



The Commonwealth of Massachusetts
Executive Office of Health and Human Services
Department of Public Health
Determination of Need Program
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MEMORANDUM

TO: Interested Parties

FROM: Nora Mann, Director, Determination of Need Program

DATE: June 29, 2017

RE: Formation of Ten Taxpayer Groups

The purpose of this memorandum is to update interested parties regarding the time for Ten Taxpayer Groups (“TTGs”) to register with the Department of Public Health (“Department”).

TTGs can register at any time during the first 30 days following the Filing Date of an Application for Determination of Need (“DoN”), or during the first ten days after a public hearing held pursuant to 105 CMR 100.445. This timeframe is set out in the regulations at 105 CMR 100.100.

Applicants must publish a notice prior to filing a DoN application with the Department. The instructions regarding the content of that notice include an incorrect timeframe. At 105 CMR 100.405(C)(2), the regulations state that the notice must include a statement that TTGs may register by contacting the Department of Public Health within 20 days from the Applicant’s proposed Filing Date. That statement should instruct TTGs that they may register within 30 days from the Applicant’s proposed Filing Date.

Consistent with 105 CMR 100.000, please indicate TTGs may register within 30 days of the Applicant’s proposed filing date in any DoN notice. The Department will update the regulation at 105 CMR 100.405(C)(2) shortly to reflect the correct time frame.

Please direct any questions or comments about this memorandum to the Determination of Need Program at dph.don@state.ma.us.