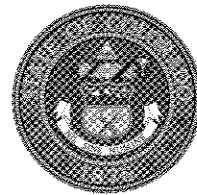


STATE OF COLORADO

OFFICE OF THE GOVERNOR

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Bill Ritter, Jr.
Governor

September 28, 2010

Donald Berwick
Administrator
Centers for Medicare and Medicaid Services
7500 Security Boulevard
Baltimore, MD 21244

Dear Dr. Berwick:

Pursuant to the final rule published in the November 13, 2001, Federal Register, Volume 66, Number 219, I am exercising the option to exempt Critical Access Hospitals and hospitals in rural areas of Colorado, as set forth below, from the requirement that certified registered nurse anesthetists be supervised by a physician.

Having consulted with the Colorado Medical Board and Colorado Board of Nursing about issues related to access to and the quality of anesthesia services in Colorado, and having determined that the opt-out is consistent with Colorado state law, I have concluded that it is in the best interests of Colorado's citizens (particularly those relying on Critical Access Hospitals, and the rural residents of Colorado) to opt out of the current federal physician supervision requirement.

For purposes of the opt out, Colorado is opting out of this requirement for all Critical Access Hospitals, as defined in 6 CCR 1011-1, Chapter IV, Part 1.102(1)(b)(i), and the following licensed rural general hospitals: Animas Surgical Hospital, Durango; Arkansas Valley Regional Medical Center, La Junta; Colorado Plains Medical Center, Ft. Morgan; Delta County Memorial Hospital, Delta; Keefe Memorial Hospital, Cheyenne Wells; Mercy Regional Medical Center, Durango; Montrose Memorial Hospital, Montrose; San Luis Valley Regional Medical Center, Alamosa; Thomas More Hospital, Canyon City; Anthony Summit Medical Center, Frisco; Sterling Regional MedCenter, Sterling; Vail Valley Medical Center, Vail; Valley View Hospital, Glenwood Springs, and Yampa Valley Medical Center, Steamboat.

Sincerely,

A handwritten signature in cursive script that reads "Bill Ritter, Jr." with a stylized flourish at the end.

Bill Ritter, Jr.
Governor