert J. Anthony, Esquire
Brown Rudnick Berlack Israels LLP
CityPlace I
Hartford, CT 06103

Re: Certificate of Need Determination, Report Number 04-30339-DTR
Relationship of St. Mary's Hospital to an Emergency Walk-In Medical Center in Wolcott

Dear Attorney Anthony:

On June 21, 2004, the Office of Health Care Access ("OHCA") sent a letter to St. Mary's Hospital (the "Hospital") requesting information regarding the Hospital's role in or relationship to the ownership and operation of a Walk-In Center in Wolcott. On August 25, 2004, OHCA received your response to OHCA's inquiry, filed on behalf of the Hospital. This matter is reviewed by OHCA under Certificate of Need Determination Report Number 04-30339-DTR. OHCA has reviewed the information contained in the August 25, 2004 submission and makes the following findings:

1. St. Mary's Hospital (the "Hospital") is an acute care hospital located at 56 Franklin Street in Waterbury.
2. On July 18, 2004, the Waterbury Republican published an article entitled "*Walk-in Center opens in Wolcott*", which refers to the Center as "*The Saint Mary's Medical Walk-in Center*". Based on this news article, OHCA initiated a CON Determination process under Report Number 04-30339.
3. The referenced location at 509 Wolcott Road in Wolcott is a medical office building owned by T. Eric Walshe, M.D. Dr. Walshe is a retired member of the Hospital's medical staff.
4. Dr. Walshe leases the medical office building to Scovill Medical Group, P.C., an independent Connecticut professional corporation. Frankin Medical Group, P.C., also an independent Connecticut professional corporation, subleases the building from Scovill Medical Group, P.C., to provide after-hours emergency walk-in services. The lease is structured as an operating lease.

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5. Franklin Medical Group, P.C. was created to support the needs and mission of the Hospital.
6. The Hospital does not provide any services at this location. No services provided at this location fall under the Hospital's acute care license. The Hospital's license does not list this location as a hospital satellite and this center is not licensed as an outpatient clinic.
7. Services at this location are not billed for as Hospital services. Franklin Medical Group, P.C. bills for professional medical services at this location.
8. Franklin Medical Group, P.C. employs the staff at this location and will book the revenue, expenses and volume.
9. The Hospital has not incurred any capital expenditures or capital costs related to Franklin Medical Group, P.C.'s operations at this location.

Based on the above findings, St. Mary's Hospital, a health care facility or institution, is not providing any new or additional functions or services at 509 Wolcott Road in Wolcott and has not incurred a capital expenditure related to operations there. The walk-in emergency medical services are provided by Franklin Medical Group, P.C., a private physicians practice. Therefore, Certificate of Need authorization is not required by St. Mary's Hospital related to the walk-in emergency medical services offered by the Franklin Medical Group, P.C.

Thank you for your assistance in the review of this matter. If you have any questions concerning this letter, please contact Karen Roberts, Compliance Officer at OHCA at (860) 418-7001.

Sincerely,

Signed by Cristine A. Vogel
Commissioner

cc: Rose McLellan, Licensing Examination Assistant, DHSR, DPH

CAV: kr