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The Commonwealth of Massachusetts

# Executive Office of Health and Human Services Department of Public Health

250 Washington Street, Boston, MA 02108-4619

MARYLOU SUDDERS

Secretary

MARGRET R. COOKE

Acting Commissioner

**Tel: 617-624-6000**

**[Massachusetts Department of Public Health website at www.mass.gov/dph](http://www.mass.gov/dph)**

November 12, 2021 VIA electronic mail

Emily B. Kretchmer, Esq. Krokidas & Bluestein LLP 600 Atlantic Avenue

Boston, MA 02210

Ema[il: ekretchmer@kb-law.com](mailto:ekretchmer@kb-law.com)

Notice of Final Action: Beth Israel Lahey Health

DoN Application #: BILH-19092415-RE Dear Attorney Kretchmer,

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 100.715, and 105 CMR 100.630, I hereby approve the application for Determination of Need (DoN) filed by Beth Israel Lahey Health (Applicant) to expand CT services by one CT unit at Beth Israel Hospital’s West Campus located on the third floor radiology suite at 1 Deaconess Road, Boston, MA 02215. The capital expenditure for the Proposed Project is $4,795,388; the Community Health Initiatives (CHI) contribution is $239,769.40. This Notice of Final Action incorporates by reference the Memorandum concerning this Application and is subject to the conditions set forth therein.

This Notice of Final Action incorporates by reference the Amended Memorandum to the Commissioner reflecting certain suggested clarifications by the Applicant on page 10 that did not change the recommendation.

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.

In compliance with the Holder’s obligation to contribute to the Statewide CHI Initiative, the Holder must submit a check for $23,017.86 to Health Resources in Action (the fiscal agent for the CHI Statewide Initiative).

1. The Holder must submit the funds to HRiA within 30 days from the date of the Notice of Approval.
2. The Holder must promptly notify DPH (CHI contact staff) when the payment has been made. Payment should be sent to:

Health Resources in Action, Inc., (HRiA) 2 Boylston Street, 4th Floor

Boston, MA 02116 Attn: Ms. Bora Toro

Sincerely,

<signature on file>

Margret Cooke, Esq.

Acting Public Health Commissioner

cc: Elizabeth Kelley, Bureau of Health Care Safety and Quality

Stephen Davis, Division of Health Care Facility Licensure and Certification Daniel Gent, Division of Health Care Facility Licensure and Certification Rebecca Rodman, General Counsel’s Office

Samuel Louis, Office of Health Equity

Mary Byrnes, Center for Health Information Analysis Katherine Mills, Health Policy Commission

Eric Gold, Attorney General’s Office

Division of Community Health Planning and Engagement