



The Commonwealth of Massachusetts  
Executive Office of Health and Human Services  
Department of Public Health  
99 Chauncy Street, Boston, MA 02111

CHARLES D. BAKER  
Governor

KARYN E. POLITO  
Lieutenant Governor

MARYLOU SUDDERS  
Secretary

MONICA BHAREL, MD, MPH  
Commissioner

Tel: 617-624-6000  
[www.mass.gov/dph](http://www.mass.gov/dph)

April 12, 2017

Via E-mail and first class mail

Mark Cummings  
Clifton Larson Allen, LLP  
300 Crown Colony Avenue, Suite 310  
Quincy, MA 02180

RE: Notice of Final Action  
Project Number 1-1607  
Fairview Extended Care Services, Inc.

Dear Mr. Cummings:

This shall serve as notification to you that pursuant to M.G.L. c.111, §25C and the regulations adopted thereunder, I hereby approve the application for Determination of Need ("DoN") filed by Fairview Extended Care Services, Inc. ("Applicant") with respect to the construction of a 131 bed long term care facility to replace the existing 119-bed facility on the same site.

This Notice of Final Action incorporates by reference the Staff Summary concerning this application.

This application was reviewed pursuant to M.G.L. c. 111, § 25C and the regulatory provisions of 105 CMR 100.000 et seq. In addition, it was reviewed in accordance with the revised 1993 Nursing Home Facility Replacement and Renovation Guidelines, ("Guidelines"). In its review, Staff finds that the Applicant satisfied the standards applied under 105 CMR 100.533, subject to the mandatory terms and conditions set forth in 105 CMR 100.551 as well as the conditions discretionary with the Department pursuant to 105 CMR 100.552. Those conditions of approval are as follows:

1. Fairview Extended Care Services, Inc. shall accept the maximum capital expenditure of \$26,373,882 (January 2017 dollars) as the final cost figure except for those increases allowed pursuant to 105 CMR 100.751 and 100.752.
2. The total approved GSF of new construction for this project is 84,274 GSF.
3. Fairview Extended Care Services, Inc. shall accept the incremental operating costs of \$1,940,281 (January 2017 dollars) as the final cost figure except for those increases allowed pursuant to 105 CMR 100.751 and 100.752.

4. Fairview Extended Care Services, Inc. shall maintain formal affiliation agreements with at least one local acute care hospital and one local home care corporation that addresses provision for respite services.
5. Fairview Extended Care Services, Inc. shall maintain Medicare and Medicaid certification for its eligible beds.
6. Fairview Extended Care Services, Inc. shall initiate all actions appropriate to protecting the privacy, health, and safety of the residents of the facility during the construction and move process.
7. Fairview Extended Care Services shall comply with the Green guidelines and obtain a LEED silver level green building certification.
8. Upon implementation of the project, any assets such as land, building improvements, or equipment that are either destroyed or no longer used for patient care, shall not be claimed for reimbursement for publicly aided patients.
9. The approved MCE does not include any capital expenditures associated with this project made prior to the date of DoN approval with the exception of expenditures incurred in the planning and development of this DoN application. Should the Applicant find that any of the expenses submitted are not in fact eligible for consideration because they preceded the date of the DoN approval or are not capital expenses, the Applicant shall submit an amendment that will adjust the MCE accordingly. All submissions made to the Center for Health Information and Analysis pursuant to this DoN shall be in accordance with this condition.

Sincerely,



Monica Bharel, MD, MPH  
Commissioner

cc: Sherman Lohnes, Director, Division of Health Care Facility Licensure and Certification  
Rebecca Rodman, Deputy General Counsel  
Daniel Gent, Health Care Facility Licensure and Certification  
Patty McCusker, Center for Health Information and Analysis  
Tom Lane, MassHealth  
Katherine Mills, Health Policy Commission  
Eric Gold, Office of the Attorney General

(5) Any change to a project the Commissioner deems to be so significant that it alters the previously issued Notice of Determination of Need to a degree that it constitutes a new project that requires the issuance of a new Notice of Determination of Need.