



The Commonwealth of Massachusetts  
Executive Office of Health and Human Services  
Department of Public Health  
Determination of Need (DoN) Program  
250 Washington Street Boston, MA 02108

**CHARLES D. BAKER**  
Governor

**KARYN E. POLITO**  
Lieutenant Governor

**MARYLOU SUDDERS**  
Secretary

**MONICA BHAREL, MD, MPH**  
Commissioner

May 9, 2018

VIA EMAIL - Vanessa.Smith@baystatehealth.org

Vanessa L. Smith, Esq.  
Baystate Health, Inc.  
280 Chestnut Street  
Springfield, MA 01199

RE: Notice of Final Action  
Baystate Health –Baystate Orthopedic Surgery Center # BH- 18010311-HS

Dear Ms. Smith:

At their meeting of May 9, 2018, the Commissioner and the Public Health Council, acting together as the Department, voted pursuant to M.G.L. c.111, §25C and the regulations adopted thereunder, to approve the Determination of Need application filed by Baystate Health, Inc. in connection with a substantial change in service comprised of the build-out of existing shell space with two additional operating rooms (ORs) and equipping seven pre- and post- operative care rooms at Baystate Orthopedic Surgery Center (BOSC) in Springfield, Massachusetts.

This Notice of Final Action incorporates by reference the Staff Report and the Public Health Council proceedings concerning this application.

This Application was reviewed pursuant to M.G.L. c. 111, § 25C and the regulatory provisions of 105 CMR 100.000 et seq. Based upon a review of the materials submitted, the Department finds that the Applicant has met each DoN factor and approves this Determination of Need application for the OR build-out and pre- and post-operative care rooms project at BOSC subject to all standard conditions (105 CMR 100.301). The CHI Conditions and Timeline set out in the factor 6 analysis are also included as conditions, pursuant to 105 CMR 100.310(J).

In compliance with the provisions of 105 CMR 100.310(L) and (Q), which require a report to the Department, at a minimum on an annual basis, including the measures related to achievement of the DoN factors for a period of five years from completion of the project, the Holder shall address its assertions with respect to the cost and safety benefits of out-patient surgery as well as the BOSC payer mix with specificity and with associated metrics.

Sincerely,

~S~

Nora J. Mann, Esq. Director  
Determination of Need Program

cc: Sherman Lohnes, Director, Division of Health Care Facility Licensure and Certification  
Rebecca Rodman, Deputy General Counsel  
Samuel Louis, Office of Health Equity  
Mary Byrnes, Center for Health Information Analysis  
Steven Sauter, MassHealth  
Katherine Mills, Health Policy Commission  
Ben Wood, Office of Community Health Planning  
Elizabeth Maffei, Office of Community Health Planning  
Eric Gold, Attorney General's Office