

February 13, 2024

# VIA EMAIL

Massachusetts Department of Public Health Attn: Walter Mackie, J.D, Stephen Davis

Division of Health Care Facility Licensure & Certification Massachusetts Department of Public Health

67 Forest Street

Marlborough, MA 01752

120 Fisher Avenue

Boston, Massachusetts 02120

T 617-738-1500

F 617-738-6560



# RE: NOTICE OF INTENT TO CLOSE

Facility: Edgar P. Benjamin Healthcare Center, Inc. d/b/a Benjamin Healthcare Center License Number: 0785

Dear Mr. Mackie and Mr. Davis:

Please accept this Notice of Intent to Close submitted on behalf of Edgar P. Benjamin Healthcare Center, Inc. (the “Licensee”), the licensed operator of the nursing home known as Benjamin Healthcare Center located at 120 Fisher Avenue, Boston, MA 02120 (the “Facility”). The Licensee intends to voluntarily close the Facility on July 1, 2024, pending approval by the Massachusetts Department of Public Health (the “Department”) and pending completion of the regulatory process for voluntary closures of nursing homes in Massachusetts. Accordingly, attached hereto for the Department’s review is the Facility’s Proposed Closure Plan (the “Closure Plan”). A copy of this notice and the draft Closure Plan is being sent to the interested parties listed on Exhibit A attached hereto (the “Interested Parties”).

This has been a difficult decision to make; however, due to persistent financial challenges, which were exacerbated during the COVID-19 pandemic, the Facility will be closing.

The Facility’s representative whom residents, family members, staff, and other interested parties may contact with questions regarding the proposed closure is:

Tony Francis, Administrator Email: tfrancis@epbhc.org

Phone Number: 617-738-1500 ext. 101

We will work with the Department to schedule a public hearing on the proposed closure of the Facility to be held at least 90 days in advance of the proposed closure at a location accessible to residents, family members and facility staff. A copy of the public hearing notice will be posted at the Facility and will be made available by the Facility’s Administrator upon request. At least 14 days prior to the public hearing, the Facility will provide written notice of the public hearing to each of the Interested Parties. The notice shall include a statement that Interested Parties may file comments on the proposed closure and the draft Closure Plan with the Department up until the

Tony Francis | Executive Director, Administrator | T 617-738-1500 x101 | tfrancis@epbhc.org

date of the public hearing. Attached hereto as Exhibit B is the form notice of public hearing to be delivered to the Interested Parties.

The Facility and Licensee will work with residents, their families and representatives, the Department, employees, and Interested Parties to ensure the safe and orderly relocation of the Facility’s residents upon the Department’s approval of the Closure Plan. Upon such approval, the Interested Parties will be provided notice of the Department’s approval of the Closure Plan, a copy of the approved Closure Plan, and notice that the Facility will close. In addition to the Interested Parties, the following parties will receive notice of the closure and a copy of the approved Closure Plan: (i)

Thank you for your attention to this matter and we look forward to working with the Department. Sincerely,

Tony Francis Administrator

**Exhibit A**

**List of Interested Parties**

|  |  |  |
| --- | --- | --- |
| **Notice Party** | **Notice Method** | **Notice Address** |
| Resident | First Class Mail Hand Delivery | Resident’s permanent address on file In person at the Facility |
| Resident’s Legal Representative | First Class Mail | Legal Representative’s address on file |
| Resident’s Designated Family Member | First Class Mail | Designated Family Member’s address on file |
| Resident Council | Hand Delivery | In person at the Facility |
| Family Council | Hand Delivery | In person at the Facility |
| Employees and Staff | First Class Mail Hand Delivery Email | Address on fileIn person at the Facility Email address on file |
| Labor Organizations | Email | Lena Rodriguez, Vice President – LTC 1199 SEIU United Healthcare Workers East 108 Myrtle St. 4th Floor Quincy, MA 02171 |
| State Ombudsman | First Class Mail | Massachusetts Executive Office of Health and Human Services State Long-Term Care Ombudsman ProgramOne Ashburton Place, Room 517 Boston, MA 02108 |
| Local Ombudsman | First Class Mail | Ethos555 Armory Street Jamaica Plain, MA 02130 |
| Members of the General Court | First Class Mail | Senator Liz Miranda24 Beacon Street Room 519Boston, MA 02133Representative Samantha Montaño 24 Beacon Street Room 443Boston, MA 02133 |
| Representative of the Local Officials | First Class Mail | Mayor Michelle Wu1 City Hall Square, Suite 500Boston, MA 02201-2013 |

**Exhibit B**

**Form Notice of Public Hearing**

[Date]

# VIA [FIRST CLASS MAIL / HAND DELIVERY / EMAIL]

[Addressee]

# RE: NOTICE OF INTENT TO CLOSE PUBLIC HEARING

Facility: Edgar P. Benjamin Healthcare Center, Inc. d/b/a Benjamin Healthcare Center License Number: 0785

Dear [Name],

We are writing as a follow-up to our letter dated [Date] regarding the voluntary closure of Benjamin Healthcare Center, the nursing home located at 120 Fisher Avenue, Boston, MA 02120. This letter is to inform you that the public hearing has been scheduled for **[Date]**. The date, time and place of the hearing are provided below. This information is additionally posted on the Facility’s website: [https://epbhc.org/.](https://epbhc.org/) You may also request it by contacting me by email: tfrancis@epbhc.org.

Date of Hearing:

Time of Hearing:

Place of Hearing:

As a reminder, you may file comments on the proposed closure and the draft closure plan with the Massachusetts Department of Public Health (the “Department”) up until the date of the public hearing. You may contact the Department via email at DPH.BHCSQ@massmail.state.ma.us.

Sincerely,



Tony Francis Administrator