



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

CHARLES D. BAKER
Governor

KARYN E. POLITO
Lieutenant Governor

MARYLOU SUDDERS
Secretary

MARGRET R. COOKE
Commissioner

Tel: 617-624-6000
www.mass.gov/dph

July 22, 2022

Courtney Pasay Vaughan, Esq., Chief Health Care Counsel
Smith, Costello & Crawford
Public Policy Law Group.

One State Street, 15th Floor
Boston, MA 02109

VIA electronic mail
cpvaughan@publicpolicylaw.com

RE: Notice of Final Action DON Application # 22020311-RE

Dear Attorney Vaughan,

At their meeting of July 13, 2022, the Commissioner and the Public Health Council, acting together as the Department, voted pursuant to M.G.L. c.111, §25(c) and the regulations adopted thereunder, to approve the Determination of Need application filed by Shields Healthcare of Cambridge, Inc. (Applicant) to reinstate a 1.5 Tesla (1.5T) magnetic resonance imaging (MRI) unit at Shields MRI Brighton at 385 Western Ave, Brighton, Massachusetts 02135. This Notice of Final Action incorporates by reference the Staff Report, and the Public Health Council proceedings concerning this application, all of which are incorporated herein by reference.

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 DoN Required Equipment for the Proposed Project of \$2,292,401.00. The total required Community Health Initiative (CHI) contribution is \$114,620.05.

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.

In compliance with the Holder's obligation to contribute to the Massachusetts Statewide Community Health Funds, the Holder must submit the first installment, a check for \$57,310.03 to Health Resources in Action (the fiscal agent for the CHI Statewide Initiative).

- a. The Holder must submit the funds to HRiA within 30 days from the date of the Notice of Approval.
- b. The Holder must submit the second installment of funds to HRiA within one year from the date of the Notice of Approval.
- c. The Holder must promptly notify DPH (CHI contact staff) when the 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,



Elizabeth Kelley
Director, Bureau of Health Care Safety and Quality

cc:

Stephen Davis, Division of Health Care Facility Licensure and Certification
Daniel Gent, Division of Health Care Facility Licensure and Certification
Rebecca Rodman, General Counsel's Office
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, Attorney General's Office

Pavel Terpelets, MassHealth

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

Priscilla Portis, Executive Office of Health and Human Services