



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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KIMBERLEY DRISCOLL
Lieutenant Governor

KATHLEEN E. WALSH
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ROBERT GOLDSTEIN, MD, PhD
Commissioner

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February 16, 2024

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Boston, MA 02108-3106

VIA Email: Crystal.Bloom@huschblackwell.com

Final Action: Notice of Determination of Need – Beth Israel Lahey Health, Inc
Required Equipment DoN #BILH-23082513-RE

Dear Attorney Bloom,

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 100.630, I hereby approve the application for Determination of Need (DoN) filed by Beth Israel Lahey Health, Inc. to add a second linear accelerator (“LINAC”) unit for operation at Beth Israel Deaconess Hospital - Plymouth, Inc. located at 275 Sandwich St, Plymouth, MA 02360. The capital expenditure for the Proposed Project is \$34,500.00 (September 2023 dollars); the Community Health Initiatives (CHI) contribution is \$1,725.00. This Notice of Final Action incorporates by reference the Staff Report 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 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,

please 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. Payment should be made out to the Massachusetts Community Health and Healthy Aging Funds in the full amount of \$1,725, and should be submitted within 30 days from the date of Notice of Approval to:

Health Resources in Action, Inc., (HRiA)
2 Boylston Street, 4th Floor
Boston, MA 02116
Attn: MACHHAF c/o Ms. Bora Toro
DoN project #: #BILH-23082513-RE

2. Please also send a PDF image of the check (or confirmation of payment) to DONCHI@mass.gov and dongrants@hria.org. If you should have any questions or concerns regarding payment, please contact the CHI team at DONCHI@mass.gov.

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,


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

cc:

Dennis Renaud, Director Determination of Need Program
Elizabeth Kelley, Director Bureau of Health Care Safety and Quality
Rebecca Kaye, General Counsel's Office
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
Katherine Mills, Health Policy Commission
Sandra Wolitsky, Office of the Attorney General
Roxanne Rocco, Center for Medicaid and Medicare Services
Christopher King, Executive Office of Health and Human Services
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
Pavel Terpelets, Executive Office of Health and Human Services