



The Commonwealth of Massachusetts
Executive Office of Health and Human Services
Department of Public Health
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Notice of Final Action: DoN Application # BILH-24060314-EA
Beth Israel Lahey Health, Inc. – Beverly Hospital Emergency Application

Dear Attorney Rodman,

The Department received the submission for an Emergency Determination of Need (DoN) Application on June 6, 2024, on behalf of Beth Israel Lahey Health, Inc. (“the Applicant”).

This shall serve as notification that, based on the information provided by the Applicant and staff analysis, and pursuant to M.G.L. c. 111, § 25C and the regulatory provisions of 105 CMR 100.000 et seq, including 105 CMR 100.740 (Emergency Applications), a material operational loss impacting Anna Jaques Hospital (AJH) leading to the potential loss of behavioral health beds, and two floods at Beverly Hospital leading to the loss of Medicaid volume constitutes an Emergency Situation. As a result, I hereby approve the Emergency DoN to add thirty-six (36) inpatient psychiatry beds (20 adult and 16 pediatric), which are currently operated/licensed by AJH, to the Beverly Hospital license. The 36 beds will be removed from the AJH license as a result. The Pediatric unit is located at 24 Morrill Place in Amesbury and the Adult Unit is located on the second floor of the main AJH building at 25 Highland Avenue in Newburyport.

Expanding Beverly Hospital’s inpatient psychiatric capacity will address the Emergency Situation, whereby without issuance of an Emergency DoN the public health will be measurably harmed due to access challenges and potential disruptions in patients’ treatment.

The total value of the Proposed Project is \$0.00

This Notice of Final Action incorporates by reference the Memoranda concerning this Application and is subject to all applicable standard conditions. The Commissioner may subsequently require a full Application for Determination of Need consistent with 105 CMR 100.405.

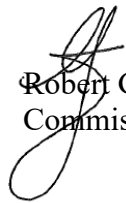
In compliance with the provisions of 105 CMR 100.310(A)(2) and (11) the Holder shall submit an Acknowledgment of receipt to the Department (attached) and also include a written attestation of participation or intent to participate in MassHealth.

Other Conditions

1. The Holder shall maintain Beverly Hospital's 36 licensed psychiatric beds, approved pursuant to this DoN, for a period of five years following the approval of the Emergency Application. These beds shall be maintained either on the Beverly Hospital's license or at another hospital within the BILH system, subject to any required Department approvals.

Should the Holder seek to reduce Beverly Hospital's 36 licensed psychiatric beds, approved pursuant to this DoN, the Holder will notify the Program, in advance of any required essential service closure notifications to the Department. In the event that the Holder submits a notice of anticipated reduction to the Program, the Holder will provide an analysis of utilization patterns over a minimum of the previous five years, budgeted and actual Full Time Equivalent (FTE) staffing for each of the services referenced for reduction, a data supported assessment of community need, and a justification for the reduction the service, including alternatives considered and alternative sites where access can be reasonably assured for its Patient Panel. Following such notice of anticipated reduction of the 36 licensed psychiatric beds, the Holder may be referred to the Public Health Council for review of the long-term implications of such reduction and compliance with the DoN approval.

Sincerely,



Robert Goldstein, MD, PhD
Commissioner, Massachusetts Department of Public Health

cc:

Dennis Renaud, Director Determinaton of Need Program
Rebecca Kaye, General Counsel's Office
Beth McLaughlin, General Counsel
Christopher King, Executive Office of Health and Human Services
Elizabeth Almanzor, Center for Health Information Analysis
Stephen Davis, Director, Division of Health Care Facility Licensure and Certification
Samuel Louis, Office of Health Equity
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