The Commonwealth of Massachusetts

Executive Office of Health and Human Services

Department of Public Health
Bureau of Health Care Safety and Quality

Determination of Need Program

250 Washington Street, Boston MA 02511



MARYLOU SUDDERS

Secretary

MONICA BHAREL, MD, MPH Commissioner

**Tel: 617-624-6000**

**www.mass.gov/dph**

CHARLES D. BAKER

Governor

KARYN E. POLITO

Lieutenant Governor

**Memorandum**

**TO:** Interested Parties

**FROM:** Lara Szent-Gyorgyi, Director Determination of Need

**DATE: October 8, 2020**

**RE:** **Notice Regarding Determination of Need Applications Filed During the COVID-19 Public Health Emergency**

The Massachusetts Department of Public Health (DPH) continues to work with state, federal and local partners on the outbreak of Coronavirus Disease 2019 (COVID-19), caused by the virus SARS-CoV-2, and we continue to appreciate the essential role all Health Care Facilities have responding to this evolving situation.

On April 6, 2020, in response to the COVID-19 Public Health Emergency, the Determination of Need (DoN) Program placed a hold on assigning Filing Dates for all applications received on or after March 10, 2020. Per that memo, the DoN Program would accept DoN applications on or after March 10, 2020, but would not determine if applications were substantially complete and thus, would not assign applications a Filing Date, as defined in 105 CMR 100.100.

This notice is to inform applicants that, effective immediately, the DoN Program will review applications filed on or after March 10, 2020 in the order in which they were received to determine if applications are substantially complete. Complete applications will be assigned Filing Dates and will follow the review standards set forth in 105 CMR 100.000 and previously established operating procedures.

Please note that all applications submitted on or after March 10, 2020 that include any Community-based Health Initiative (CHI) obligations pursuant to 105 CMR 100.210 (6) will be required to contact the Department’s CHI staff to determine how to proceed.

For projects requesting a Determination of Need for COVID-19 purposes, applicants should continue to follow the process outlined by the Department in the memorandum entitled “Requesting Determination of Need (DoN) Approval for projects related to COVID-19 during the State of Emergency,” posted on March 24, 2020.

For questions related to the Determination of Need Program and this memorandum, please contact the Determination of Need Program at dph.don@state.ma.us.

Additionally, please visit DPH’s website that provides up-to-date information on COVID-19 in Massachusetts:  <https://www.mass.gov/2019coronavirus>.