



The Commonwealth of Massachusetts  
Executive Office of Health and Human Services  
Department of Public Health  
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September 5, 2024

Dear Attorney Bloom,

The Department of Public Health (“the Department”) is in receipt of the Extension of Emergency Determination of Need No. 2012166 request dated August 29, 2024 (“Extension Request”), which seeks to extend the authorization period of the Steward Health Care System LLC (“the Holder”) emergency Notice of Determination of Need (“DoN”) beyond the August 31, 2024, expiration date to December 31, 2024.<sup>1</sup>

As background, on August 30, 2021, the Department issued the emergency DoN to rebuild Norwood Hospital (“the Hospital”) located at 800 Washington St. in Norwood, following flooding that forced the closure of the Hospital.<sup>2</sup> Because the Holder’s Proposed Project did not include the replacement of the inpatient psychiatry beds that were licensed and operational at the time of the flood and the critical need for these beds, the Department required the Holder to replace the 61 inpatient beds at another hospital facility or campus in Massachusetts as a condition of the DoN. At the time of the issuance, the Holder agreed these beds would be licensed and operational no later than December 31, 2022, unless otherwise agreed. By agreement, the deadline was extended from December 31, 2022 to July 1, 2024. In the Extension

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<sup>1</sup> Additionally, the Department notes that the Extension Request seeks to extend the authorization period to December 31, 2024, which is beyond the Hospital’s license expiration date and, as noted in footnote 1 of the Extension Request, the Holder does not intend to maintain the license past its expiration date.

<sup>2</sup> Pursuant to 105 CMR 100.310, unless “extended for Good Cause Related to Project Implementation, or as a result of an approved amendment to a previously issued Notice of Determination of Need, the Notice of Determination of Need shall constitute a valid authorization for a period of not more than three years following the approval of the Department”.

Request, the Holder acknowledges that it has not complied with this Condition and does not address or acknowledge its responsibility to license and operationalize these beds.

Pursuant to the Standard Condition found at 105 CMR 100.310(A)(2), “No notice of Determination of Need shall remain in authorization unless the Holder complies with all prescribed terms and Conditions set forth by the Department.”

Accordingly, the Department denies the Extension Request as the Holder has failed to meet the Condition of its DoN approval, namely to license and operationalize 61 inpatient psychiatric beds by July 1, 2024.

The Holder is hereby notified of the right to appeal this Final Decision in accordance with M.G.L. c. 30A, §14, within thirty (30) days of receipt of notice of this Final Decision<sup>3</sup>.

Sincerely,

*Dennis Renaud*

Dennis Renaud  
Director, Determination of Need Program

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<sup>3</sup> Pursuant to M.G.L. c. 111, section 25E, an applicant aggrieved by the Department’s determination may appeal to the Health Facilities Appeals Board (“Board”). This Board is not currently constituted and was not constituted on the date of the determination; therefore, pursuant to 105 CMR 100.310(A), the Department’s determination shall be considered a final agency action subject to judicial review under M.G.L. c. 30A, see 105 CMR 100.310(A)(1) and (2).