

**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 07.032 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: Construction and operation of an outpatient radiation therapy service which consists of a cancer treatment center that will provide external beam radiation treatment using a linear accelerator in Soldotna Alaska.

Operator's Name: Anchorage Associates of Radiation Medicine, LLC and RBS Evolutions, Inc

Project/Activity Service Area: Central Kenai Peninsula

Estimated Cost of Project/Activity: \$4,070,000

The project will not require 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/cert/CertificateListForm.aspx> Copies may also be obtained by contacting the certificate of need program coordinator by mail, phone, FAX, or email as follows:

Karen Lawfer
CON Program Coordinator
Division of Health Care Services
Department of Health and Social Services
P.O. Box 110660
Juneau, AK 99811-0660
Phone: (907) 465-8616
FAX: (907) 465-6861
email: Karen.Lawfer@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 Karen Lawfer as indicated above. A request must be received by the department no later than 4:30 PM March 22, 2012, 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: February 20, 2012
Juneau, Alaska

/s/Karen Lawfer
Certificate of Need Program Coordinator