



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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Governor

KIMBERLEY DRISCOLL
Lieutenant Governor

MARY A. BECKMAN
Acting Secretary

MARGRET R. COOKE
Commissioner

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February 27, 2023

Via electronic mail - CPVaughan@publicpolicylaw.com

Courtney Pasay Vaughan, Esq.
Health Care Counsel
Smith, Costello & Crawford
Public Policy Law Group.
One State Street, 15th Floor
Boston, MA 02109

Notice of Final Action: UMass Memorial MRI & Imaging Center, LLC
DoN Application #: UMMIC-22062409-RE

Dear Attorney Vaughan,

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 100.715, and 105 CMR 100.630, I hereby approve the application for Determination of Need (DoN) filed by UMass Memorial MRI & Imaging Center, LLC (Applicant) to establish a licensed clinic to provide PET-CT services via a mobile medical imaging unit one day per week at 157 Union Street, Marlborough, MA. The capital expenditure for the Proposed Project is \$380,687.00 (October 2022 dollars); the Community Health Initiatives (CHI) contribution is \$19,034.35. This Notice of Final Action incorporates by reference the Memorandum 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 also 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@State.MA.US of the anticipated completion date of all the components of the DoN-approved Project once it has been established. Additionally, 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. The total required CHI contribution of \$19,034.35 will be directed to the Massachusetts Statewide Community Health and Healthy Aging Funds.
2. To comply with the Holder's obligation to contribute to the Massachusetts Statewide Community Health and Healthy Aging Funds, the Holder must submit the payment, a check for \$19,034.35, to Health Resources in Action (the fiscal agent for the CHI Statewide Initiative).
 - i. The Holder must submit the funds to HRiA within 30 days from the date of the Notice of Approval.
 - ii. The Holder must promptly notify DPH (CHI contact staff) when 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,



Margret R. Cooke
Commissioner

cc:

Dennis Renaud, Director Determination of Need Program
Elizabeth D. Kelley, Director, Bureau of Health Care Safety and Quality
Stephen Davis, Division of Health Care Facility Licensure and Certification
Judy Bernice, 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
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
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