



Via OHS Electronic CON Portal

February 10, 2022

Sally F. Herlihy, FACHE
Vice President, Strategic Planning and Business Development
24 Hospital Avenue
Danbury, CT 06810

Sharon Hospital
50 Hospital Hill Road
Sharon, CT 06069

RE: Certificate of Need Application: Sharon Hospital / Docket No. 22-32511-CON
Termination of Inpatient or Outpatient Services by a Hospital
First Completeness Letter

Dear Ms. Herlihy:

On January 12, 2022, the Health Systems Planning unit (“HSP”) of the Office of Health Strategy (“OHS”) received a Certificate of Need application from Vassar Health Connecticut, Inc. d/b/a Sharon Hospital (“Sharon Hospital” or the “Applicant”) seeking authorization to terminate inpatient labor and delivery services (the “Application”). OHS requests additional information pursuant to Connecticut General Statutes (“Conn. Gen. Stat.”) § 19a-639a(c)(1). Please provide responses to the questions and requests set forth below in both Word and PDF format as directed through OHS’ CON portal.

In providing your responses, please also paginate (bates number) and date your response (i.e., each page in its entirety). Repeat each OHS question and/or request before providing your response and reference “**Docket No.: 22-32511-CON.**”

Pursuant to Conn. Gen. Stat. § 19a-639a(c)(1), you must submit your response to this request for additional information no later than sixty (60) days after the date this request was transmitted. Therefore, the deadline for you to provide this additional information is **April 11, 2022, by 4:30 p.m. (EST)**, otherwise the Application will automatically be considered withdrawn.

1. Page SH00015¹ of the Application states that Sharon Hospital had 210 deliveries during fiscal year 2021. Page 31 of the Application uses fiscal year 2020 as the most recently completed fiscal year. Please update all data and graphs in the Application through fiscal year 2021 as the most recently completed fiscal year.
2. Page 15 of the Application shows a Birth Rate Graph through 2019. Please do the following:
 - a. Update the graph to show data through the last completed calendar year; and
 - b. Provide the calculation used to determine the rates represented within the graph.
3. On page 31 of the Application, Sharon Hospital provided a table showing that 44% of women who gave birth in the most recently completed fiscal year delivered at another area hospital. Please update the graph to include fiscal year 2021 and separate out the other hospitals to show where women gave birth by percent and volume.
4. The Applicant states on page 34 of the Application that “the Hospital has partnered with the Torrington federally qualified health center (‘FQHC’), Community Health and Wellness, to launch a mobile medical unit....” Please describe the services this mobile medical unit will be providing.
5. Page 45 of the Application provides a table with revenue assumptions. The net revenue by payer type percentages do not equate to the charge increase of 5%. Please update the table and provide a detailed explanation as to what the table is indicating.
6. Please clarify if the Financial Worksheet is for Sharon Hospital or for Nuvance Health. If it is for Sharon Hospital, please provide a financial worksheet for Nuvance Health as well.
7. Page 53 of the Application includes a table that shows the utilization by town in the primary service area. Please do the following:
 - a. Confirm if the town listed as “Canaan” is being represented as the official town of Canaan (i.e., Falls Village) or as North Canaan;
 - b. Provide the discharge volume for FY 2018-FY 2021 rather than only FY 2020; and
 - c. Confirm if the numbers you provided in the existing table indicate discharges for births only or discharges for births and other services (i.e., a visit due to complications).
8. Please provide the number of births from the residents of Sharon Hospital’s primary service area towns by town and where the births occurred for the last 3 historical calendar years.
9. Provide the labor and delivery service’s quality measures, how they are evaluated, and how Sharon Hospital has been performing on these metrics over the past 3 fiscal years. Provide any and all supporting documentation such as policies, procedures or other rubric-containing forms.
10. In Sharon Hospital’s experience in the last three (3) fiscal years:
 - a. How many babies required a NICU after birth at Sharon Hospital?

¹ Pages of the Application will hereinafter only be referred to by their number rather than full bates number.

- b. What is the protocol if a baby is born at Sharon Hospital and requires a NICU?
 - c. How many women have been categorized as high-risk and why?
11. Please answer the following questions:
- a. When did Sharon Hospital begin experiencing decreases in volume?
 - b. When did Sharon Hospital increase the cost for labor and delivery services?
12. Specific to labor and delivery services, describe what efforts Sharon Hospital has made to obtain new patients and retain its current patient population. For any marketing campaigns or other related efforts, please state the approximate cost of each.
13. According to the Application, Sharon Hospital has struggled to hire or credential physicians to appropriately staff the labor and delivery department. With that in mind, please do the following for the past 5 years:
- a. Provide a detailed description of the efforts Sharon Hospital has undertaken to recruit labor and delivery physicians;
 - b. Provide a detailed description of the efforts Sharon Hospital has undertaken to retain its existing labor and delivery physicians;
 - c. Provide the timeline of actions taken by Sharon Hospital in furtherance of securing additional labor and delivery physicians;
 - d. Provide any additional documentation, such as job postings and outsourcing recruitment contracts, that Sharon Hospital utilized to recruit labor and delivery physicians;
 - e. Provide redacted copies of any and all application materials that Sharon Hospital has received in response to its recruitment efforts for labor and delivery (e.g., curricula vitae, resumes, cover letters, etc.) regardless of whether submitted through formal employment and/or privileging/credentialing channels (e.g., Sharon Hospital's careers website, Indeed, etc.) or informal employment channels (e.g., submissions from existing providers and staff);
 - f. For each interested physician, state why he/she/they were not hired or offered medical staff privileges (e.g., the applicant declined to move forward, the hospital declined to move forward, etc.), and if the hospital declined to move forward, the basis for such decision;
 - g. Explain why Sharon Hospital believes it will be successful in hiring physicians for its proposed expansion of women's services if the CON is granted;
 - h. State whether there are any medical practices in the area that currently do or could staff the labor and delivery department at Sharon Hospital; and
 - i. If not furnished in response to the above-requests, explain what efforts Sharon Hospital has made to recruit labor and delivery physicians from those medical practices.
14. According to the Application, Sharon Hospital has struggled to hire or credential physicians to appropriately staff the labor and delivery department. With that in mind, please do the following for the past 5 years:
- a. Provide a detailed description of the efforts Nuvance Health has undertaken to recruit physicians to staff labor and delivery at Sharon Hospital;

- b. Provide a detailed description of the efforts Nuvance Health has undertaken to retain existing labor and delivery physicians at Sharon Hospital;
 - c. Provide the timeline of actions taken by Nuvance Health in furtherance of securing additional labor and delivery physicians at Sharon Hospital;
 - d. Provide any additional documentation, such as job postings and outsourcing recruitment contracts, that Nuvance Health utilized to recruit labor and delivery physicians;
 - e. Provide redacted copies of any and all application materials that Nuvance Health has received in response to its recruitment efforts for labor and delivery at Sharon Hospital (e.g., curricula vitae, resumes, cover letters, etc.) regardless of whether submitted through formal employment and/or privileging/credentialing channels (e.g., Nuvance Health's careers website, Indeed, etc.) or informal employment channels (e.g., submissions from existing providers and staff);
 - f. For each interested physician, state why he/she/they were not hired or offered medical staff privileges at Sharon Hospital (e.g., the applicant declined to move forward, the hospital declined to move forward, etc.), and if Nuvance Health declined to move forward, the basis for such decision;
 - g. Explain why Nuvance Health believes it will be successful in hiring physicians for its proposed expansion of women's services if the CON is granted;
 - h. State whether there are any medical practices in the area that currently do or could staff the labor and delivery department at Sharon Hospital; and
 - i. If not furnished in response to the above-requests, explain what efforts Nuvance Health has made to recruit physicians from those medical practices to staff labor and delivery at Sharon Hospital.
15. According to the Application, Sharon Hospital has struggled to hire or appropriately staff the labor and delivery department with non-physician clinical staff. With that in mind, please do the following for the past 5 years:
- a. Provide a detailed description of the efforts Sharon Hospital has undertaken to recruit non-physician clinical staff for labor and delivery;
 - b. Provide a detailed description of the efforts Sharon Hospital has undertaken to retain its non-physician clinical staff for labor and delivery;
 - c. Provide the timeline of actions taken in furtherance of securing additional non-physician clinical staff for labor and delivery;
 - d. Provide any additional documentation, such as job postings and outsourcing recruitment contracts, utilized to recruit labor and delivery non-physician clinical staff;
 - e. Provide redacted copies of any and all application materials that Sharon Hospital has received in response to its recruitment efforts for labor and delivery (e.g., curricula vitae, resumes, cover letters, etc.) regardless of whether submitted through formal employment channels (e.g., Sharon Hospital's careers website, Indeed, etc.) or informal employment channels (e.g., submissions from existing providers and staff);
 - f. For each interested non-physician clinical staff person, state why he/she/they did not receive an offer of employment (e.g., the applicant declined to move forward, the hospital declined to move forward, etc.), and if the hospital declined to move forward, the basis for such decision;

- g. Explain why Sharon Hospital believes it will be successful in hiring non-physician clinical staff for its proposed expansion of women's services if the CON is granted;
 - h. State whether there are any medical practices in the area that currently do or could staff the labor and delivery department at Sharon Hospital with non-physician clinical staff; and
 - i. If not furnished in response to the above-requests, explain what efforts Sharon Hospital has made to recruit non-physician clinical staff from those medical practices.
16. According to the Application, Sharon Hospital has struggled to hire or appropriately staff the labor and delivery department with non-physician clinical staff. With that in mind, please do the following for the past 5 years:
- a. Provide a detailed description of the efforts Nuvance Health has undertaken to recruit non-physician clinical staff for labor and delivery at Sharon Hospital;
 - b. Provide a detailed description of the efforts Nuvance Health has undertaken to retain non-physician clinical staff for labor and delivery at Sharon Hospital;
 - c. Provide the timeline of actions Nuvance Health has taken in furtherance of securing additional non-physician clinical staff for labor and delivery at Sharon Hospital;
 - d. Provide any additional documentation, such as job postings and outsourcing recruitment contracts, utilized by Nuvance Health to recruit labor and delivery non-physician clinical staff at Sharon Hospital;
 - e. Provide redacted copies of any and all application materials that Nuvance Health has received in response to its recruitment efforts for labor and delivery at Sharon Hospital (e.g., curricula vitae, resumes, cover letters, etc.) regardless of whether submitted through formal employment channels (e.g., Nuvance Health's careers website, Indeed, etc.) or informal employment channels (e.g., submissions from existing providers and staff);
 - f. For each interested non-physician clinical staff person, state why he/she/they did not receive an offer of employment (e.g., the applicant declined to move forward, the hospital declined to move forward, etc.), and if the Nuvance Health declined to move forward, the basis for such decision;
 - g. Explain why Nuvance Health believes it will be successful in hiring non-physician clinical staff for its proposed expansion of women's services if the CON is granted;
 - h. State whether there are any medical practices in the area that currently do or could staff the labor and delivery department at Sharon Hospital with non-physician clinical staff; and
 - i. If not furnished in response to the above-requests, explain what efforts Nuvance Health has made to recruit non-physician clinical staff from those medical practices to staff labor and delivery at Sharon Hospital.
17. Provide a detailed description of what Nuvance Health System has done to:
- a. Avoid the closure of Sharon Hospital's labor and delivery department; and
 - b. Help Sharon Hospital reduce risk of closure.
18. Sharon Hospital has made announcements disclosing to the public that the labor and delivery services will be closing. With that in mind, please provide the following information:

- a. The number of staff members who have separated from Sharon Hospital, by physician, non-physician clinical staff, and non-clinical professional staff;
 - b. For the staff members identified in response to (a), state how many voluntarily left vs. were terminated by either Sharon Hospital or Nuvance Health; and
 - c. Provide the staffing plans for the staff who remain working in the labor and delivery department if the CON is approved.
19. If the CON is approved and Sharon Hospital's labor and delivery program is terminated, describe in step-by-step detail, or nearly step-by-step detail, the protocols that will be followed when:
 - a. a patient who is in labor presents at the hospital;
 - b. a patient who has been receiving prenatal care at Sharon Hospital goes into labor, experiences an emergency of some kind, and is unable to present to the hospital; and
 - c. a patient who has not been receiving prenatal care at Sharon Hospital goes into labor and requests to be taken to Sharon Hospital.
20. Please provide copies of the transportation policies and procedures that Sharon Hospital intends to adhere to if the CON is approved. In addition, describe the transportation plan the hospital intends to implement by providing, at a minimum, responses to the following questions:
 - a. How will patients access these transportation services?
 - b. How long will transportation services be provided after the termination of labor and delivery services?
 - c. Who will be absorbing the cost of transportation?
 - d. What is the projected cost of the transportation on an annual basis?
21. Interstate travel has the potential to affect costs, accessibility, insurance coverage, etc. With that in mind:
 - a. What are Sharon Hospital's plans regarding transporting a patient out-of-state for labor and delivery to a different Nuvance Health facility or other unaffiliated facility?
 - b. Does Sharon Hospital have agreements with insurance companies to ensure labor and delivery patients will be covered out-of-state?
22. The Applicant indicated that the closure of the labor and delivery department will improve Sharon Hospital's financial viability by \$3 million. Provide a detailed description on how Sharon Hospital plans to use the \$3 million given the fact that the Hospital purports to be at high-risk for closing but at the same time is looking to expand women's health services, primary care, and behavioral health.
23. Over the past 5 years, has there been an increase in the number of shifts that each of the following in the labor and delivery program have been expected to cover at Sharon Hospital, and if so, please provide details: (1) physicians; (2) non-physician clinical staff; and (3) other professional staff.
24. What has Sharon Hospital and/or Nuvance Health done, if anything, to engage with residency programs for the purpose of obtaining additional labor and delivery call coverage?

25. What has Sharon Hospital and/or Nuvance Health done, if anything, to secure grants or other awarded funding for purposes of financially supporting the labor and delivery program at Sharon Hospital?
26. Has Sharon Hospital and/or Nuvance Health referred and/or diverted any patients seeking prenatal care to other facilities over the past 5 years, and if so, state:
 - a. The number of referrals/diversions per annum; and
 - b. The reasons for any such referrals and/or diversions.
27. Has Sharon Hospital and/or Nuvance Health referred and/or diverted any labor and deliveries to other facilities over the past 5 years, and if so, state:
 - a. The number of referrals/diversions per annum; and
 - b. The reasons for any such referrals and/or diversions.
28. Has Sharon Hospital's labor and delivery unit undergone a review by the American College of Obstetrics and Gynecology ("ACOG") in the past 5 years, and if so, what were the results of any such review(s)? If a report was generated, please provide a copy of that report.
29. Please provide all minutes from meetings, whether on-site at Sharon Hospital or at a different Nuvance Health location, in which the termination of Sharon Hospital's labor and delivery services was discussed.
30. Has Sharon Hospital and/or Nuvance Health made any efforts over the past 5 years to train emergency department staff in how to handle obstetrical and gynecological emergencies, and if so, please provide details.
31. Would the proposed transition from ICU to PCU affect Sharon Hospital's ability to provide emergency labor and delivery services when a woman presents at the hospital and, if so, in what specific ways would it be affected?
32. What is the minimum volume of births that Sharon Hospital would need in order to administer a quality and safe labor and delivery program? What is this based on?
33. Update OHS Tables 3 and 4 on page 42 to include historical average cost data per self-pay and commercially insured for FY 2021 and the partial FY 2022.

If there are any questions, please do not hesitate to contact us.

Sincerely,

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