**Sturdy Memorial Hospital, Inc.**

**Determination of Need Filing for a Transfer of Site on behalf of**

**Sturdy Memorial Hospital**

**APPLICATION # SMH-24031214-TS**

**Submitted on April 10, 2024 By**

**Sturdy Memorial Hospital, Inc.**

**211 Park Street**

**Attleboro, Ma 02703**

### STURDY MEMORIAL HOSPITAL, INC. DoN APPLICATION # SMH-24031214-TS

**TABLE OF CONTENTS**

#### Appendix 1 Application Form Appendix 2 DoN Narrative

Appendix 3 Affiliated Parties Form (*to be filed separately*) Appendix 4 Articles of Incorporation

Appendix 5 Affidavit of Truthfulness and Compliance

# APPENDIX 1 APPLICATION FORM

 Version: 11-8-17

Massachusetts Department of Public Health
Determination of Need
Application Form

Application Type: Transfer of Site/Change in Designated Location

Application Date: 04/10/2024 12:50 pm

Applicant Name: Sturdy Memorial Hospital, Inc.

Mailing Address: 211 Park Street

City: Attleboro State: Massachusetts Zip Code: 02703

Contact Person: Crystal Bloom

Title: Attorney

Mailing Address: One Beacon Street Suite 1320

City: Boston State: Massachusetts Zip Code: 02118

Phone: 6175486700 Ext: none

Email: Crystal.Bloom@huschblackwell.com

**Facility Information**

**List each facility affected and or included in Proposed Project**

1. Facility Name: Sturdy Memorial Hospital

Facility Address: 211 Park Street

City: Attleboro State: Massachusetts Zip Code: 02703

Facility type: Hospital CMS Number: 220008

**1. About the Applicant**

1.1 Type of organization (of the Applicant): nonprofit

1.2 Applicant’s Business Type: Corporation

1.3 What is the acronym used by the Applicant’s Organization: SMH

1.4 Is Applicant a registered provider organization as the term is used in the HPC/CHIA RPO program? Yes

1.5 Is Applicant or any affiliated entity an HPC-certified ACO? Yes

1.5.a If yes, what is the legal name of that entity? Boston Accountable Care Organization, Inc.

1.6 Is Applicant or any affiliate thereof subject to M.G.L. c. 6D § 13 and 958 CMR 7.00 (filing of Notice of Material Change to the Health Policy Commission? No

1.7 Does the Proposed Project also require the filing of a MCN with the HPC? No

1.8 Has the Applicant or any subsidiary thereof been notified pursuant to M.G.L. c. 12C § 16 that it is exceeding the health care cost growth benchmark established under M.G.L. c. 6D § 9 and is thus, pursuant to M.G.L. c. 6D § 10 required to file a performance improvement plan with CHIA? [blank]

1.9 Complete the Affiliated Parties Form

**2. Project Description**

2.1 Provide a brief description of the scope of the project.: See attached narrative

2.2 and 2.3 Complete the Change in Service Form

**3. Delegated Review**

3.1 Do you assert that this Application is eligible for Delegated Review? Yes

3.1.a If yes, under what section? Transfer of Site or change of a designated Location

**4. Conservation Project**

4.1 Are you submitting this Application as a Conservation Project? No

**5. DoN-Required Services and DoN-Required Equipment**

5.1 Is this an application filed pursuant to 105 CMR 100.725: DoN-Required Equipment and DoN-Required Service? No

**6. Transfer of Ownership**

6.1 Is this an application filed pursuant to 105 CMR 100.735? No

**7. Ambulatory Surgery**

7.1 Is this an application filed pursuant to 105 CMR 100.740(A) for Ambulatory Surgery? No

**8. Transfer of Site**

8.1 Is this an application filed pursuant to 105 CMR 100.745? Yes

8.2 Current Location of Site

 Facility Name: Mansfield Health Center

 Physical Address: 200 Copeland Drive

 City: Mansfield

 State: Massachusetts

 Zip Code: 02048

 Facility Type: Hospital

8.3 Location of Proposed Site

 Facility Name: Sturdy Memorial Hospital

 Physical Address: 211 Park Street

 City: Attleboro

 State: Massachusetts

 Zip Code: 02703

 Facility Type: Hospital

8.4 Compare the scope of the project for each element below:

|  | Current Site | Proposed Site |
| --- | --- | --- |
| Gross Square Feet | See attached narrative | See attached narrative |
| Primary Service Area Towns served | See attached narrative | See attached narrative |
| Patient Population (Demographics) | See attached narrative | See attached narrative |
| Patient Access  | See attached narrative | See attached narrative |
| Impact on Price | See attached narrative | See attached narrative |
| Total Medical Expenditure | See attached narrative | See attached narrative |
| Provider Costs | See attached narrative | See attached narrative |
| Description | See attached narrative | See attached narrative |

8.5 Detail all Anticipated Capital Expenditures to be incurred as a result of the proposed Transfer of Site.

| Add/Del Row | Anticipated Capital Expenditure | Cost |
| --- | --- | --- |
| +/- | Pain Management Suite, including the transferred procedure room | $3,460,000.00 |
| +/- |  |  |
| +/- |  |  |
| +/- |  |  |
|  | Total Cost | $3,460,000.00 |

**9. Research Exemption**

9.1 Is this an application for a Research Exemption? No

**10. Amendment**

10.1 Is this an application for a Amendment? No

**11. Emergency Application**

11.1 Is this an application filed pursuant to 105 CMR 100.740(B)? No

**12. Total Value and Filing Fee**

Enter all currency in numbers only. No dollar signs or commas. Grayed fields will auto calculate depending upon answers above.

**Your project application is for a**: Transfer of Site/Change in Designated Location

12.1 Total Value of this project: $3,460,000.00

12.2 Total CHI commitment expressed in dollars: (calculated) $0.00

12.3 Filing Fee (calculated): $0.00

12.4 Maximum Incremental Operating Expense resulting from the Proposed Project: $20,000.00

12.5 Total proposed Construction costs, specifically related to the Proposed Project, if any, which will be contracted out to local or minority, women, or veteran-owned businesses expressed in estimated total dollars. [blank]

**13. Factors**

Required Information and supporting documentation consistent with 105 CMR 100.210

Some factors will not appear depending upon the type of license you are applying for. Text fields will expand to fit your response.

**Documentation Check List**

The Check List below will assist you in keeping track of additional documentation needed for your application.

Once you have completed this Application Form the additional documents needed for your application will be on this list. E-mail the documents as an attachment to: DPH.DON@state.ma.us

Affidavit of Truthfulness Form: check

Articles of Organization/Trust Agreement: check

**Documentation Ready for Filing**

When document is complete click on “document is ready to file”. This will lock in the responses and date and time stamp the form.

To make changes to the document un-check the “document is ready to file” box. Edit document then lock file and submit

Keep a copy for your records. Click on the “Save” button at the bottom of the page.

To submit the application electronically, click on the “E-mail submission to Determination of Need” button.

This document is ready to file? Yes Date/time Stamp: 04/10/2024 12:50 pm

E-mail submission to Determination of Need

**Application Number: SMH-24031214-TS**

**Use this number on all communications regarding this application.**

# APPENDIX 3 AFFILIATED PARTIES FORM

**TO BE PROVIDED**

# APPENDIX 4 ARTICLES OF INCORPORATION

[https://corp.sec.state.ma.us/CorpWeb/CorpSearch/CorpSearchRedirector.aspx?Action=PD](https://corp.sec.state.ma.us/CorpWeb/CorpSearch/CorpSearchRedirector.aspx?Action=PDF&Path=CORP_DRIVE1/2011/0401/000339421/0005/000042768252_1.pdf) [F&Path=CORP\_DRIVE1/2011/0401/000339421/0005/000042768252\_1.pdf](https://corp.sec.state.ma.us/CorpWeb/CorpSearch/CorpSearchRedirector.aspx?Action=PDF&Path=CORP_DRIVE1/2011/0401/000339421/0005/000042768252_1.pdf)

# APPENDIX 5

**AFFIDAVIT OF TRUTHFULNESS AND COMPLIANCE**

 Version: 7-6-17

**Massachusetts Department of Public Health**

**Determination of Need**

**Affidavit of Truthfulness and Compliance**

**with Law and Disclosure Form 100.405 (B)**

**Instructions:** Complete Information below. When complete check the box "This document is ready to print:". This will date stamp and lock the form. Print Form. Each person must sign and date the form. When all signatures have been collected, scan the document and e-mail to: **dph.don@state.ma.us**Include all attachments as requested.

Application Number: SMH-24031214-TS

Original Application Date: 4/10/2024

Applicant Name: Sturdy Memorial Hospital, Inc.

Application Type: Transfer of Site/Change in Designated Location

Applicant's Business Type: Corporation

Is the Applicant the sole member or sole shareholder of the Health Facility(ies) that are the subject of this Application? Yes

The undersigned certifies under the pains and penalties of perjury:

1. The Applicant is the sole corporate member or sole shareholder of the Health Facility(ies) that are the subject of this Application;
2. I have ~~read~~ [been informed of the contents of] 105 CMR 100.000, the Massachusetts Determination of Need Regulation;
3. I understand and agree to the expected and appropriate conduct of the Applicant pursuant to 105 CMR 100.800;
4. I have ~~read~~ [been informed of the contents of] this application for Determination of Need including all exhibits and attachments, and ~~certify that~~ [have been informed that] all of the information contained herein is accurate and true;
5. I have submitted the correct Filing Fee and understand it is nonrefundable pursuant to 105 CMR 100.405(B);
6. I have submitted the required copies of this application to the Determination of Need Program, and, as applicable, to all Parties of Record and other parties as required pursuant to 105 CMR 100.405(B);
7. I have caused, as required, notices of intent to be published and duplicate copies to be submitted to all Parties of Record, and all carriers or third-party administrators, public and commercial, for the payment of health care services with which the Applicant contracts, and with Medicare and Medicaid, as required by 105 CMR 100.405(C), et seq.;
8. I ~~have caused~~ [have been informed that] proper notification and submissions to the Secretary of Environmental Affairs pursuant to 105 CMR 100.405(E) and 301 CMR 11.00; will be made, if applicable.
9. If subject to M.G.L. c. 6D, § 13 and 958 CMR 7.00, I have submitted such Notice of Material Change to the HPC - in accordance with 105 CMR 100.405(G);
10. Pursuant to 105 CMR 100.210(A)(3), I certify that both the Applicant and the Proposed Project are in material and substantial compliance and good standing with relevant federal, state, and local laws and regulations, as well as with all ~~previously issued~~ Notices of Determination of Need ~~and the terms and Conditions attached therein~~ [issued in compliance with 105 CMR 100.00, the Massachusetts Determination of Need Regulation effective January 27, 2017 and amended December 28, 2018];
11. I have ~~read~~ [been informed of the contents of] and understand the limitations on solicitation of funding from the general public prior to receiving a Notice of Determination of Need as established in 105 CMR 100.415;
12. I understand that, if Approved, the Applicant, as Holder of the DoN, shall become obligated to all Standard Conditions pursuant to 105 CMR 100.310, as well as any applicable Other Conditions as outlined within 105 CMR 100.000 or that otherwise become a part of the Final Action pursuant to 105 CMR 100.360;
13. Pursuant to 105 CMR 100.705(A), I certify that the Applicant has Sufficient Interest in the Site or facility; and
14. Pursuant to 105 CMR 100.705(A), I certify that the Proposed Project is authorized under applicable zoning by-laws or ordinances, whether or not a special permit is required; or,
	1. If the Proposed Project is not authorized under applicable zoning by-laws or ordinances, a variance has been received to permit such Proposed Project; or,
	2. The Proposed Project is exempt from zoning by-laws or ordinances.

|  |
| --- |
| **Corporation**Attach a copy of Articles of Organization/Incorporation, as amendedAimee Brewer <Signature on File> 4/4/2024CEO for Corporation Name: Signature: Date: Donna Kimmel <Signature on File> 4/4/2024Board Chair for Corporation Name: Signature: Date:  |

**This document is ready to print:** [blank]  **Date/time Stamp:** [blank]