



The Commonwealth of Massachusetts  
Executive Office of Health and Human Services  
Department of Public Health  
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DATE: September 22, 2021

VIA EMAIL: [andrew.levine@huschblackwell.com](mailto:andrew.levine@huschblackwell.com)

Andrew Levine, Esq.  
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One Beacon Street, Suite 1320  
Boston, MA 02108

RE: UMass Memorial Health Care, Inc. – Notice of Transfer of Site/Change in Designated Location  
Application # -21042009-TS

Dear Mr. Levine:

We are in receipt of the above-referenced Notice and its accompanying letter, dated June 29, 2021, in which UMass Memorial Health Care, Inc. 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 by the UMass Memorial Health Care, Inc. The proposed transaction is for the transfer of a linear accelerator from UMass Memorial Medical Center, Inc.'s University Campus in Worcester to its Memorial Campus, also located in Worcester less than two miles away.

UMass Memorial Health Care, Inc. 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 UMass Memorial Medical Center (“UMMMC” or “Hospital”) sites: (1) University Campus, located at 55 Lake Avenue North, Worcester, MA 01655, and (2) Memorial Campus, located at 119 Belmont Street, Worcester, MA 01605.

The Hospital currently operates three linear accelerators (“linac”) at the University Campus. The Applicant currently does not provide linac services at the Memorial Campus, however, there is an empty bunker where the linac can operate. Upon approval of this Application for DoN, the Applicant will

replace one of the current linac units located at the University Campus, and subsequently transfer the new replacement unit to the Memorial Campus, resulting in a reduction of one linac at the University Campus. It is to be noted that the one to one replacement of the existing linac is not a DoN event and does not involve significant capital expenditure.

At the Memorial Campus, the proposed transfer location, oncology care is provided to Gyn Oncology and Urology patients and those with prostate cancers. These services for these patients are not offered at the University Campus. Additionally, at the Memorial Campus a new CT simulator is replacing the existing unit, and this will allow radiation therapy patients to receive a full complement of services at Memorial Campus, including consultation, simulation, and treatment. Thus, the transfer of site of the linac will provide continuity of care and meet patient demand. The proposed transfer of site will also increase staffing efficiencies as there will be more timely interactions with Hospitalists and care team members due to the permanently staffed team who will all be at one location, the Memorial Campus.

**Location and Location Change:** The Applicant seeks to transfer the linac from the University Campus, where it occupies approximately 654 gross square feet (GSF), to Memorial Campus, where it will be in an existing vault space of approximately 618 GSF.

**Primary Service Area (PSA):** University Campus and Memorial Campus are both located in Worcester, MA and share the same PSA.<sup>1</sup> All Hospital patients use the linac services for radiation treatment, and the Applicant anticipates the patient panel using linac will be similar to the current patient panel demographics.<sup>2</sup>

The proposed transfer will improve access to linac services at Memorial Campus, and the patients will be able to access full complement of services at one location and maximize care coordination. This will eliminate fragmented care and reduce travel time, which will result in greater patient satisfaction. Specifically, outpatients in the Gyn Oncology and Urology departments and patients undergoing prostate surgery that is only available at Memorial Campus, currently have to travel to University Campus for linac services. Further, this will enable Memorial Campus to care for inpatients and transfer patients in need of radiation therapy without the need to transfer patients to University Campus for radiation therapy. There will be two remaining linac units in operation at the University Campus. Oncologists will be able to treat patients at the same location where patient will receive radiation therapy, such that patients will rarely need to travel between sites. Thus, this transfer will not adversely affect patient access and allow for the efficiency of care.

**Pricing:** The transfer of site will have no impact on price; no changes will occur regarding the pricing of linac services, and all pricing will remain consistent with current charges. There will be no impact on total medical expenditure (TME) associated with the proposed transfer of site, and the linac will be used to meet the continued demand by Hospital patients.

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<sup>1</sup> Cities and towns in the PSA: Auburn, Barre, Charlton, Clinton, Douglas, Dudley, Fitchburg, Gardner, Grafton, Holden, Leicester, Leominster, Marlborough, Millbury, North Grafton, Northborough, Oxford, Rutland, Shrewsbury, Southbridge, Spencer, Sterling, Sutton, Webster, West Boylston, Westborough, and Worcester

<sup>2</sup> FY2020 Hospital's patient panel demographics (receiving radiation treatment on linac): gender—51.5% female, 48.5% male; age—44.7% 0-64 years, 55.3% 65+ years; race/ethnicity—3.1% Asian, 4.4% Black or African American, 84.3% White, 8.3% Other

There will be a reduction in operating expenses at the University Campus where the linac is currently operating. After the transfer, there will be an increase in operating costs at Memorial Campus due to new staffing costs associated with providing the new linac service at this Campus.

**Sufficient Interest in the Proposed Site:** The Applicant states that Memorial Campus is owned by the Hospital and appropriately zoned to operate the linac.

**Findings:** The Department finds that UMass Memorial Health Care, Inc. 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 100.715 and UMass Memorial Health Care, Inc. may move forward with the proposed changes in designated location.



Margret Cooke  
Acting Commissioner

cc: E. Kelley  
L. Szent-Gyorgyi  
R. Rodman  
S. Davis  
D. Gent