



John E. Baldacci, Governor

Brenda M. Harvey, Commissioner

Department of Health and Human Services
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December 17, 2008

Peter Chalke, CEO
Central Maine Medical Center
300 Main Street
Lewiston, ME 04240

RE: Central Maine Medical Center's (CMMC) proposal to expand their Emergency Department (ED) and Laboratory at their campus in Lewiston, ME.

Dear Mr. Chalke:

This letter will serve as notification that, on this date, I have decided to **grant with conditions** a Certificate of Need (CON) that authorizes CMMC to expand their ED and Laboratory at their campus in Lewiston, Maine. The approved capital expenditure associated with this project is \$43,662,600. Any costs exceeding \$45,198,600 (the approved capital expenditure plus approved contingency of \$1,536,000) will trigger a subsequent review.

The information provided by the hospital was minimally adequate to grant this application. I note that the hospital should not conclude that this approval signals any future approval of further expansion projects. Every application must stand on its own merits and be judged in accordance with the laws and facts that exist when the application is submitted.

My approval is conditioned on CMMC implementing the following:

1. The applicant must provide CONU with the results of the following outcomes through the third year of operation;
 - Ambulance diversions
 - Patient boarding
 - Length of stay in ED
 - Left without being seen rates
 - Medical error rates as presented in the application
 - Employee satisfaction
 - Patient satisfaction
2. The applicant must provide CONU evidence of corrective actions taken specific to the American College of Pathologists survey deficiencies.
3. The applicant must report lab test growth rates for a period of 3 years following project implementation.

In order for this CON to remain valid, the project must be "commenced" within one year from the date of the original approval noted above. You must complete implementation reports on your activities as specified for this type of project (CON Procedures Manual, Chapter 11, Sec. 3). Limited extensions may be available, if requested in a timely manner and for good cause, as explained in the Manual, Chapter 9, Sec. 3. Failure to

commence the project within this 12-month period will result in expiration of the CON, unless an extension is obtained, as cited above.

I am granting this CON with conditions because I have determined that the project meets the criteria set forth in the CON Act Sec. 335(1) and the Department's regulations. The specific details of the project for which I have granted this CON are contained in an application found to be subject to review in accordance with the provisions of the Maine Certificate of Need Act, and was certified complete by the applicant on December 20, 2007. Please be aware that in accordance with Section 346 of the Maine Certificate of Need Act this Certificate, as modified herein, is valid only for the stated scope, premises and facility named in the above referenced application and is not transferable or assignable.

Furthermore, it should be clearly understood that our analysis and findings regarding the need for the proposed project as well as its financial and economic feasibility have been predicated on the application record as described in the Manual, Chapter 8, Subsection 5. Consequently, the proposal must be implemented consistent with the approval and conditions stated in this letter, as informed and clarified by the Department's analysis and findings as summarized in the following Department staff reports:

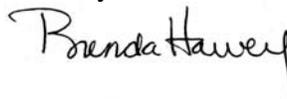
1. PRELIMINARY STAFF REPORT: Report from Steven Keaten, Health Care Financial Analyst, CONU and Larry Carbonneau, Health Care Financial Analyst, CONU to Phyllis Powell, Manager, CONU, Licensing and Regulatory Services, dated May 22, 2008.
2. FINAL REVIEW: Briefing memo to Brenda M. Harvey, Commissioner, DHHS, dated December 2, 2008.

No significant changes to the project, no variations from the projected operating costs, no modifications of the terms of financing the project, and no increase in the capital expenditures to be made are permitted without the prior written approval of the Department. Any such variances may result in either the disallowance of related expenses, financial penalties or the immediate revocation of the CON. The law requires that a holder of a CON make a written report at the end of each six-month period following its issuance. Details regarding this and related requirements will be made the subject of a separate letter from the CONU.

Please work closely with my staff in the CONU to assure this project is implemented in accordance with the provisions of this Certificate and applicable rules and regulations. As part of this requirement, you are reminded that, prior to construction, the appropriate licensing and certification and State Fire Marshal officials must approve all working drawings and construction specifications.

My staff in the CONU will work with you to meet the conditions set out in this letter.

Sincerely,



Brenda M. Harvey
Commissioner, DHHS

BMH/klv

cc: Catherine Cobb, Director
Phyllis Powell, CONU Manager
Anne Flanagan, Assistant Director
Herb Downs, Audit
Janine Raquet, AAG