



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

KATHLEEN E. WALSH  
Secretary

ROBERT GOLDSTEIN, MD, PhD  
Commissioner

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

April 17, 2024

Crystal Bloom, Esq  
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VIA Email: [Crystal.Bloom@huschblackwell.com](mailto:Crystal.Bloom@huschblackwell.com)

Notice of Final Action: Amendment # CCHC23122109-AM (Significant Change)  
Application # CCHC-22021416-HE

Dear Attorney Bloom,

At their meeting of April 17, 2024, the Commissioner and the Public Health Council, acting together as the Department, voted pursuant to 105 C.M.R. 100.635(A)(2) to approve the request by Cape Cod Healthcare, Inc, Inc. for a Significant Change to a previously approved project located at Cape Cod Hospital, 27 Park Street, Hyannis, MA 02601. This approval incorporates the Memorandum to the Public Health Council (Memorandum) and the Public Health Council proceedings concerning this Request. The approval is for the build-out of shell space to add 32 medical/surgical inpatient beds to Cape Cod Hospital's license. The Proposed Change will increase the Approved Project's Maximum Capital Expenditure by \$14,666,613 for a total MCE of \$151,715,245.

Based upon the information submitted, and information in the record,<sup>1</sup> the Department found that the Significant Change is within the scope of the Notice of Determination of Need as previously approved by the Department and ... is reasonable" 105 C.M.R. 100.635(A)(2), which are the requirements for approval of an Amendment. This Notice of Final Action incorporates by reference the Application, the Memorandum to the Commissioner, and the Public Health Council proceedings concerning this Amendment.

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<sup>1</sup> 2022 Staff Report and Notice of Final Action (Project # CCHC-22021416-HE) <https://www.mass.gov/info-details/cape-cod-healthcare-inc-substantial-capital-expenditure>

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.

Please notify the DoN Program at [DPH.DON@mass.gov](mailto:DPH.DON@mass.gov) of the anticipated completion date of all the components of the approved Amendment 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.

Post DoN reporting for the original DoN, CCHC-22021416-HE, shall continue for five years after the completion of the Amendment Project with Amendment Conditions included in the reporting.

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.

#### **Conditions to the DoN**

1. Of the additional CHI contribution of \$733,330.65
  - a. \$177,832.68 will be directed to the CHI Statewide Initiative
  - b. \$533,498.05 will be dedicated to local approaches to the DoN Health Priorities
  - c. \$21,999.92 will be designated as the administrative fee.
2. To comply with the Holder's commitment to contribute to the CHI Statewide Initiative, the Holder must submit a check for \$177,832.68 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 #: CCHC-22021416-HE

Please send a PDF image of the check or confirmation of payment to [DONCHI@Mass.gov](mailto:DONCHI@Mass.gov) and [dongrants@hria.org](mailto:dongrants@hria.org)

Sincerely,

*Dennis Renaud*

Dennis Renaud  
Director, Determination of Need Program

cc:

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  
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  
Elizabeth Almanzor, Center for Health Information Analysis