



THE STATE
of ALASKA
GOVERNOR BILL WALKER

Department of
Health and Social Services

OFFICE OF RATE REVIEW
Certificate of Need Program

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November 4, 2015

Stanley T. Lewis
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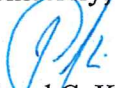
Dear Mr. Lewis,

Thank you for your letter dated September 22, 2015. In that letter, you indicate that your law firm represents Imaging Associates, LLC, and that "Imaging Associates requests that DHSS properly administer and enforce Alaska's CON laws by reconsidering its September 1, 2015 decision and further investigating DHA's claimed costs to ensure that its project complies with the CON laws." Based on this letter, it appears that Imaging Associates, LLC is requesting that the Department formally reconsider its certificate of need determination made on September 1, 2015 concerning Diagnostic Health Anchorage's proposed independent diagnostic testing facility.

Per 7 AAC 07.033(a), "*A person who requested a determination . . . may seek reconsideration of the determination by submitting a written request for reconsideration to the department.*" (emphasis added). In this matter, Diagnostic Health Anchorage requested the determination, not Imaging Associates, LLC. Since Imaging Associates, LLC is not the requestor of the determination at issue, it is not eligible to request reconsideration of that determination under 7 AAC 07.033(a). Accordingly, Imaging Associate, LLC's request for reconsideration is denied.

This decision is a final agency decision. If you wish to appeal this decision, you must file an appeal with the Superior Court within 30 days of the date of this letter as provided in Alaska Rule of Appellate Procedure 601.

Sincerely,


Jared C. Kosin
Executive Director

Cc Diagnostic Health Anchorage
Stacie Kraly, AAG