



The Commonwealth of Massachusetts
Executive Office of Health and Human Services
Department of Public Health
Bureau of Health Care Safety and Quality
Division of Health Care Facility Licensure and Certification
67 Forest Street, Marlborough, MA 01752

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Commissioner

May 10, 2023

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Alan H. Einhorn
Foley & Lardner, LLP
111 Huntington Avenue
Boston, MA 02199
AEinhorn@foley.com

BY EMAIL ONLY

Re: Essential Services Finding
Facility: Heywood Hospital
Services: Pediatric Services
Ref. #: 2036-334

Dear Attorney Einhorn:

On May 2, 2023, the Department of Public Health (the "Department") held a public hearing in response to the notification received from you on behalf of Heywood Memorial Hospital, Inc. regarding their proposed plans to discontinue Pediatric Services at Heywood Hospital (the "Hospital") in Gardner, MA, effective July 3, 2023. As a result of its review, the Department has made a finding that the services provided by the Hospital are in fact necessary for preserving access and health status within the Hospital's service area.

Accordingly, pursuant to 105 CMR 130.122(F), the Hospital is required to prepare a plan that details how access to Pediatric Services will be maintained for the residents of the service area. The plan must be submitted to the Department no later than 15 calendar days of receipt of this letter. The Hospital's plan must include the elements specified in 105 CMR 130.122(F) as listed below:

- (1) Information on utilization of the services prior to proposed closure;
- (2) Information on the location and service capacity of alternative delivery sites. Include an explanation of the basis for the Hospital's determination that the alternative delivery sites **do** or **do not** have the capacity (necessary space, resources, etc.) to handle the increased patient volume at the identified sites. To support that assertion, please provide the following specific details:
 - (a) Current utilization at these alternative sites;
 - (b) Type of pediatric services available at the alternative sites;
 - (c) Type of medical diagnoses accepted; and
 - (d) Adequacy of space and resources at the alternative sites.
- (3) Travel times to alternative service delivery sites, for both peak and non-peak travel times, and an explanation as to the source for this information or what these estimates are based on;
- (4) An assessment of transportation needs post discontinuance and a plan for meeting those needs;
- (5) A protocol that details mechanisms to maintain continuity of care for current patients of the discontinued service; and
- (6) A protocol that describes how patients in the Hospital's service area will access the services at alternative delivery sites. The protocol should specifically address the following:
 - (a) The process that will be employed to effectively refer patients to other facilities or providers;
 - (b) The impact that this may have on the current occupancy rates at alternative delivery sites;
 - (c) The ability of the alternative delivery sites to meet the needs of these patients; and
 - (d) Other alternatives if medical needs cannot be accommodated at the proposed alternative sites.

Under the provisions of 105 CMR 130.122(G), the plan the Hospital submits to the Department will be reviewed to determine if it appropriately assures access to the essential services in question following the plans to discontinue Pediatric Services at Heywood Hospital.

Thank you for your continued cooperation in this process. If you have any questions, please contact me at Stephen.Davis@Mass.Gov.

Sincerely,

A handwritten signature in black ink that reads "Step Davis". The signature is written in a cursive, flowing style.

Stephen Davis
Division Director

cc: E. Kelley, DPH
J. Bernice, DPH
A. Mehlman, DPH OGC
J. Boeh-Ocansey, DPH OGC
M. Callahan, DPH
W. Mackie, DPH