



The Commonwealth of Massachusetts
Executive Office of Health and Human Services
Department of Public Health
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March 25, 2020

VIA EMAIL

James Mamary, Sr.,
Royal Nursing Center, LLC
42 Winter Street, U 1
Pembroke, MA 02359

RE: Notice of Transfer of Site/Change in Designated Location of the Royal Nursing Center, LLC.

Dear Mr. Mamary:

We are in receipt of the above-referenced Notice, its accompanying letter, and supplemental information dated February 26, 2020, in which Royal Nursing Center, LLC., (Royal Center, the Center) 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 for the Center.

Royal has complied with the requirements of said 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 require a Notice of Determination of Need (DoN).

Application Summary

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

Pursuant to the Regulation, 105 CMR 100.745(D) the Applicant is required to provide a written description of the reason for the requested Transfer of Site; a comparison of the current site to the new site, patient populations served including patient access and include the impact on price, total medical expenditure, provider costs and other measures of health care spending, a detailed attestation of all anticipated expenditures to be incurred as a result of the proposed Transfer of Site; and other documentation related to compliance, which has been done and will not be discussed further herein.

The reason for the move is that the existing site is not an efficient design for nursing home use.¹ It was originally designed as a hotel and has over 13,000 square feet (ft²) in the basement that cannot be

¹ Royal anticipates it will be repurposed for residential use.

appropriately re-configured for use by the facility.² The proposed site, while 7,000 ft² smaller was purposely designed and built as a skilled nursing facility, and while built in 1998 it is newer than the existing facility³, and was last renovated in 2016. It being newer with less wasted space, it will be more efficient to run with fewer maintenance and repair costs.

The proposed site has two floors (rather than 4) with more useable above-ground space. The space allocated to resident rooms and common areas (such as dining rooms, day rooms, and lounge areas) is greater than at the current site by 1,400 ft². The Center anticipates improved access with fewer patient floors, more private rooms (from 12 to 36⁴) and more parking spaces (from 50-70⁵). The Center will continue to provide care of equal (and potentially better) patient and family satisfaction, as well as improved quality given the reductions in the number of beds per room,⁶ the addition of 2 dining rooms, more common areas, and planned outdoor activity space.⁷

The proposed facility is located in a neighborhood that is not on a main road as is the current facility, but it is less than a mile away from the current site and as such, the Primary Service Area will remain the same.

The request states that *"we will invite all current residents to move to the proposed site, and we fully expect based upon recent informal polling, that all long term care and dementia residents will be moving to the proposed site. Depending upon the course of stay for short term residents, we anticipate that most if not all of them will move to the new site as well."*

Consequently, it is anticipated that the payer-mix will remain the same.

The total cost of the proposed move/transition is \$120,500. The applicant provided a list of projected costs that included the costs to transport patients (and their belongings) via ambulance, chair car or facility vehicle as appropriate.

Findings:

Based upon review of the Notice and supporting materials, the Department had determined under 105 CMR 100.745(C) 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. Further, the Department finds that Royal has provided the Department with the information required in 105 CMR 100.745(D) described above, and that Royal may proceed with the proposed Transfer of Site in accordance with all Plan Review, Licensure, and other regulations.

Sincerely,



Monica Bharel, MD, MPH
Commissioner

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

² There is underutilized maintenance laundry, boiler and utility room space along with 5,000 that was a former day care center.

³ Built in 1965 and last renovated in 2008.

⁴ All plans including proposed room configurations are contingent on compliance and approval by other regulatory bodies including: Plan Review, Licensure and CMS approval.

⁵ The Center reports a daily overflow of 10 visitors with no street parking.

⁶ Which facilitates infection control.

⁷ With outdoor seating and walking path, the lot at the proposed site is 4.68 acres (vs. the current 1.5 acres).