

HUSCH BLACKWELL

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February 29, 2024

VIA E-MAIL

Stephen Davis, Director
Division of Health Care Facility Licensure and
Certification
Department of Public Health
67 Forest Street
Marlborough, MA 01752

Re: New England Sinai Hospital, Closure of Hospital - Response Plan

Dear Mr. Davis:

This letter is submitted on behalf of Steward Health Care System LLC, which owns and operates New England Sinai Hospital located at 150 York Street, Stoughton, MA 02072 (the "Hospital"). In response to the Department of Public Health's Essential Services Finding letter dated February 15, 2024, and pursuant to 105 CMR 130.122(F), the Hospital presents the following response plan detailing how access to the Hospital's services will be maintained for the residents of the Hospital's service area. The Hospital's closure will include the following: 39 Rehabilitation Service beds, 119 Chronic Care Service beds, and all ambulatory care services at the Hospital.

(1) Information on utilization of the services prior to proposed closure

The Hospital is licensed for 39 Rehabilitation Service beds and 119 Chronic Care Service beds. The Hospital has been operating below 40% capacity since January 2022. On average, more than 100 beds are unoccupied each day.

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Figure 1

Service	Average Daily Census FY2022 ¹	Average Daily Census FY2023 (through 11/23)
Chronic Care and Rehabilitation Beds	61.8	44.7

(2) Information on the location and service capacity of alternative delivery sites. Include an explanation of the basis for the Hospital's determination that the alternative delivery sites *do or do not* have the capacity (necessary space, resources, etc.) to handle the increased patient volume at the identified sites. To support that assertion, please provide the following specific details:

(a) Current utilization at these alternative sites

As illustrated in Figure 1, the Hospital's historical utilization rate demonstrates low demand by patients in the Hospital's service area. Consequently, the Hospital expects future demand can be adequately absorbed by alternative rehabilitation facilities listed in Figure 2. As evidenced below, facilities near the Hospital have a large number of licensed beds. The Hospital has worked in collaboration with MassHealth and the facilities' admission departments to confirm capacity and their ability to receive the Hospital's patients.

Figure 2

Facility Name	Number of Licensed Beds	Approximate Distance (miles) from the Hospital
PAM Specialty Hospital of Stoughton (PAM)	198	3.8
Encompass Health Rehabilitation Hospital of Braintree (Encompass)	187	7.1
Spaulding Rehabilitation Hospital Boston (Spaulding)	132	21.7
VIBRA Hospital of Southeastern Massachusetts (VIBRA)	90	35.1

¹ The Hospital's fiscal year is the calendar year, January 1 through December 31.

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(b) Type of services available at the alternative sites

PAM is a long-term acute care hospital that specializes in long-term acute care, rehabilitation, physical therapy, occupational therapy, speech therapy, respiratory therapy, ventilator weaning, tracheostomy care, amputation, wound care, brain injury, stroke, neurobehavioral care, cardiopulmonary care, and respiratory failure. Encompass is a provider of inpatient rehabilitation for stroke, brain injury, hip fracture, and other complex neurological and orthopedic conditions. Spaulding offers comprehensive, intensive, and interdisciplinary rehabilitation treatment to a wide spectrum of injuries and illnesses. Services offered at Spaulding include musculoskeletal rehabilitation, amputee rehabilitation, pediatric rehabilitation, adaptive sports, neurological rehabilitation, brain injury rehabilitation, spinal cord rehabilitation, stroke rehabilitation, and burn rehabilitation. VIBRA is a critical care hospital designed to accommodate extended hospitalization needs of patients with complex medical issues. VIBRA offers several specialty treatment programs including, but not limited to, respiratory, cardiac, complex medical, neurological, wound care, infectious disease, and traumatic injury programs.

(c) Type of medical diagnoses accepted

PAM, Encompass, Spaulding, and VIBRA provide rehabilitation services to recover from neurological, orthopedic, spinal cord injury and stroke. In addition to these services, PAM and VIBRA provide care for acute respiratory failure and long-term ventilator dependent patients.

(d) Adequacy of space and resources at the alternative sites

As demonstrated in Figure 2, within 35.1 miles of the Hospital there are four alternative facilities that provide comparable services and can absorb the Hospital's patients. As mentioned in Section 2(a), the Hospital confirmed the alternative facilities have capacity and availability to accept the Hospital's patients. Consequently, the Hospital anticipates the alternative facilities will have no issues in handling the extra volume of patients from this closure.

(3) Travel times to alternative service delivery sites, for both peak and non-peak travel times, and an explanation as to the source for this information or what these estimates are based on.

The following represents the distance and approximate peak and non-peak time to four alternate sites from the Hospital. Travel times were calculated using the Google Maps application.

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Facility	Address	City	Peak (minutes)	Non-Peak (minutes)
PAM Specialty Hospital of Stoughton	909 Sumner Street	Stoughton	9	10
Encompass Health Rehabilitation Hospital of Braintree	250 Pond Street	Braintree	23	16
Spaulding Rehabilitation Hospital Boston	300 1 st Avenue	Charlestown	32	31
VIBRA Hospital of Southeastern Massachusetts	4499 Acushnet Avenue	New Bedford	42	38

Ambulance travel times are significantly less than patient travel times, therefore patients transferred from a hospital to one of these facilities will face less travel time.

(4) An assessment of transportation needs post discontinuance and a plan for meeting those needs

Patients requiring rehabilitation and chronic care services are typically referred to a facility from a hospital or similar inpatient facility. Patients requiring transfer from a facility to the Hospital are primarily transported by Chair Car², basic life support ambulance or advanced life support ambulance. Outpatients are primarily transported by private vehicles and occasionally The Ride (paratransit public transport), or Bat Bus out of Brockton. All patients will be transferred to a new appropriate placement prior to the closure of the Hospital and therefore there will be no patients needing ongoing assistance with transportation after the closure. Patients who need such care in a different facility will be transported directly to that facility, based on capacity and patient choice.

(5) A protocol that details mechanisms to maintain continuity of care for current patients of the discontinued service

The Hospital is working to ensure a smooth transition for patients. The Hospital will facilitate appropriate insurance referrals and ensure medical records are transferred to the accepting facility

² Non-emergency wheelchair transportation service based in metro Boston.

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to facilitate care transition. Medical records will be maintained, and procedures are in place to ensure timely responsiveness to requests for information and records.

(6) A protocol that describes how patients in the Hospital's service area will access the services at alternative delivery sites. The protocol should specifically address the following:

(a) The process that will be employed to effectively refer patients to other facilities or providers

The Hospital is working with patients to transition their care to another facility and with the receiving facility to ensure a smooth transition. The Hospital team collaborates with patients, families, and guardians to locate placement in facilities at the appropriate level of care.

(b) The impact that this may have on the current occupancy rates at alternative delivery sites

As previously discussed in Section 2(a), there is capacity at PAM, Encompass, Spaulding, and VIBRA. The Hospital has worked with the receiving facilities' admission departments and MassHealth who have confirmed capacity and ability to receive the Hospital's patients.

(c) The ability of the alternative delivery sites to meet the needs of these patients

Please refer to responses 2(b) and 2(c). The receiving facilities offer comprehensive services and accept the same diagnoses as are currently treated at the Hospital.

(d) Other alternatives if medical needs cannot be accommodated at the proposed alternative sites

Patients who do not require the level of care at the listed facilities in Figure 2 will be placed at appropriate facilities with lower levels of care such as long-term care services, skilled nursing facilities, or discharged to their home with services as needed.

Thank you for your attention to this matter. If you have any questions, please feel free to contact me.

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Sincerely,

HUSCH BLACKWELL LLP

A handwritten signature in blue ink that reads "Rebecca Rodman". The signature is written in a cursive, flowing style.

Rebecca Rodman

cc: J. Bernice, DPH
M. Bramante, DPH
S. Carlson, DPH
R. Kaye, Esq., DPH
E. Kelley, DPH
W. Mackie, J.D., DPH
T. McNamara, DPH
J. Ross, DMH