



Department of Health  
and Human Services

Maine People Living  
Safe, Healthy and Productive Lives

Paul R. LePage, Governor

Mary C. Mayhew, Commissioner

Department of Health and Human Services  
Licensing and Regulatory Services  
41 Anthony Avenue  
11 State House Station  
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Toll Free (800) 791-4080; TTY Users: Dial 711 (Maine Relay)

November 17, 2015

Julius Ciembroniewicz  
Kelly, Rimmel & Zimmerman  
53 Exchange Street  
P.O. Box 597  
Portland, ME 04112-0597

RE: Letter of Applicability: Ambulatory Surgical Centers of America – New Ambulatory Surgical Facility

Dear Mr. Ciembroniewicz:

This correspondence responds to yours dated November 16, 2015 in which your client, Ambulatory Surgical Centers of America proposes to establish a new ambulatory surgical center in Portland, Maine. The capital cost for this project is estimated to be \$4.3 million. Projected third year operating costs are \$2.6 million.

Based on the information you provided, the Department of Health and Human Services has determined that the proposal as written is subject to review. The applicable reason(s) this is a covered project are indicated below (see 22 M.R.S.A. 329 (1-6)):

- This project is a transfer of ownership or acquisition of control of a health care facility.
- This project is an acquisition of major medical equipment where the expenditure exceeds \$3,458,163.
- This project is a new health service where either:
  - Capital expenditures exceed \$3,242,028 nor,
  - Third year annual expenditures exceed \$1,080,676.
- This project is a new health care facility where:
  - Capital expenditures exceed \$5,000,000 for a nursing facility or
  - Capital expenditures exceed \$3,000,000 for other covered facilities.
- The total capital costs associated with the project does exceed:
  - \$5,403,379 for nursing facilities.
  - \$10,806,759 for hospitals or other covered facilities.
- The project is an increase in a licensed bed category or in the case of hospitals, greater than a 10% increase.

Sincerely,

  
Larry Carbonneau, CPA, CGFM  
Senior Health Care Financial Analyst

cc: File



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