

**NOTICE OF DECISION ON REQUEST FOR DETERMINATION OF WHETHER A
CERTIFICATE OF NEED IS REQUIRED
THE DEPARTMENT OF HEALTH AND SOCIAL SERVICES**

In accordance with 7 AAC 07.031 the Department of Health and Social Services (DHSS) has determined that a certificate of need is not required for the health care project or activity described below:

Project/Activity: Construct and operate a Linear Accelerator in an outpatient radiation therapy setting which consists of a cancer treatment center that will provide external beam radiation treatment in Juneau, Alaska.

Applicant's Name: Anchorage Associates of Radiation Medicine, LLC and RBS Evolution, Inc.

Project/Activity Service Area: Juneau, Alaska

Estimated Cost of Project/Activity: \$2,965,000

The project may proceed without a Certificate of Need for the following reasons:

- The facility is not considered a health care facility as defined in AS 18.07.111
- The facility is not required to be licensed under AS 47.32
- The facility does not meet the definition of an independent diagnostic testing facility or a kidney dialysis center as outlined in 7 AAC 07.900.

Copies of the request for determination and this decision are available on the Certificate of Need website at: <http://hss.state.ak.us/Apps/CertNeed/>

Copies may also be obtained by contacting the certificate of need program coordinator by mail, phone, FAX, or email as follows:

Kevin Perron, MS
Acting CON Coordinator
Department of Health and Social Services
Office of Rate Review
3601 C Street, Suite 978
Anchorage, AK 99503-5936
Phone: (907) 269-3469
FAX: (907) 334-2220
Email: Kevin.Perron@alaska.gov

As outlined in 7 AAC 07.033 a person who requested a determination under 7 AAC 07.031 may seek reconsideration of the determination by submitted a written request for reconsideration by contacting Kevin Perron as indicated above. A request must be received by the department no

later than 4:30 PM October 23, 2013, and must be made in accordance with 7 AAC 07.033. A decision under this section constitutes the final administrative decision of the department.

DATE: October 3, 2013
Anchorage, Alaska

/s/Kevin Perron
Acting Certificate of Need Program Coordinator