



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

August 22, 2022

Benjamin A. Wilson
ROPES & GRAY LLP
Prudential Tower, 800 Boylston Street
Boston, MA 02199-3600

VIA EMAIL: Benjamin.Wilson@ropesgray.com

RE: Notice of Final Action DoN #20121712-TO

Dear Attorney Wilson,

At their meeting of August 10, 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 The Children's' Medical Center Corporation (CMCC or Applicant), located at 300 Longwood Avenue, Boston, MA 02115, for an institutional affiliation categorized as a "Transfer of Ownership" whereby CMCC will become Franciscan Hospital for Children (Franciscan)'s sole corporate member. This Notice of Final Action incorporates by reference the Staff Report, and the Public Health Council proceedings concerning this application.

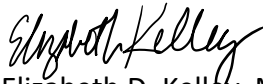
This Application was reviewed pursuant to M.G.L. c. 111, § 51, and the regulatory provisions of 105 CMR 100.000. Based upon a review of the materials submitted, the Department found that the Applicant has met each DoN factor and approves this Determination of Need application for a Transfer of Ownership subject to all applicable standard conditions (105 CMR 100.310). The total capital expenditure for the Proposed Project is \$55,821,519.00.

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,



Elizabeth D. Kelley, MBA, MPH

Director, Bureau of Healthcare Safety and Quality

cc:

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

Rebecca Rodman, General Counsel

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

Elizabeth Almanzor, Center for Health Information Analysis

Katherine Mills, Health Policy Commission

Eric Gold, Office of the Attorney General