

December 27, 2019

**BARRETT  
& SINGAL**

Via Email and FedEx

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

Re: Lowell General Hospital – Saints Campus – Temporary Closure of ICU & Temporary Closure of Operating Rooms

Dear Mr. Davis:

This letter is submitted on behalf of The Lowell General Hospital, which operates a licensed hospital with two (2) campuses, consisting of a main campus at 295 Varnum Avenue, Lowell, MA 01854, which is known as “Lowell General Hospital,” and a second campus three miles away known as “Lowell General Hospital – Saints Campus” at One Hospital Drive, Lowell, MA, 01852 (collectively, the “Hospital”). Pursuant to 105 CMR 130.122, the Hospital hereby informs the Department of Public Health (“Department”) that on or about January 27, 2020, it intends to submit a formal ninety-day (90) notice of the proposed temporary discontinuation of 17 Intensive Care Unit (“ICU”) beds at its Saints Campus and the temporary discontinuation of all of the Operating Rooms (“ORs”) at Saints Campus, which ORs are mixed use. Of the 17 licensed ICU beds, only 10 have been operational. The use of only 10 beds dates back to the time before the Hospital acquired Saints Campus from Saints Medical Center, which occurred in 2012. The Hospital is confident in its decision to temporarily close these services, as they are underutilized. For example, use of the Saints ICU was only twenty-nine percent (29%) of its capacity over the last year, and LGH as a total used only 55% of its ICU beds. Use of the ORs at Saints Campus represented only twelve percent (12%) of OR usage between both Hospital campuses. To ensure patient safety, the Hospital is prepared to provide Advanced Life Support and Critical Care ambulance transfers from the Saints Campus to the main campus, which is less than ten (10) minutes away.

The Hospital anticipates that the ICU beds would be taken offline for a period of time while the Hospital evaluates its bed utilization and capacity needs at Saints Campus. The Hospital would then reactivate the beds at a later date. Thus, in only temporarily taking the beds and ORs offline pursuant to 105 CMR 130.122(A), the Hospital is hereby preserving its right to operate the ICU beds in the future and, accordingly, reactivation will not require any Determination of Need (“DoN”) review or approval. Likewise, the Hospital is temporarily taking the ORs offline while it plans surgery cases at Saints Campus. It intends to reactivate the ORs thereafter.

Barrett & Singal  
One Beacon Street, Suite 1320  
Boston, MA 02108-3106  
T 617.598.6700  
F 617.722.0276  
[www.barrettsingal.com](http://www.barrettsingal.com)

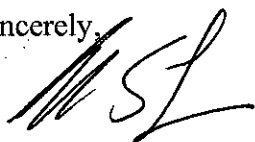
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Please note that in compliance with the Department's regulations, the Hospital through separate correspondence is sending notice today to the Hospital's patient and family council, each staff member of the Hospital, and every labor organization that represents the Hospital's workforce during the period of the essential services closure process. Notice is also being sent today to the members of the General Court who represent the City of Lowell, the Mayor of the City of Lowell, and the Lowell City Manager. The Hospital has already begun to discuss the proposed temporary closures with City officials, State representatives, and the Lowell Sun Editorial Review Board to keep the community informed of this process.

Thank you for your attention to this matter.

Sincerely,



Andrew S. Levine

cc: A. Ferrer, Esq.  
K. Haynes, Esq. DPH  
S. Lohnes, Esq., DPH  
W. Mackie, Esq. DPH  
Z. Redmond, Esq.  
R. Rodman, Esq., DPH

Hon. Thomas Golden, Jr. (Rep. 16<sup>th</sup> Middlesex)  
Hon. David Nangle (Rep. 17<sup>th</sup> Middlesex)  
Hon. Rady Mom (Rep. 18<sup>th</sup> Middlesex)  
Hon. Edward J. Kennedy (Sen. 1<sup>st</sup> Middlesex)

Hon. William Samaras, City of Lowell, Mayor  
Eileen Donoghue, City of Lowell, City Manager