



The Commonwealth of Massachusetts
Executive Office of Health and Human Services
Department of Public Health
250 Washington Street, Boston, MA 02108-4619

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Governor

KIMBERLEY DRISCOLL
Lieutenant Governor

KATHLEEN E. WALSH
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Commissioner

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December 11, 2024

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VIA Email: Crystal.Bloom@huschblackwell.com

Final Action: Notice of Determination of Need – Beth Israel Lahey Health, Inc.
Substantial Capital Expenditure DoN # BILH-23102414-HE

Dear Attorney Bloom,

At their meeting of December 11, 2024, the Commissioner and the Public Health Council, acting together as the Department, voted pursuant to M.G.L. c. 111, §51 and the regulations adopted thereunder, to approve the Determination of Need (DoN) application for a Substantial Capital Expenditure filed by Beth Israel Lahey Health, Inc, for the renovation and expansion of the Emergency Department at Beth Israel Deaconess Hospital - Plymouth, located at 275 Sandwich St, Plymouth, MA 02360.

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 found that the Applicant has met each DoN factor and approves this DoN application for a Substantial Capital Expenditure subject to all standard conditions (105 CMR 100.310) and pursuant to 105 CMR 100.360, subject to Other Conditions listed below. The capital expenditure for the Proposed Project is \$50,237,091.00 (July 2024 dollars); the Community Health Initiatives (CHI) contribution is \$2,511,854.55.

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 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@mass.gov 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. Of the total required CHI contribution of \$2,511,854.55
 - a. \$609,124.73 will be directed to the CHI Statewide Initiative.
 - b. \$1,827,374.18 will be dedicated to local approaches to the DoN Health Priorities.
 - c. \$75,355.64 will be designated as the administrative fee.
2. To comply with the Holder's obligation to contribute to the CHI Statewide Initiative, the Holder must submit a check for \$609,124.73 to Health Resources in Action (the fiscal agent for the CHI Statewide Initiative) **within 30 days** from the date of the Notice of Approval.
 - a. Payments should be made out to:
Health Resources in Action, Inc. (HRiA)
2 Boylston Street, 4th Floor
Boston, MA 02116 Attn: MACHHAF c/o Bora Toro
DoN project #: BILH-23102414-HE
 - b. Please send a PDF image of the check or **confirmation of payment** to DONCHI@Mass.gov and dongrants@hria.org
3. If you should have any questions or concerns regarding the payment, please contact the CHI team at DONCHI@Mass.gov.

Sincerely,

Dennis Renaud

Dennis Renaud
Director Determination of Need Program

cc:

Teryl Smith, Director, Bureau of Health Care Safety and Quality
Jaclyn Gagné, Esq., Chief Deputy General Counsel Health Care Licensure
Stephen Davis, Director, Division of Health Care Facility Licensure and Certification
Judy Bernice, Division of Health Care Facility Licensure and Certification

Hilary Ward, Health Care Facility Licensure and Certification
Samuel Louis, Office of Health Equity
Jennica Allen, Division of Community Health Planning and Engagement
Elizabeth Maffei, Division of Community Health Planning and Engagement
Katelyn Teague, Division of Community Health Planning and Engagement
Elizabeth Almanzor, Center for Health Information Analysis
Katherine Mills, Health Policy Commission
Sandra Wolitsky, Office of the Attorney General
Tomaso Calicchio, Executive Office of Health and Human Services
Hai Nguyen, Executive Office of Health and Human Services
Karina Mejias, Executive Office of Health and Human Services
Priscilla Portis, Executive Office of Health and Human Services