



The Commonwealth of Massachusetts
Executive Office of Health and Human Services
Department of Public Health
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December 20, 2022

Kathleen Harrell, Esq.
10 Overlook Circle
Plymouth, Massachusetts, 02360

VIA EMAIL: kharrell@barrettharrell.com

RE: Boston Medical Center
Notice of Final Action DoN # BMCHS-22080908-HE

Dear Attorney Harrell,

At their meeting of December 14, 2022, the Commissioner and the Public Health Council, acting together as the Department, voted pursuant to M.G.L. c.111, §51 and 105 CMR 100.000, to approve the Determination of Need application filed by BMC Health System, Inc. at the Boston Medical Center located at One Boston Medical Center Place, Boston, MA 02118 for the following:

1. Construction and renovation to BMC's existing Yawkey Building 5th and 6th floors to accommodate the addition of seventy (70) new inpatient beds, including sixty (60) additional medical/surgical beds and ten (10) additional intensive care unit ("ICU") beds; that includes supportive infrastructure elements such as modification to two (2) existing service elevators in the Yawkey Building to add emergency call service between Yawkey Building 5th and 6th floors and ensure connection to emergency and patient support services in the Menino Building.
2. Renovation of BMC's existing Menino Building 2nd floor to accommodate the addition of five (5) new inpatient operating rooms ("ORs"), as well as additional pre- and post-operative/post-anesthesia care unit ("PACU") space; which involves relocation of the Hospital's existing 28-bed¹ observation unit from the Menino Building 2nd floor to the Yawkey Building 5th floor, reduction of one existing inpatient general procedure room, and relocation of one existing negative pressure inpatient procedure room within the Menino Building 2nd floor;

¹ This 28-bed relocation is not part of the 70-bed expansion.

3. Other construction and renovation projects that support campus infrastructure reorganization, and improve existing services, facilities, and overall patient experience including wayfinding at the Hospital, as follows:

- Necessary infrastructure upgrades and expansion and renovation of sterile and non-sterile support areas to support the new Menino Building inpatient ORs, including installation of a new air handling unit, addition of a new clean core, renovation of staff support and patient/family areas, and renovation of the Central Processing Department's decontamination space;
- Construction of a sterile staff and materials corridor connecting the Moakley Building and expanded Menino Building inpatient OR suites, to increase productivity and improve patient experience;
- Construction and renovation to BMC's existing Menino and Yawkey Building lobbies to create a single exterior entry point, expanded cafeteria seating, and other upgrades for enhanced patient experience; and
- Construction and renovation to BMC's existing Menino Building to accommodate an expanded Emergency Department (ED) vestibule, for improved patient experience.

This Notice of Final Action incorporates by reference the Staff Report, and the Public Health Council proceedings concerning this application.

This Determination of Need Application was reviewed pursuant to M.G.L. c. 111, § 25(c), and the regulatory provisions of 105 CMR 100.000 et seq. Based upon a review of the materials, the Department found that the Applicant has met each DoN factor with conditions and approves this Determination of Need application for a substantial capital expenditure for the Proposed Project of \$121,239,760.00; the Community Health Initiatives ("CHI") contribution is \$6,061,988.00.

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 provisions of 105 CMR 100.310(A)(12), which require 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. 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,

A handwritten signature in black ink that reads "Dennis Renaud". The signature is written in a cursive, slightly slanted style.

Dennis Renaud
Director, Determination of Need Program

cc:

Elizabeth Kelly, Director Bureau of Health Care Safety and Quality

Rebecca Rodman, General Counsel

Stephen Davis, Director, Division of Health Care Facility Licensure and Certification

Judy Bernice, Division of Health Care Facility Licensure and Certification

Daniel Gent, 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

Eric Gold, 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