

July 2, 2020

Via Email

Sherman Lohnes, Esq., Director
Division of Health Care Facility Licensure and Certification
Massachusetts Department of Public Health
67 Forest Street
Marlborough, MA 01752



Re: Falmouth Hospital – Closure of Pediatrics, Obstetrics, and Well Infant Nursery - Second Response to Department of Public Health’s Post-Hearing Questions

Dear Attorney Lohnes:

We write on behalf of Falmouth Hospital Association, Inc., a member of Cape Cod Healthcare, Inc. (“CCHC”), which operates Falmouth Hospital located at 100 Ter Heun Drive, in Falmouth, Massachusetts (the “Hospital”). In follow-up to the Department of Public Health’s (the “Department”) comments dated June 25, 2020 concerning the Hospital’s Access Plan and pursuant to 105 CMR 130.122(G), the Hospital presents the following responses. For the Department’s convenience, each question is provided with the responses.

1. *Alternative Delivery Sites:* *In its letter dated June 5, 2020, the Department requested information on location and service capacity of alternative delivery sites.*

In your response dated June 18, 2020, you noted that the hospital lists Woman and Infants Hospital in Providence, RI as being among the nearby delivery sites. The Department requests that the hospital provide it with additional information as to the Hospital’s outreach plan to patients with insurance coverage based in Massachusetts. This additional information should detail how the plan will make patients aware of any potential insurance coverage issues that may exist when receiving care at an out-of-state hospital.

Response:

Based on the collective and significant experience of CCHC’s Obstetricians, the vast majority of expectant mothers/parents will choose to obtain both their pre- and post-natal care from an OB/GYN provider who is affiliated with the hospital where the delivery most likely will occur. Rarely does an expectant mother change hospitals or Obstetricians during her prenatal care. When this happens, the staff working in the patient’s current OB/GYN office help to facilitate the transfer of all medical and insurance information needed by the subsequent providers. Patients will be reminded to speak with their medical and insurance providers in advance to determine what OB/GYN services are covered by their plans, including out-of-state deliveries. The current referral process, which has worked well for many years, is that Obstetricians delivering at the Hospital



refer any high-risk obstetrical patients to Tufts Medical Center for required specialty care. If a patient requests to be referred instead to Women and Infants Hospital in Rhode Island (which already participates in the networks of most of the major Massachusetts commercial insurance plans) or any other Massachusetts hospital – whether for specialty care or to change providers – the patient’s established OB/GYN provider on Cape Cod assists the patient in transferring care, securing the necessary medical and other records, and identifying/addressing any potential insurance related issues. In addition, the financial and insurance counselors at both Falmouth Hospital and at Cape Cod Hospital are available to all patients needing insurance enrollment or any other type of financial assistance. Finally, CCHC will ensure that written guidance related to health care insurance coverage for obstetrical services, including any services obtained out-of-system or out-of-state, will be available in all of its OB/GYN offices.

2. Transportation: *In its letter dated June 5, 2020, the Department requested information on the Hospital’s plan to address methods of transportation for patients as well as friends and family to facilities outside of Falmouth.*

In your response dated June 18, 2020, you stated Cape Cod Regional Transit Authority (CCRTA) vouchers would be offered as needed to patients and family members of the patient, who would have delivered at the Hospital, but will now deliver at Cape Cod Hospital. The Department is unclear how this program is communicated to families. Additionally, the Department is concerned that the Hospital appears to have such an arrangement with Cape Cod Hospital but none of the other facilities listed as potential alternative care sites.

Response:

As noted in the Hospital’s initial response to the Department dated June 18, 2020, the OB/GYN office locations serving patients in the region will not change. Accordingly, the Hospital expects that all patients will continue to receive their pre- and post-natal care at those offices where they are now receiving or originally would have received such care. For example, expectant mothers in the Upper Cape will still visit the OB/GYNs offices based in the Upper Cape. The only change is that all deliveries will now occur at Cape Cod Hospital.

In the unusual event when a patient does not have the means or ability to go to Cape Cod Hospital to deliver, or needs or prefers to deliver at Cape Cod Hospital, the Hospital and CCHC will make the necessary travel/transport arrangements with the patient in advance of the due date. This approach will ensure that the patient and her partner, if any, will have a plan in place for how to get to the delivering hospital site. Transportation arrangements will be provided on a case-by-case basis and limited to pregnant patients under the Hospital’s care as of the date of closure of the Falmouth Hospital Obstetrics/Maternity service and through the end of CY2021. In extreme cases, where a patient needs to deliver at a hospital other than Cape Cod Hospital and transportation is a

Sherman Lohnes, Esq., Director
Division of Health Care Facility Licensure and Certification
Massachusetts Department of Public Health
July 2, 2020
Page 3



financial burden or obstacle for the patient or family, designated OB/GYN office staff will review and determine if a voucher can be provided and work with the patient to make that happen.

The transportation arrangements likely will include a CCRTA, taxi and/or Lyft voucher for the patient/family. The availability of this program will be communicated in writing to all pregnant patients under the Hospital's care as of the closure date, as well as through written materials posted and available at the OB/GYN offices in the Upper Cape.

We thank you for your attention to this matter. Please do not hesitate to contact me if you have any questions or require additional information.

Sincerely,

A handwritten signature in black ink, appearing to read "ASL", is positioned below the word "Sincerely,".

Andrew S. Levine

cc: Andrew Ferrer, Esq.
B. Foley, CCHC
K. Haynes, Esq., DPH
M. Jones, Esq. CCHC
W. Mackie, DPH
P. Niedzwiecki, CCHC
A. Nardone, DPH

Sherman Lohnes, Esq., Director
Division of Health Care Facility Licensure and Certification
Massachusetts Department of Public Health
July 2, 2020
Page 4

