



STATE OF CONNECTICUT
OFFICE OF HEALTH CARE ACCESS

M. JODI RELL
GOVERNOR

CRISTINE A. VOGEL
COMMISSIONER

August 1, 2005

Jennifer L. Groves, Esq.
Updike, Kelly & Spellacy, P.C.
One Century Tower
265 Church Street
New Haven, CT 06510

Re: Certificate of Need Determination; Report Number 05-30534-DTR
Hartford Surgical Center, Inc. d/b/a HEALTHSOUTH Surgery Center of Hartford
Corporate Reorganization

Dear Attorney Groves:

The Office of Health Care Access ("OHCA") is in receipt of your request for a CON Determination Report for the corporate reconfiguration of HEALTHSOUTH Surgery Center of Hartford.

Upon review of the information contained in the request, OHCA finds the following:

1. Hartford Surgical Center, Inc. ("HSC") currently owns and operates a freestanding multi-specialty ambulatory surgical facility under the name of HEALTHSOUTH Surgery Center of Hartford ("HSCH"), located at 100 Retreat Avenue, Hartford, Connecticut.
2. HSC is a wholly owned subsidiary of SunSurgery Corporation ("SSC"). SSC is a wholly-owned subsidiary of ASC Network Corporation ("ASCNC"). ASCNC is a wholly-owned subsidiary of HEALTHSOUTH Corporation.
3. HSC d/b/a HSCH proposes to merge the business and assets of HSCH.
4. After the proposed corporate reorganization, 99% of HSC will be owned by SunSurgery Corporation. The remaining 1% will be held by HEALTHSOUTH S.C. of Norwalk, Inc.
5. HEALTHSOUTH S.C. of Norwalk, Inc., a two-member limited liability company is being proposed for tax purposes.

6. SSC will retain a minimum of 59% interest and up to 40% interest may be divested to individual physicians and trusts. The 1% interest will remain with HEALTHSOUTH S.C. of Norwalk, Inc.
7. The proposed project will not result in any change of ownership or control, or change in function or service. There will also be no change in the membership and/or structure of governing body specifically as a result of this proposed corporate reorganization.
8. The services at the facility will continue to be provided by the existing professional staff. There will be no changes in services currently being provided.
9. There is no associated capital expenditure with the proposed corporate reorganization.

Based on these findings, OHCA has determined that the proposed corporate reorganization does not constitute a change of ownership or control, or change in function or service and therefore, a Certificate of Need is not required, pursuant to 19a-638 of the Connecticut General Statutes.

If you have any questions concerning the above, please feel free to contact Steven Lazarus, Associate Health Care Analyst, at (860) 418-7012.

Sincerely,

Signed by Cristine A. Vogel
Commissioner

c: Rose McLellan, Licensing Examination Assistant, DPH, DCBR

CAV:swl