

**Acknowledgment of Receipt of Determination of Need and
Attestation Regarding Participation in MassHealth**

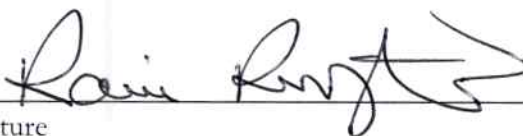
Pursuant to 105 C.M.R. § 100.310(A)(2) we, the undersigned chief executive officer and board chair of Excel Surgery Center, LLC (the "Holder"), hereby acknowledge that the Holder is in receipt of the Determination of Need Notice of Final Action, dated April 24, 2023, issued by the Massachusetts Department of Public Health (the "Department") with respect to Application No. ESC-22101909-AS. This attestation is being provided to the Department and to all Parties of Record within thirty (30) days of the Determination of Need Notice of Final Action.

In addition, pursuant to 105 CMR 100.310(A)(11), we hereby attest that Excel Surgery Center, LLC (the Health Care Facility or Facilities for which the Notice of Determination has been issued) [participates, or intends to participate] in MassHealth pursuant to 130 CMR 400.000 through 499.000.

IN WITNESS WHEREOF, the undersigned have duly executed this Attestation on this April 25, 2023.

Rami R Rustum, MD

Name, Chief Executive Officer and signature



Rami R Rustum, MD

Name, Board Chair and signature

