

State of Alaska
DEPARTMENT OF HEALTH & SOCIAL SERVICES

Sarah Palin, Governor

Karleen Jackson
Commissioner
P.O. Box 110601
Juneau, Alaska 99811-0601
NEWS RELEASE



Sherry Hill
Communications Officer
/Legislative Liaison
907-465-1618
FAX: 907-465-3068
www.hss.state.ak.us

FOR IMMEDIATE RELEASE: June 11, 2007

Contact: Jeff Kasper, (907) 465-8194, Cell (907) 321-3158
Ross Soboleff (907) 465-1611, Cell (907) 321-3838

Health commissioner changes Certificate of Need ruling

Alaska radiologist allowed to buy new imaging equipment for his professional use

(Juneau, Alaska) — Alaska Department of Health and Social Services Commissioner Karleen Jackson announced today that Dr. Robert Bridges does not need a Certificate of Need to buy medical imaging technology for his business Aurora Diagnostic Imaging in Fairbanks.

Jackson's announcement today reverses her decision dated March 8, where Jackson said Bridges did require a certificate of need before buying a Magnetic Resonance Imaging (MRI) for his Fairbanks business. On May 4, Bridges filed a lawsuit in Juneau Superior Court to seek judicial determination on what types of facilities are exempt from Certificates of Need. New information provided in this suit and the documents filed with the court prompted Jackson to re-examine her earlier decision.

Jackson now concludes, after review with the Department of Law, that Bridges is not operating an independent diagnostic testing facility; therefore, he does not need to apply for a Certificate of Need before buying the MRI machine.

When making her final decision, Jackson cited unclear language in recent legislation written about Certificate of Need requirements. In 2005, the Alaska Legislature passed HB 511 which changed state statute by requiring independent diagnostic testing facilities to meet Certificate of Need guidelines. Jackson said this bill failed to define an independent diagnostic testing facility and failed to clarify the definition of a physician's office.

The Commissioner also determined that the state should not presume that radiologists and other medical specialists are operating independent diagnostic testing facilities just because they are buying imaging equipment for their private practices.

The Certificate of Need program is a state review process that promotes responsible health care facility and service development. The state requires certain health care facilities to go through this review before buying expensive medical technology to make sure the state is meeting the public's health care needs while preventing excessive or duplicate equipment and services.

Individuals and organizations substantially affected by the Commissioner's decision may request a hearing to appeal the decision by contacting the Office of the Commissioner, Department of Health and Social Services, P.O. Box 110601, Juneau, AK 99811-0601. A request for a hearing must be received by the department no later than 4:30 p.m. on Wednesday, July 11 and must be made in accordance with 7 AAC 07.080.