



STATE OF CONNECTICUT

DEPARTMENT OF SOCIAL SERVICES
OFFICE OF THE DEPUTY COMMISSIONER

FINAL DECISION

IN THE MATTER OF: Docket Number 16-706: Paradigm Healthcare Center of South Windsor, LLC

In accordance with Conn. Gen. Stat. §§ 17b-352, 17b-353 and 17b-355, the following is the decision of the Department of Social Services ("DSS or Department") regarding Paradigm Healthcare Center of South Windsor, LLC ("Paradigm" or "Applicant") Certificate of Need ("CON") request for the termination of 100 licensed Chronic and Convalescent Nursing Home ("CCNH") beds and all nursing home services at 1060 Main Street in South Windsor.

PROCEDURAL BACKGROUND, APPLICABLE LAW AND FINDINGS OF FACT

1. The Applicant is a Medicare and Medicaid certified nursing facility located at 1060 Main Street in South Windsor and is licensed for 100 CCNH beds by the Department of Public Health.
2. On May 26, 2016 the Applicant filed a CON application with DSS to terminate 100 CCNH beds and associated services at the facility. The Applicant's CON states the facility has experienced a reduction in census, is not financially viable, and requires significant capital improvements. The Applicant also indicates potential buyers declined acquisition of the facility.
3. Conn. Gen. Stat. § 17b-352 requires that a nursing facility that requests CON approval to terminate services must, at that same time as filing a letter of intent with the department, notify residents, guardians, or conservators, if any, or legally liable relatives or other responsible parties and the Office of the Long-Term Care Ombudsman of its intent to seek approval to close.
4. § 17b-352 (d) requires that the notice to residents and applicable parties must include the following: (A) The projected date the facility will be submitting its certificate of need application, (B) that only the department has the authority to either grant, modify or deny the application, (C) that the department has up to ninety days to grant modify or deny the certificate of need application, (D) a brief description of the reason or reasons for submitting a request for permission, (E) that no patient shall be involuntarily transferred or discharged within or from a facility pursuant to state and federal law because of the filing of a certificate of need application, (F) that all patients have a right to appeal any proposed transfer or discharge, (G) the name, mailing address and telephone number of the Office of the Long-Term Care Ombudsman and local legal aid office.
5. On May 26, 2016, the facility provided the required notification of its intent to submit a CON application to terminate services at the facility.

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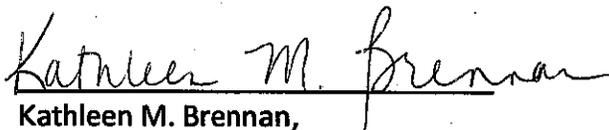
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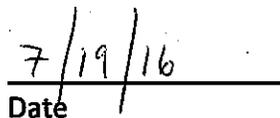
6. § 17b-353(d) provides "No facility shall be allowed to close or decrease substantially its total bed capacity until such time as a public hearing has been held in accordance with the provisions of this subsection and the Commissioner of Social Services has approved the facility's request unless such decrease is associated with a census reduction."
7. A public hearing was held at the facility on June 24, 2016. The Department has fully considered the testimony offered at the public hearing.
8. § 17b-352 (e) requires the Commissioner of DSS to grant, modify or deny a CON request within ninety days of receipt and provides that the review period may be extended by the Director of the Office of Certificate of Need and Rate Setting for up to an additional thirty days if the applicant has not filed information deemed necessary by DSS.
9. The Applicant's census was 65 residents (65% occupancy) on May 26, 2016 and 27 residents (27% occupancy) on July 14, 2015.
10. 17b-355 requires the Commissioner to consider the relationship of the request to the state health plan. The state health plan is not applicable to this request as the latest Public Health report ("Looking Forward to 2000 - An Assessment of Health Status and Health Services") was published in 1999 and did not fully anticipate that home care services, adult day services, continuing care communities and assisted living facilities would greatly reduce the need for licensed beds.
11. Pursuant to §17b-352 (e), DSS is required to review, to the extent it deems necessary, requests to terminate a service or decrease total bed capacity.
12. The Commissioner of DSS has considered this CON request in accordance with the factors set forth in Conn, Gen. Stat. §§ 17b-352 through 17b-355.

ORDER

DSS hereby grants the Applicant's request to terminate 100 licensed CCNH beds and all services at 1060 Main Street in South Windsor. The effective date of service termination shall be the date of discharge of the last resident. The facility shall provide notice to the appropriate State and Federal agencies having oversight of nursing facility closure matters.


Kathleen M. Brennan,

Deputy Commissioner, Department of Social Services


Date