 The Commonwealth of Massachusetts

Executive Office of Health and Human Services

Department of Public Health

250 Washington Street, Boston, MA 02108-4619

MAURA T. HEALEY

Governor

KIMBERLEY DRISCOLL

Lieutenant Governor

MARY A BECKMAN

Acting Secretary

MARGRET R. COOKE

Commissioner

**Tel: 617-624-6000**

[**www.mass.gov/dph**](http://www.mass.gov/dph)

February 27, 2023

Via electronic mail - [CPVaughan@publicpolicylaw.com](mailto:CPVaughan@publicpolicylaw.com)

Courtney Pasay Vaughan, Esq.

Health Care Counsel

Smith, Costello & Crawford

Public Policy Law Group.

One State Street, 15th Floor

Boston, MA 02109

Notice of Final Action: UMass Memorial MRI & Imaging Center, LLC

DoN Application #: UMMIC-22062409-RE

Dear Attorney Vaughan,

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 UMass Memorial MRI & Imaging Center, LLC (Applicant) to establish a licensed clinic to provide PET-CT services via a mobile medical imaging unit one day per week at 157 Union Street, Marlborough, MA. The capital expenditure for the Proposed Project is $380,687.00 (October 2022 dollars); the Community Health Initiatives (CHI) contribution is $19,034.35. This Notice of Final Action incorporates by reference the Memorandum concerning this Application and is subject to the conditions set forth therein.

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 105 CMR 100.310(A)(12), which requires 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 Proposed Project, the Holder shall address its assertions with respect to all the factors.

Please notify the DoN Program at [DPH.DON@State.MA.US](mailto:DPH.DON@State.MA.US) of the anticipated completion date of all the components of the DoN-approved Project once it has been established. Additionally, send an email confirming the Project's completion (licensure/ amended licensure approval date) and the first day of operations to determine the annual DoN reporting timeline.

**Other Conditions to the DoN**

1. The total required CHI contribution of $19,034.35 will be directed to the Massachusetts Statewide Community Health and Healthy Aging Funds.
2. To comply with the Holder’s obligation to contribute to the Massachusetts Statewide Community Health and Healthy Aging Funds, the Holder must submit the payment, a check for $19,034.35, 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 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

Ongoing compliance with the conditions and all terms of the DoN is, pursuant to the Regulation, a precondition to the filing of any future DoN by the Holder.

Sincerely,

[signature on file]

Margret Cooke

Public Health Commissioner

cc:

Dennis Renaud, Director Determination of Need Program

Elizabeth D. Kelley, Director, Bureau of Health Care Safety and Quality

Stephen Davis, Division of Health Care Facility Licensure and Certification

Judy Bernice, Division of Health Care Facility Licensure and Certification

Daniel Gent, Division of Health Care Facility Licensure and Certification

Rebecca Rodman, General Counsel's Office

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Jennica Allen, Division of Community Health Planning and 68Engagement

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Katelyn Teague, Division of Community Health Planning and Engagement

Elizabeth Almanzor, Center for Health Information Analysis

Katherine Mills, Health Policy Commission

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Karina Mejias, Executive Office of Health and Human Services

Priscilla Portis, Executive Office of Health and Human Services