



STATE HEALTH PLANNING AND DEVELOPMENT AGENCY

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GOVERNOR OF HAWAII

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DIRECTOR OF HEALTH

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ADMINISTRATOR

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January 2, 2004

CERTIFIED MAIL, RETURN RECEIPT REQUESTED

Jody Montell, Administrator
The Endoscopy Center, LLC
134 Pu'uohonu Way
Hilo, HI 96720

Dear Ms. Montell:

The State Health Planning and Development Agency has evaluated your Certificate of Need application #03-38A for a change of ownership of The Endoscopy Center, 134 Pu'uohonu Way, Hilo, HI at a capital cost of \$200,000.

As provided under Section 11-186-99.1 of the Hawaii Administrative Rules (HAR), the Agency has determined that:

1. This proposal is eligible for administrative review as it meets the criterion in Section 11-186-99.1(b)(6), i.e.: "any proposal which is determined by the agency not to have a significant impact on the health care system."
2. The applicant has proven by a preponderance of evidence that its proposal meets the Cert. criteria in Section 11-186-15, HAR:
 - a. The applicant states that its facility meets the provisions of the Hawaii Health Performance Plan (H2P2) by providing appropriate care, accessible without discrimination at a lower cost than the current service available. The applicant states that this will remain the same after the proposed change of ownership.
 - b. The applicant states that its facility performs 300 procedures per month and is accessible to all patients without discrimination.
 - c. The applicant states that it is currently JCAHO accredited, has received continued licensure and Medicare certification and will continue current levels of accreditation and licensure after the proposed change of ownership.
 - d. The applicant states that there will be no cost to its patients as a result of the proposed change of ownership.
 - e. The applicant states that it has transfer arrangements with the only hospital in the area and will continue to support the hospital by using it for patients who are not appropriate for outpatient procedures.

- f. The applicant states that it does not require any additional staffing or financial resources for the proposal.

There is no compelling public interest which will be served by requiring the application to go through the standard review process.

Pursuant to Section 323D-43(b), Hawaii Revised Statutes (HRS), the Agency finds that:

1. There is a public need for this proposal.
2. The cost of the service will not be unreasonable in light of the benefits it will provide and its impact on health care costs.

Accordingly, the State Health Planning and Development Agency hereby APPROVES and ISSUES a Certificate of Need to The Endoscopy Center, LLC for the proposal described in Cert. #03-38A. The maximum capital expenditure allowed under this approval is \$200,000.

Please be advised that pursuant to Section 323D-47, HRS and Section 11-186-99.1(g) HAR, any person may, for good cause shown, request in writing a public hearing for reconsideration of the Agency's decision within ten working days from the date of this decision. Accordingly, if no person makes such a timely request for reconsideration, this decision shall become final immediately after the deadline for making such a request has expired.



David T. Sakamoto, M.D.
Administrator

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the attached Administrative Review Decision was duly served upon the applicant by sending it by certified mail, return receipt requested, in the United States Postal Service addressed as follows on January 2, 2004.

Jody Montell, Administrator
The Endoscopy Center, LLC
134 Pu'uhonu Way
Hilo, HI 96720

HAWAII STATE HEALTH PLANNING
AND DEVELOPMENT AGENCY



David T. Sakamoto, M.D.
Administrator