



THE STATE  
of **ALASKA**  
GOVERNOR SEAN PARNELL

**Department of  
Health and Social Services**

OFFICE OF THE COMMISSIONER  
Anchorage

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May 14, 2012

**Certified, Return Receipt Requested**

#7007 0710 0004 6239 8259

Providence Surgery Centers  
DBA Creekside Surgery Center  
Attn: Debra Kay Nemec, Administrator  
3831 Piper Street, Suite S-110  
Anchorage, Alaska 99508

Dear Ms. Nemec:

The Department has completed the concurrent review and analysis of the certificate of need applications submitted by Alaska Regional Hospital for construction a 4-suite ambulatory surgery center with additional magnetic resonance imaging (MRI) services in Anchorage and your organization to add 3 surgical suites (with no imaging services) to the existing facility doing business as Creekside Surgery Center in Anchorage.

This review was delayed as your organization, Providence Surgery Centers, was involved in a case with the Department through the Alaska Supreme Court which was finally dismissed on 10/28/11. The outcome decision of the Supreme Court had a direct impact in determining the current surgical capacity of the Anchorage area.

It has been determined that the Providence Surgery Centers Certificate of Need application has not met the provisions of AS 18.07.031 and 7 AAC 07.001-900 and is therefore denied. There is, based on the available data, excess surgery capacity in Anchorage.

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,

A handwritten signature in blue ink, appearing to read "William J. Streur".

William J. Streur  
Commissioner

Encl: Staff review of CON application