



The Commonwealth of Massachusetts
Executive Office of Health and Human Services
Department of Public Health
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DATE: October 17, 2019

VIA EMAIL: alevine@barrettsingal.com

Andrew Levine, Esq.
Barrett & Singal
One Beacon Street, Suite 1320
Boston, MA 02108-3106

RE: Partners HealthCare System, Inc. – Notice of Transfer of Site/Change in Designated Location
Application # PHS-19070815-TS

Dear Mr. Levine:

We are in receipt of the above-referenced Notice and its accompanying attachments, dated August 12, 2019, in which Partners HealthCare System, Inc. (Partners) provided written notice to the Department of Public Health (the Department) in accordance with 105 CMR 100.745 (the Regulation) for a proposed transfer of site of a linear accelerator (LINAC) license from the Mass General/North Shore Center for Outpatient Care in Danvers to MGH Radiation Oncology at Newton-Wellesley Hospital (NWH) in Newton.

Partners has complied with the requirements of Notice and has provided information sufficient to allow the Department to make a finding that the proposed transaction will neither result in a Substantial Capital Expenditure or Substantial Change in Service, and thus will not first require a Notice of Determination of Need (DoN).

Application Summary

Background, Reason for Request and Other Required Elements of Notice:

The proposed transfer of site involves two of MGH's licensed satellites: (1) Mass General/North Shore Center for Outpatient Care (Danvers Satellite) located in Danvers, MA; and (2) MGH Radiation Oncology at Newton-Wellesley Hospital (Newton Satellite) located in Newton, MA.

MGH is currently licensed by the Department to operate twelve LINAC¹ units across four hospital campus/satellite locations.^{2,3}

- The Danvers satellite currently operates four LINAC units: one of the units is currently underutilized and the Applicant has determined that the site can support its current operations with three LINAC units.
- The Newton Satellite has only one LINAC and is currently operating above capacity, as indicated by an 11-hour per day schedule and 12 business days wait time from simulation to treatment start.⁴
 - Patient treatments are often cancelled or delayed during periods of downtime that were unexpected or for maintenance.
 - The Applicant projects increasing demand for LINAC services at the Newton Satellite due to an expanded partnership with the Mass General Cancer Center (MGCC).⁵ In FY2018, the Newton Satellite performed 8,811 treatments using the LINAC unit, and this number is expected to increase to 9,100 in FY2019.

Location and Location Change: The Applicant seeks to relocate the right to operate one of the four approved LINAC units at the Danvers Satellite to the Newton Satellite, currently located in a 720 GSF space⁶ in order to make efficient use of all LINAC capacity held by MGH and to meet increased patient panel need at the Newton Satellite, which will be located in the basement level occupy a 1,008 GSF space⁷, directly adjacent to the existing LINAC unit and associated support spaces.

The Applicant states that the transfer of site

- will expand radiation oncology services at the Newton Satellite which will facilitate more rapid access to treatment for patients in the Newton service area and allow more patients to receive their care locally.
- will not adversely impact patient access at the Danvers Satellite.

The Primary Service Area (PSA) is changed from Danvers to Newton, ~ 30 miles away.⁸ The patient populations served by the LINAC service at the two satellites do not overlap and there are no significant demographic differences between the two populations. The Applicant provided data to show that the top disease groups treated by the two satellites are similar.⁹ The Applicant states

¹ A linear accelerator (LINAC) is used for external beam radiation treatments for patients with cancer.

² LINAC Licenses: MGH Main Hospital Campus (6), Danvers Satellite (4), Newton Satellite (1), Emerson Hospital MGH-Radiation Oncology Program Bethke Cancer Center (1).

³ The LINAC service provides radiation therapy services.

⁴ Simulation is a treatment planning process that is performed prior to radiation treatment in which the radiation treatment fields are defined, filmed and marked out. Treatment planning usually involves positioning the body, making marks on the skin and taking imaging scans.

⁵ Newton Satellite is co-located with and comprises part of the larger cancer center at NWH, now known as the MGCC at NWH.

⁶ 528 for the treatment room vault and 192 GSF for the control room.

⁷ 726 GSF for the treatment room vault and 282 GSF for the control room

⁸ The cities and towns included in the Danvers satellite PSA include: Lynn, Revere, Peabody, Beverly, Salem, Gloucester, Saugus, Danvers, Marblehead, Swampscott, Lynnfield, Middleton, and Nahant; and in the Newton Satellite PSA include: Newton, Framingham, Waltham, Natick, Needham, Norwood, Wellesley, and Weston.

⁹ Danvers Satellite: Breast (26%), Lung (16%), Secondary (15%), Genitourinary (12%), Head and Neck (10%), Gastrointestinal (9%), Central Nervous System (4%), Lymphoma (3%), Skin (3%), Gynecological (2%). Newton Satellite: Breast (35%), Genitourinary (17%), Secondary (14%), Gastrointestinal (11%), Lung (7%), Head and Neck (6%), Lymphoma (4%), Skin (3%), Central Nervous System (2%), Gynecological (1%).

that patients that are able to have surgery at the Danvers or Newton Satellite elect to receive their radiation therapy locally and close to home and that the satellites also attract patients seeking care from a team of oncology specialists. The Danvers and Newton Satellites will both continue to offer LINAC services to ensure sufficient capacity available to provide LINAC services to both patient populations. The Applicant states that the unit-to-individual ratio for the Newton Satellite's PSA is currently one LINAC per 355,000 residents (1:355,000) and after the proposed transfer of site it will be approximately 1:177,500.¹⁰ The proposed transfer will result in a more efficient and productive use of existing resources for the Applicant's Patient Panel.

Pricing: No changes will occur regarding the pricing of LINAC services; all pricing will remain consistent with current charges at both the Danvers and the Newton Satellite, and the transfer will not impact total medical expenses (TME) as it will be used to meet current demand.

The total value of the Proposed Project is \$6,270,000 representing construction costs associated with expanding space and renovating existing space at the Newton Satellite to accommodate the second LINAC unit. The operational costs of the LINAC at the Newton Satellite will be similar to those associated with the LINAC unit at the Danvers Satellite. The addition of a second LINAC will allow for regular business hours (8 hours per day) leading to proportional cost efficiencies with staffing. MGH currently operates a Varian Medical Systems 21EX (2005) model at the Danvers Satellite that is at the end of its useful life. MGH will replace the LINAC unit with a Varian Medical Systems TrueBeam model unit to allow the Newton Satellite to operate a LINAC unit that conforms to current standards and can accommodate its operational needs.¹¹ The estimated capital expenditure does not include equipment costs which total \$3,310,000 to replace the LINAC.

Sufficient Interest in the Proposed Site: the Applicant states that NWH is appropriately zoned to provide medical services and leases the required space to MGH for operation of its radiation oncology satellite.

Findings:

The Department finds that Partners has provided the Department with the information required in 105 CMR 100.745(D) listed above. Based upon review of the Notice and supporting materials, the Department finds that this transaction does not require a DoN either as a Substantial Capital Expenditure or Substantial Change in Service, pursuant to 105 CMR 100.730 and Partners may move forward with the proposed changes in designated location.

Sincerely,



Monica Bharel, MD, MPH
Commissioner

- c: E. Kelley
M. Michaels
R. Rodman
S. Lohnes
D. Gent

¹⁰ The ratio for the Danvers Satellite is 1:144,000 based on utilization of three LINAC units.

¹¹ A one for one replacement of DoN-required Equipment does not require a notice of DoN approval.