



THE STATE
of **ALASKA**
GOVERNOR SEAN PARNELL

Department of
Health and Social Services

OFFICE OF THE COMMISSIONER

Anchorage
3601 C Street, Suite 902
Anchorage, Alaska 99503-5923
Main: 907.269.7800
Fax: 907.269.0060

Juneau
350 Main Street, Suite 404
Juneau, Alaska 99801-1149
Main: 907.465.3030
Fax: 907.465.3068

March 13, 2014

Mr. Mark S. Tournie
Fairbanks Medical Imaging, LLC d/b/a/ North Star Radiology
125 N 18th Street, Suite C
Mount Vernon, WA 98273

Via E-mail & US Mail

Dear Mr. Tournie,

The review of the North Star Radiology (NSR) Independent Diagnostic Testing Facility (IDTF) application is complete. The project under consideration is unique because it was completed in 2011. It is important to express to you that I am troubled by the contention that NSR is somehow exempt from certificate of need (CON) laws under the office of private physician's exemption, so I would like to be clear that the Department considers NSR to be an IDTF that is fully subject to CON review.

In making my decision to grant or deny a CON, I look to 7 AAC 07.070(b) for guidance. My final decision today takes into account the analysis and recommendation submitted by the CON Program. However, given the uniqueness of this situation, I also find it necessary to consider 7 AAC 07.070(b)(7)(A) by paying careful attention to some of the special and extraordinary circumstances related to community access to health care.

Given the lengthy presence of NSR's practice in Fairbanks, the services provided, and the validation of quality and accessibility of those services through public comment, I am concerned that denying this CON would cause a reduction in the availability, quality, and accessibility of services to consumers in the Fairbanks area. Again, this concern is reinforced by the formal comments received from the public. Nearly all attendees at the public comment meeting in Fairbanks last December provided testimony in support of NSR's application. Additionally, of the approximately 524 written comments that were timely received, all but about six were in support of the application.

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After exercising the considerations specified in 7 AAC 07.070(b), I have come to the conclusion that NSR's application meets the applicable criteria for approval.

In accordance with A.S. 18.07.031-111 and 7 AAC 07.001-900, Fairbanks Medical Imaging, LLC d/b/a/ North Star Radiology is authorized to build/renovate an independent diagnostic testing facility, as proposed, in Fairbanks, Alaska. This project was completed on July 11, 2011.

This authorization is for construction of a 4,800 square foot facility that includes the addition of a Computed Tomography unit, expansion of Fluoroscopy services, and replacement of a Magnetic Resonance Imaging machine.

The total cost of the project is \$2,153,392.

The project was completed on July 11, 2011. Per 7 AAC 07.070(h), "Rights granted under a certificate of need do not continue after the activity authorized by the certificate of need is completed."

Under 7 AAC 07.080, if you are dissatisfied with this decision, you are entitled to a hearing if the request for a hearing is received in writing by the department no later than 30 days from the date of this letter.

Sincerely,



William J. Streur
Commissioner

Enclosure: Certificate of Need