

**UMASS MEMORIAL MRI & IMAGING CENTER, LLC
DON APPLICATION # UMMIC-20120208-AM
ATTACHMENTS**

**SIGNIFICANT AMENDMENT
SHIELDS MRI AT UMASS MEMORIAL – SHREWSBURY
STREET**

JANUARY 6, 2021

BY

**UMASS MEMORIAL MRI & IMAGING CENTER, LLC
700 CONGRESS STREET, SUITE 204
QUINCY, MA 02169**

UMASS MEMORIAL MRI & IMAGING CENTER, LLC
APPLICATION # UMMIC-20120208-AM

TABLE OF CONTENTS

1. Application Form
2. Project Narrative
3. Change in Service Form
4. Affiliated Parties Form
5. Notice of Intent
6. Copy of Documents Related to Approved DoN and Amendments
 - A. Copy of Staff Summary and Original Decision Letter for Approved DoN
 - B. Copy of Prior Amendments to Approved DoN (6)
7. Certificate of Organization and Amendments
8. Affidavit of Truthfulness and Compliance

ATTACHMENT 1

APPLICATION FORM



Massachusetts Department of Public Health

Determination of Need

Application Form

Version: 11-8-17

Application Type:	Amendment	Application Date:	
Applicant Name:	UMass Memorial MRI & Imaging Center, LLC		
Mailing Address:	700 Congress Street, Suit 204		
City:	Quincy	State:	Massachusetts
		Zip Code:	02169
Contact Person:	Andrew S. Levine	Title:	Attorney
Mailing Address:	1 Beacon Street, Suite 1320		
City:	Boston	State:	Massachusetts
		Zip Code:	02108
Phone:	6175986700	Ext:	
E-mail:	alevine@barrettsingal.com		

Facility Information

List each facility affected and or included in Proposed Project

1 Facility Name:	Shields MRI at UMass Memorial - Shrewsbury Street		
Facility Address:	214 Shrewsbury Street		
City:	Worcester	State:	Massachusetts
		Zip Code:	01604
Facility type:	Clinic	CMS Number:	002737301
Add additional Facility		Delete this Facility	

1. About the Applicant

1.1 Type of organization (of the Applicant):	for profit
1.2 Applicant's Business Type:	<input type="radio"/> Corporation <input type="radio"/> Limited Partnership <input type="radio"/> Partnership <input type="radio"/> Trust <input checked="" type="radio"/> LLC <input type="radio"/> Other
1.3 What is the acronym used by the Applicant's Organization?	UMMIC
1.4 Is Applicant a registered provider organization as the term is used in the HPC/CHIA RPO program?	<input type="radio"/> Yes <input checked="" type="radio"/> No
1.5 Is Applicant or any affiliated entity an HPC-certified ACO?	<input type="radio"/> Yes <input checked="" type="radio"/> No
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)?	<input type="radio"/> Yes <input checked="" type="radio"/> No
1.7 Does the Proposed Project also require the filing of a MCN with the HPC?	<input type="radio"/> Yes <input checked="" type="radio"/> 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? ☐ Yes ☒ No

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 ☒ No

4. Conservation Project

- 4.1 Are you submitting this Application as a Conservation Project? ☐ Yes ☒ 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? ☐ Yes ☒ No

6. Transfer of Ownership

- 6.1 Is this an application filed pursuant to 105 CMR 100.735? ☐ Yes ☒ No

7. Ambulatory Surgery

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

8. Transfer of Site

- 8.1 Is this an application filed pursuant to 105 CMR 100.745? ☐ Yes ☒ No

9. Research Exemption

- 9.1 Is this an application for a Research Exemption? ☐ Yes ☒ No

10. Amendment

- 10.1 Is this an application for a Amendment? ☒ Yes ☐ No

10.2 This Amendment is: ☐ Immaterial Change ☐ Minor Change ☒ Significant Change

10.3 Original Application number: Project #4-4886

10.3.a Original Application Type: DoN-Required Equipment

10.3.b Original Application filing date: 02/01/2001

10.3.c Have there been any approved Amendments to the original Application? ☒ Yes ☐ No

10.3.d For each approved Amendment list all Amendment Numbers, Amendment types, and Approval Dates.

Add/Del Row	Amendment Number	Amendment Change Type	Approval Date
<input type="checkbox"/> + <input type="checkbox"/> -	Project #4-4886	Significant	04/10/2003
<input type="checkbox"/> + <input type="checkbox"/> -	Project #4-4886	Significant	11/17/2005
<input type="checkbox"/> + <input type="checkbox"/> -	Project #4-4886	Minor	08/09/2006
<input type="checkbox"/> + <input type="checkbox"/> -	Project #4-4886	Significant	10/13/2011
<input type="checkbox"/> + <input type="checkbox"/> -	Project #4-4886	Significant	02/14/2013
<input type="checkbox"/> + <input type="checkbox"/> -	18080612-AM	Significant	10/01/2018

For Significant Amendment Changes:

10.5.a Describe the proposed change.

See Attached Narrative.

10.5.b Describe the associated cost implications to the Holder.

See Attached Narrative.

10.5.c Describe the associated cost implications to the Holder's existing Patient Panel.

See Attached Narrative.

10.5.d Provide a detailed narrative, comparing the approved project to the proposed Significant Change, and the rationale for such change.

See Attached Narrative.

☒ **The Holder hereby swears or affirms that the above statements with respect to the proposed Significant Change are True.**

11. Emergency Application

11.1 Is this an application filed pursuant to 105 CMR 100.740(B)?

☐ Yes ☒ No

12. Total Value for Significant Amendments

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: Significant Amendment

Filing Fee: \$0

12.1 Proposed increase in total value of this project:

\$0.00

12.2 Total increase in CHI commitment expressed in dollars: (calculated)

\$0.00

12.3 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.

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

- ☒ Copy of Notice of Intent
- ☒ Affidavit of Truthfulness Form
- ☒ Electronic copy of Staff Summary for Approved DoN
- ☒ Electronic copy of Original Decision Letter for Approved DoN
- ☒ Electronic Copy of any prior Amendments to the Approved DoN
- ☒ Change in Service Tables Questions 2.2 and 2.3
- ☐ Certification from an independent Certified Public Accountant

Document 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:

☐

Date/time Stamp:

E-mail submission to
Determination of Need

Application Number: UMMIC-20120208-AM

Use this number on all communications regarding this application.

☐ Community Engagement-Self Assessment form

ATTACHMENT 2

PROJECT NARRATIVE

2. Project Description

The proposed request is filed with respect to DoN Project #4-4886 which established PET/CT services at Shields MRI at UMass Memorial – Shrewsbury Street (“Shrewsbury”), located at 214 Shrewsbury Street, Worcester, MA 01604. The service currently operates two days per week. The Application requests approval to add two days of PET/CT services at this location (“Proposed Project”).

10. Amendment

10.5.a Describe the proposed change.

UMass Memorial MRI & Imaging Center, LLC (“UMMIC”) currently operates a licensed clinic that provides PET/CT services two days per week at its primary location, Shrewsbury. The proposed significant change will add two days of PET/CT services at Shrewsbury, for a total of four days of operation.

10.5.b Describe the associated cost implications to the Holder.

The Proposed Project will have no cost implications to UMMIC. The PET/CT service is an existing service operated by UMMIC, and the Proposed Project will not result in any additional capital costs to operate the PET/CT two additional days per week.

10.5.c Describe the associated cost implications to the Holder’s existing Patient Panel.

The Proposed Project will have no cost implications to UMMIC’s patient panel. UMMIC currently provides PET/CT services at Shrewsbury two days per week and upon DoN approval will provide four days of service. All pricing will remain consistent with current charges.

10.5.d Provide a detailed narrative, comparing the approved project to the proposed Significant Change, and the rationale for such change.

The Applicant is UMMIC. Shields Imaging of Massachusetts, LLC was a consortium that received Determination of Need (“DoN”) approval in 2002 for Project #4-4886 to acquire a mobile positron emission tomography (“PET/CT”) unit to provide services at three host sites (Baystate Medical Center, South Shore Hospital and UMass Memorial Medical Center). The consortium was comprised of Shields Imaging of Eastern Massachusetts, LLC (for South Shore Hospital); Shields Imaging of Worcester, LLC (for UMass Memorial Medical Center); and Shields Imaging of Springfield, LLC (for Baystate Medical Center). In 2003, a fourth host site at Berkshire Medical Center was added through a DoN amendment. In 2005, the DoN was further amended to add a fifth host site at HealthAlliance Hospital’s Burbank Campus.

In 2006, a DoN amendment was approved to acknowledge the licensure of the sites as separately licensed clinics and remove Shields Imaging of Massachusetts, LLC as the DoN holder. Accordingly, the three original sites were licensed to the following entities: Baystate MRI and Imaging Center, LLC (BMIC); Shields Imaging of Eastern Massachusetts, LLC and UMass Memorial MRI and Imaging Center, LLC (“UMMIC”).

In 2011, the DoN was again amended to add an additional host site of UMMIC at Wing Memorial Hospital and Medical Center; however, this site was not implemented. Again in 2013, an amendment was approved to add a host site of the BMIC clinic at Berkshire Medical Center.

However, in 2017, the Berkshire Medical Center site was converted to a separate DoN approved joint venture known as Shields PET-CT at Berkshire Medical Center, LLC.

The three licensed clinics that now hold the approval to provide PET/CT services pursuant to Project #4-4886 are BMIC, SIEM (South Shore Hospital), UMMIC.

Pursuant to the original DoN, UMMIC currently operates the PET/CT services two days per week at Shrewsbury. Demand for PET/CT services at Shrewsbury has increased, resulting in the need for additional PET/CT capacity at this location. The PET/CT services are currently provided on Monday and Wednesday from 7:00am to 5:30pm. The existing PET/CT service is at capacity and seeks to add two days of service, Sunday and Thursday from 7:00am to 5:30pm, to accommodate increased demand.

Historical utilization data shows an increase in individual patients and scans at Shrewsbury over the past three years and year-to-date (“YTD”) through October 31, 2020. Shrewsbury performed 1,248 scans in 2017; 1,315 scans in 2018; and 1,688 scans in 2019. This represents an approximate 35% increase in scans between 2017 and 2019. YTD, Shrewsbury has performed 1,443 scans. Moreover, Shrewsbury experienced an increase in unique patients presenting for scans. Shrewsbury had 1,037 unique patients in 2017; 1,062 unique patients in 2018; and 1,368 unique patients in 2019. Shrewsbury has seen 1,183 unique patients YTD.

The Proposed Project seeks to meet the need for increased access to PET/CT for UMMIC’s patient panel. As described above, demand has significantly increased for PET/CT scans at Shrewsbury over the past three years. This data demonstrates an increased need for access to PET/CT at the clinic, and has resulted in an average wait time of 7-10 days from referral to the date of the scan. An additional two days of service will improve wait times, preventing delays in care. As PET/CT is utilized to detect and monitor high acuity and progressive diseases such as cancer, heart disease, or neurological abnormalities, timely imaging is an essential element of the patient’s treatment plan. For example, the top reasons for PET/CT scans at Shrewsbury include lung cancer, lymphoma, solitary pulmonary nodule, head and neck nodules, breast cancer, melanoma, cervical cancer, colorectal cancer, esophageal cancer, and prostate cancer. Moreover, UMMIC anticipates increased demand for PET/CT services as the population ages, with age being a significant risk factor for cancers.¹ Based on 2019 data, approximately 58.1% of Shrewsbury’s patient population is over the age of 64; and 89% are over the age of 50. Accordingly, due to the nature of the patient conditions primarily presenting to Shrewsbury and the age of the existing patient panel, it is important that patients have timely and convenient access to this service.

The additional two days of service will allow UMMIC to meet the need for patients requiring PET/CT services that would otherwise have to travel to another less convenient facility or would be subject to extended wait times at Shrewsbury. UMMIC projects the additional two days of service would result in approximately 1,846 scans in 2021; 1,994 scans in 2022; and 2,153 scans in 2023. By increasing capacity two additional days per week, UMMIC will be able to accommodate the needs of its existing patient panel, for whom PET/CT is an integral modality as part of their diagnosis and treatment planning, particularly for cancers. Accordingly, UMMIC seeks to add two days of PET/CT service at Shrewsbury to meet the demonstrated need of its patient panel for additional access.

¹ See, e.g., *Age and Cancer Risk*, NATIONAL CANCER INSTITUTE, <https://www.cancer.gov/about-cancer/causes-prevention/risk/age#:~:text=Advancing%20age%20is%20the%20most,cancer%20diagnosis%20is%2066%20years> (April 29, 2015).

ATTACHMENT 3

CHANGE IN SERVICE FORM



Massachusetts Department of Public Health
Determination of Need
Change in Service

Version: DRAFT
6-14-17

DRAFT

Application Number: UMMIC-20120208-AM

Original Application Date: 01/06/2021

Applicant Information

Applicant Name: UMass Memorial MRI & Imaging Center, LLC

Contact Person: Andrew S. Levine, Esq. Title: Attorney

Phone: 6175986700 Ext: E-mail: alevine@barrettsingal.com

Facility: Complete the tables below for each facility listed in the Application Form

1 Facility Name: Shields MRI at UMass Memorial - Shrewsbury Street CMS Number: 002737301 Facility type: Clinic

Change in Service

2.2 Complete the chart below with existing and planned service changes. Add additional services with in each grouping if applicable.

Add/Del Rows		Licensed Beds	Operating Beds	Change in Number of Beds (+/-)		Number of Beds After Project Completion (calculated)		Patient Days (Current/ Actual)	Patient Days	Occupancy rate for Operating Beds		Average Length of Stay (Days)	Number of Discharges	Number of Discharges
		Existing	Existing	Licensed	Operating	Licensed	Operating		Projected	Current Beds	Projected		Actual	Projected
	Acute													
	Medical/Surgical									0%	0%			
	Obstetrics (Maternity)									0%	0%			
	Pediatrics									0%	0%			
	Neonatal Intensive Care									0%	0%			
	ICU/CCU/SICU									0%	0%			
<div>+ -</div>										0%	0%			
	Total Acute									0%	0%			
	Acute Rehabilitation									0%	0%			
<div>+ -</div>										0%	0%			
	Total Rehabilitation									0%	0%			
	Acute Psychiatric													

Add/Del Rows		Licensed Beds	Operating Beds	Change in Number of Beds (+/-)		Number of Beds After Project Completion (calculated)		Patient Days (Current/ Actual)	Patient Days Projected	Occupancy rate for Operating Beds		Average Length of Stay (Days)	Number of Discharges	Number of Discharges
		Existing	Existing	Licensed	Operating	Licensed	Operating			Current Beds	Projected		Actual	Projected
	Adult									0%	0%			
	Adolescent									0%	0%			
	Pediatric									0%	0%			
	Geriatric									0%	0%			
<div>+ -</div>										0%	0%			
	Total Acute Psychiatric									0%	0%			
	Chronic Disease									0%	0%			
<div>+ -</div>										0%	0%			
	Total Chronic Disease									0%	0%			
	Substance Abuse													
	detoxification									0%	0%			
	short-term intensive									0%	0%			
<div>+ -</div>										0%	0%			
	Total Substance Abuse									0%	0%			
	Skilled Nursing Facility													
	Level II									0%	0%			
	Level III									0%	0%			
	Level IV									0%	0%			
<div>+ -</div>										0%	0%			
	Total Skilled Nursing									0%	0%			

2.3 Complete the chart below If there are changes other than those listed in table above.

Add/Del Rows	List other services if Changing e.g. OR, MRI, etc	Existing Number of Units	Change in Number +/-	Proposed Number of Units	Existing Volume	Proposed Volume
<div>+ -</div>	PET (Units = Number of Days of Service)	2	2	4	1,688	1,846

Document 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:

☒

Date/time Stamp: 12/28/2020 2:40 pm

E-mail submission to
Determination of Need

ATTACHMENT 4

AFFILIATED PARTIES FORM



Massachusetts Department of Public Health
Determination of Need
Affiliated Parties

Version: DRAFT
3-15-17

DRAFT

Application Date: 01/06/2021

Application Number: UMMIC-20120208-AM

Applicant Information

Applicant Name: UMass Memorial MRI & Imaging Center, LLC

Contact Person: Andrew S. Levine

Title: Attorney

Phone: 6175986700

Ext:

E-mail: alevine@barrettsingal.com

Affiliated Parties

1.9 Affiliated Parties:
List all officers, members of the board of directors, trustees, stockholders, partners, and other Persons who have an equity or otherwise controlling interest in the application.

Add/ Del Rows	Name (Last)	Name (First)	Mailing Address	City	State	Affiliation	Position with affiliated entity (or with Applicant)	Stock, shares, or partnership	Percent Equity (numbers only)	Convictions or violations	List other health care facilities affiliated with	Business relationship with Applicant
<div>+ -</div>	Shakman	Alice	55 Lake Ave North	Worcester	MA	UMass Memorial Health Ventures, Inc.	Applicant Board Member	Partnership	50%	No	UMass Memorial Medical Center	No
<div>+ -</div>	Feldmann	Robert	306 Belmont Street	Worcester	MA	UMass Memorial Health Ventures	Applicant Board Member	Partnership	50%	No	UMass Memorial Medical Center	No
<div>+ -</div>	Shields	Thomas	45 Satuit Meadow Lane	Norwell	MA	Shields Health Care Group	Partnership			No	Legal Name Southeastern Massachusetts Regional MRI Limited Partnership Fall River-New Bedford Regional MRI Limited Partnership Fall River-New Bedford Regional MRI Limited Partnership Shields Healthcare of Cambridge Inc South Shore MRI Limited Partnership Massachusetts Bay Regional MRI Limited Partnership Massachusetts Bay Regional MRI Limited Partnership Shields MRI & Imaging Center of Cape Cod LLC U Mass Memorial MRI & Imaging Center LLC U Mass Memorial MRI & Imaging Center LLC U Mass Memorial MRI & Imaging Center LLC	No
Affiliated Parties		UMass Memorial MRI & Imaging Center, LLC										

Add/ Del Rows	Name (Last)	Name (First)	Mailing Address	City	State	Affiliation	Position with affiliated entity (or with Applicant)	Stock, shares, or partnership	Percent Equity (numbers only)	Convictions or violations	List other health care facilities affiliated with	Business relationship with Applicant
<div>+ -</div>	Ferrari	Peter	3 Flintlock Dr	Bedford	MA	Shields Health Care Group	Partnership			No	South Shore MRI Limited Partnership Shields MRI & Imaging Center of Cape Cod LLC U Mass Memorial MRI & Imaging Center LLC U Mass Memorial MRI & Imaging Center LLC U Mass Memorial MRI & Imaging Center LLC U Mass Memorial MRI & Imaging Center LLC U Mass Memorial MRI & Imaging Center LLC U Mass Memorial MRI & Imaging Center LLC U Mass Memorial MRI & Imaging Center LLC U Mass Memorial MRI & Imaging Center LLC Baystate MRI & Imaging Center LLC U Mass Memorial HealthAlliance MRI Center LLC U Mass Memorial MRI-Marlborough LLC Frankin MRI Center LLC Radiation Therapy of Winchester LLC Cape Cod PET-CT Services LLC Cape Cod PET-CT Services LLC PET-CT Services By Tufts Medical Center and Shields LLC PET-CT Services By Tufts Medical Center and Shields LLC Shields Imaging of Lowell General Hospital LLC Shields Imaging of Lowell General Hospital LLC Shields Imaging of Lowell General Hospital LLC Winchester Hospital-Shields MRI LLC Winchester Hospital – Shields MRI Shields Signature Imaging LLC Shields Sturdy PETCT LLC Shields PETCT at Cooley Dickinson Hospital LLC Shields Imaging at Anna Jaques Hospital LLC Shields PET-CT at CMMC LLC Shields PET-CT at CMMC LLC Shields Imaging at York Hospital LLC Shields PETCT at Berkshire Medical Center LLC Shields Imaging of Portsmouth LLC	No
Affiliated Parties			UMass Memorial MRI & Imaging Center, LLC									

<div><div>+</div><div>-</div></div>					MA							
<div><div>+</div><div>-</div></div>					MA							
<div><div>+</div><div>-</div></div>					MA							
<div><div>+</div><div>-</div></div>					MA							

Document 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:

☐

Date/time Stamp:

E-mail submission to
Determination of Need

ATTACHMENT 5

NOTICE OF INTENT

Telegram and
Gazette - 12/23/2020



oulan Pro 27" 254CC, 2 Stage,
d, Electric start, Headlight,
used 3 times, Like new. \$450.00.



in Buying Coins, Notes, Sterling
rs buying Coins and Collectibles -
Appointment - 508-859-0707 -
Worcester Coin Dealer- We also
use calls - FREE Appraisals-



RS ABLE AUTO BUYERS /
ncIncBuyingcars,trucks,m/c.
reparable,Good Used.Paying thou-
In Worcester for over 40 years.Call
962

in Rutland Visit the Christmas
in Street Rutland, one mile from
t's a beautiful wonderland of
ments and other holiday items like
arney & Sons teas, Michel Design
as wreaths, handknit baby gifts,
gne, house & holiday decor, and so
en T, W, TH, F 11AM-5PM. Closed
t: 10AM-4PM. You're going to like
visit us at ebay.com/str/ourmain-
ed Dec. 25

Brad Anderson



es the

IMPORTANT NOTICE
You have the right to obtain a copy of the Petition from the Petitioner or at the Court. You have a right to object to this proceeding. To do so, you or your attorney must file a written appearance and objection at this Court before: 10:00 a.m. on the return day of 02/01/2021. This is NOT a hearing date, but a deadline by which you must file a written appearance and objection if you object to this proceeding. If you fail to file a timely written appearance and objection followed by an Affidavit of objections within thirty (30) days of the return day, action may be taken without further notice to you.

UNSUPERVISED ADMINISTRATION UNDER THE MASSACHUSETTS UNIFORM PROBATE CODE (MUPC)
A Personal Representative appointed under the MUPC in an unsupervised administration is not required to file an inventory or annual accounts with the Court. Persons interested in the estate are entitled to notice regarding the administration directly from the Personal Representative and may petition the Court in any matter relating to the estate, including the distribution of assets and expenses of administration.

WITNESS, Hon. Leilah A Keamy, First Justice of this Court.
Date: December 14, 2020

Stephanie K. Fattman, Register of Probate
December 23, 2020

Public Announcement Concerning a Proposed Health Care Project

UMass Memorial MRI & Imaging Center, LLC ("Applicant") located at 700 Congress Street, Suite 204, Quincy, MA 02169 intends to file a Notice of Determination of Need for a Significant Change ("Application") with respect to DoN Project #4-4886, as amended, to add two days of PET/CT services at Shields MRI at UMass Memorial-Shrewsbury Street, located at 214 Shrewsbury Street, Worcester, MA 01604. There is no cost associated with this Application and therefore no change to the total value of the Project based on the approved maximum capital expenditure. The Applicant does not anticipate any price or service impacts on the Applicant's existing Patient Panel as a result of the Proposed Project. Any ten Taxpayers of Massachusetts may register in connection with the intended Application by no later than February 05, 2021 or 30 days from the Filing Date, whichever is later, by contacting the Department of Public Health, Determination of Need Program, 250 Washington Street, 6th Floor, Boston, MA 02108.

WITNESS, Hon. Leilah A Keamy, First Justice of this Court.
Date: December 01, 2020

Stephanie K. Fattman, Register of Probate
December 23, 2020

WONDERWORD

HOW TO PLAY: All the words listed below appear in the puzzle — horizontally, vertically, diagonally and even backward. Find them, circle each letter of the word and strike it off the list. The leftover letters spell the **WONDERWORD**.

MICROFIBER CLOTH

Solution: 5 letters

H	S	H	S	A	W	D	E	R	E	G	N	O	L	R
G	Y	R	P	H	O	T	O	G	R	A	P	H	I	C
C	N	D	E	O	I	I	W	I	D	M	S	N	P	O
R	C	I	R	W	F	N	M	I	A	U	S	G	M	L
E	O	S	L	O	O	Y	Y	T	N	E	M	I	A	O
V	U	N	S	I	G	H	T	L	Y	D	R	S	D	R
I	N	D	T	A	A	E	S	C	H	R	O	M	E	K
C	T	C	I	B	R	T	N	T	O	I	L	W	C	B
E	E	D	U	S	T	V	E	R	S	A	T	I	L	E
S	R	R	A	O	E	N	S	D	E	W	U	E	N	S
L	S	R	E	R	I	R	R	S	Ⓚ	Q	A	G	C	T
C	E	E	L	B	R	A	M	M	Ⓢ	B	U	R	C	S
A	P	W	A	E	M	G	R	E	Ⓐ	S	E	I	M	A
R	I	C	O	N	J	U	G	A	Ⓣ	E	D	T	R	L
S	W	W	A	T	E	R	N	R	N	A	E	L	C	E

© 2020 Andrews McMeel Syndication www.wonderword.com 12/23

Absorbent, Area, Cabinet, Cars, Chrome, Clean, Color, Conjugated, Counters, Crevice, Damp, Detailing, Doors, Dust, Grease, Grimy, Grit, Hydrogen, Last, Lint, Longer, Marble, Matter, Mirrors, Number, Photographic, Quick, Rags, Require, Residue, Rinse, Screen, Scrub, Section, Shiny, Showers, Smear, Smudge, Task, Tiny, Towel, Unightly, Versatile, Warm, Wash, Water, Window, Wipe

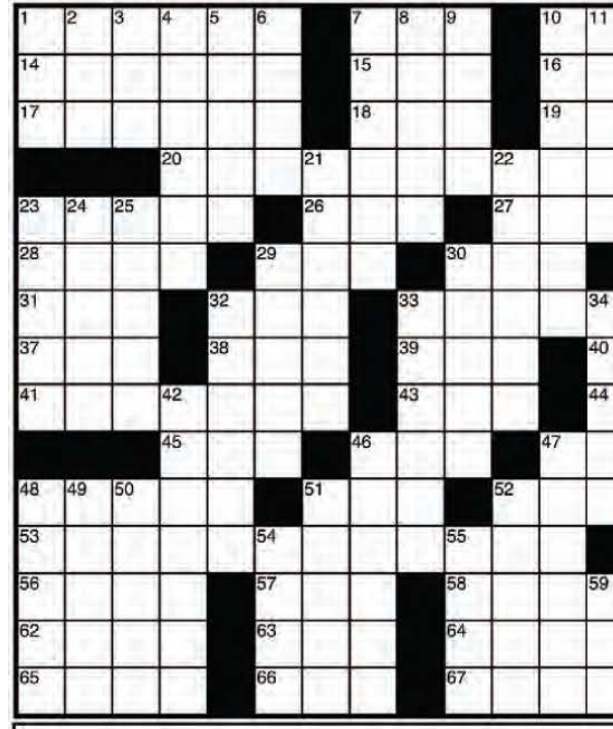
Yesterday's Answer: Jennings

- 18 Outline of folk music
- 17 Hesitant
- 18 Geisha's accessory
- 19 Lose interest
- 20 At great speed (hyph.)
- 23 Ram, in astrology
- 26 Dundee refusal
- 27 Grippiers
- 28 Most recent
- 29 Peach center
- 30 Wetland
- 31 Seventh notes
- 32 More than ask
- 33 Early settler
- 37 Tempe inst.
- 38 Sidelines cry
- 39 Go bad
- 40 Tavern order
- 41 Put back into office
- 43 Unrefined metal
- 44 Frontier's — Carson
- 45 Charge it
- 46 German conjunction
- 47 Loaded for —
- 48 Diminish
- 51 Grasshopper's rebuker
- 52 Pal, slangily
- 53 Waitstaff boss (2 wds.)
- 56 Ceremonial fire
- 57 "Me" opposite
- 58 Comet discoverer

BRAID **RECEIVED**
RATED **EATS**
ODOR **WRENS** **M**
NIL **ACED** **PA**
COLOR **FAST** **AF**
MAID **RINK**
PHOEBE **ANGE**
EARL **LAUDE**
NICE **DINER**
DRAT **SMART**

- 62 Wolf's expression
- 63 Miscalculate
- 64 Funny feeling
- 65 Vortex
- 66 Congeal
- 67 Unexpected
- 23 Sacred
- 24 Employ
- 25 Magaz
- 29 Hippi
- 30 Oslo s
- 32 Coffee
- 33 Right t
- 34 Did a t
- 35 A Hom
- 36 Part o
- 42 Sweep
- 46 Not inj
- 47 Sent a
- 48 Enoug
- 49 Howle
- 50 Talked
- 51 Deligh
- 52 Reeve
- "Spee
- 54 Looks
- 55 Like s
- 59 Boy
- 60 Comp
- 61 Hanke

- DOWN**
- 1 Grounded bird
 - 2 — Fernando Valley
 - 3 Assets
 - 4 Magic charm
 - 5 Notre Dame's city
 - 6 Management figure
 - 7 Overcome
 - 8 Form of quartz
 - 9 Small horse
 - 10 Shocking
 - 11 Dreaded exams
 - 12 Kukla's friend
 - 13 Loses hair
 - 21 Armor wearer
 - 22 Willow



telegram.com

CLASSIFIED

AUTOMOTIVE • REAL ESTATE • EMPLOYMENT • MARKETPLACE

Place An Ad

YOUR AD. YOUR WAY. YOUR TIME.

24 HOURS - 7 DAYS A WEEK

888-254-3466 telegram.com/classifieds

Best Ride

from

100 Front Street • 5th Floor • OPEN 8:30am - 5:00pm • EMAIL: classifieds@gatehousemedia.com

DEADLINES Daily: 5:00pm on the day before publication • Sunday & Monday: 5:00pm Friday | DISPLAY ADS Daily: 2 working days before publication • Sunday & Monday: 9:00am Thursday

General Auto

WANTED AUTOS



Wanted Autos Buying any car, truck, M/C of value, junk, wrecked, repairable, parts or good. Used. Paying thousands for some. Call Larry 508 769 3962 AABLE Mass Auto Recycling

Autos By Make

NISSAN



Nissan 2010 Sentra Just in, elderly owned, low miles, automatic, like new condition, excellent, bo dy interior, brakes, tires, exhaust. 4950. Call Larry 508 769 3962 AABLE AUTO BUYERS 150 Cambridge Street worc

Nissan Sentra 2018 S 2,900 miles, blue/black, full warranty, collision avoidance, camera, blue tooth, 2 keys, like new \$13,500 call 508-769-8342

Nissan 2017 Rogue S AWD White/Black, factory warranty, blind spot 360 shield, rear camera, 2 keys, like new flawless \$16,900 call 508-769-8342

Subaru Wheels with tires 2020 Original New Wheels & firestone mud and snow tires. Original Impreza equipment driven less than 200 miles. One wheel has minor scratch otherwise excellent condition. Call 508-754-4240 after 10 AM

TOYOTA



Toyota 2008 Tundra Quad cab 198K miles Runs excellent drives excellent solid body Solid frame V-8 Rust free RED Body rack 11450.00 Call Larry 508 769 3962 AABLE AUO BUYERS

Recruitment

GENERAL

Town of Oakham Police Department
Part-Time Police Officer Opening
Seeking candidates for the position of PT Police Officer. Oakham Police Officers enforce state, local laws & regulations in compliance with policy & procedures, while maintaining positive community relations. Resumes must be submitted to Ashley Sturges, Admin. Asst. to the Board of Selectmen: ashley.sturges@oakham-ma.gov or Oakham Town Hall, 2 Coldbrook Rd. Oakham, MA 01068



THE MARKETPLACE

MISC. PETS



Mini Goldendoodle Puppies! 3 females, 4 males. Stunningly beautiful Golden/Red Colors! Approx 40 lbs when full-grown. Hypoallergenic. Family raised. Loves People. Sure to steal your heart! First shots, vet exam, 2 year health guarantee. Ready to go 12/17. Free personal delivery to MA. \$3,900 Hoosick Falls, NY 802-282-2232 call/text



Cockapoo Puppies! 2 Males, 2 Females. Stunningly beautiful Colors! Approx 15 lbs when full-grown. Hypoallergenic. Family raised. Loves People. Sure to win your heart! First shots, vet exam, 2 year health guarantee. Ready to go 12/16. Free personal delivery to MA. \$3,900 Hoosick Falls, NY 802-282-2232 call/text

INFORMATION

TELL YOUR STORY! Looking for Harrington Behavioral Health, and Drug Court Patients. Also, CDU & ER Patients. It's time to tell your side of things. Text 774-633-4709. WE BELIEVE YOU!

ARTICLES FOR SALE

BUYING > RECORDS/COMICS/MAGAZINES+ WANTED > Lp Record Albums, Single 45's, Cd's, Reel Tapes, Video Games, Comic Books & Graphic Novels, Old Books & Magazines, Artwork, Posters, Toys, Baseball Cards etc. Musical Instruments++ Worcester, MA / Central MA. +++ Dave 774-414-8687 dchartwell@hotmail.com

Christmas Shop in Rutland Visit the Christmas Shop at 216 Main Street Rutland, one mile from Holden center. It's a beautiful wonderland of Christmas ornaments and other holiday items like Lori Mitchell, Harney & Sons teats, Michel Design Works, Christmas wreaths, handknit baby gifts, perfume & cologne, house & holiday decor, and so much more. Open T, W, TH, F 11AM-5PM. Closed Mon. Sat. & Sun, 10AM-4PM. You're going to like what you see! Visit us at ebay.com/str/ourmain-streetgifts Closed Dec. 25

MARMADUKE by Brad Anderson



“Marmaduke really likes the smell of bacon.”

GENERAL

Receptionist, Medical Office
Busy Prosthetic/Orthotic office. Bilingual-Spanish/English & strong organizational skills required. Excellent benefits. Email klynch@sunriseperio.com.

Real Estate For Sale

HOMES FOR SALE

JUST LISTED



Webster Million Dollar Views!!! from every room! Lakefront condo w/ add'l purchase boat & jet ski slips...1200 sf 2 BR 1.5 BA...open firplan, upper flr MBR suite...garage & add'l space. Webster Lake unobstructed views from LR, dining, MBR, deck! Easy to I-395. 103 Beacon Park, U.103. \$324,900. Jo-Ann Szymczak 508-943-7669 Maria Reed 508-873-9254 RE/MAX Adv 1.

LAND

MAINE LAND 18 buildable acres on Town dirt road, with power. Excellent hunting, fishing, and snowmobiling. Sebec Lake nearby. Guilford, Maine, just below Moosehead Lake. May be split into 2 parcels. \$2000/per acre. Call 413-229-2969

Real Estate Services

REAL ESTATE SERVICES

SELLER/BUYER EXPERTISE: Sturbridge area. Lorraine Herbert RE/MAX Prof Associates 508-864-4232

Rentals

APARTMENTS

Worcester ***** 31 Caroline Street
Plantation Street area...Brand new One bedroom apartment...Incl. wash/dry, storage, off street parking, heat and h/w...No smoking. No pets. To view apartment 508-756-2147 or cathy@botanybayproperties.com

Worcester...Center Hill Apts
503-305 Main St...The Tatnuck area's newest apartment homes. large 1 & 2 BR, W/D in each apt, storage, elevator, heat & h/w incl, nice walking area. No pets. No smoking. 508-756 2147 or cathy@botanybayproperties.com

WORCESTER NEWLY Renovated 2BR Apartment on the West Side!
AVAILABLE NOW!!
55+ Community, Fully equipped kitchen w/ stainless appliances. Heat/HW included. On-site laundry, fitness studio, 24hr. Maintenance. Call today for a special at 508-756-3594!

WORCESTER SUBSIDIZED housing. 1 person only. Low rents, a great, quiet place. All included: security to cable TV. Ref., CORI. 508-799-797

HOMES FOR RENT

Worcester ROOM FOR RENT, Clark area. 550 monthly. Attractive rooms with refrigerator and sink. Kitchen and laundry on premises. Furnished. Utilities included. Call 508 754 0097

OFFICE SPACE FOR RENT

SHREWSBURY: PROFESSIONAL Office Space in prime rte 9 Lakeway Business District area. Newly renovated handicapped accessible w/ elevator. \$675/mo includes heat/lease. Maria Smith /RENET 508-845-9974

LEGAL NOTICES

REQUEST FOR QUALIFICATIONS FOR CONSTRUCTION MANAGER AT RISK (CMR) SERVICES
The Town of Shrewsbury is soliciting qualifications for Construction Management at Risk (CMR) services associated with the following municipal construction project:
New Police Station
106 Maple Avenue
Shrewsbury, MA 01545
The project consists of construction of a new 44,000 GSF Police Station and subsequent demolition and removal of the existing station, located on the Town's Municipal Campus (Maple Avenue, Shrewsbury, MA). The project is currently starting the Design Development phase and preconstruction services are expected to commence in February 2021, with construction services beginning in June 2021. Construction duration is expected to be 24 months.
The Request for Qualifications will be available beginning December 9, 2020 via the Andrew T. Johnson Co.-on-line plan room at (www.andrewjohnson.com). Firms submitting a Statement of Qualifications should have prior Construction Management at Risk experience related to the size and scope and experience including new construction of police station buildings. Firms interested in this Project must submit an RFQ Interest Form no later than January 5, 2021 to the Town of Shrewsbury to the address noted in the RFQ. CMR fee will be negotiated.
The estimated construction cost for the project is \$3,300,000.00.
A Briefing Session is not scheduled for the Statement of Qualifications phase of this solicitation.
Responses should be addressed as follows:
Town of Shrewsbury
C/O Construction Monitoring Services, Inc.
270 Main Street
Marlborough, MA 01752
and shall be due on:
Friday, January 8, 2021 by 2:00 PM
This is a two stage selection process per MGL ch149A. Request for Qualifications will be reviewed by the Pre-Qualification Committee. Only firms deemed qualified will be invited to submit Stage 2. Request for Proposals (RFP) for the project. All decisions made by the Pre-Qualification Committee are final and not subject to appeal except on grounds of fraud or collusion. The Pre-Qualifications process is scheduled to be completed by January 29, 2021.
The Town of Shrewsbury reserves the right to accept or reject any or all responses submitted per the criteria outlined in the RFQ that it considers are in the best interest of the Town.
Town of Shrewsbury

Commonwealth of Massachusetts
Probate and Family Court

Docket No. WO20P2719EA
Worcester Probate and Family Court
225 Main Street Worcester, MA 01608
(508) 831-2200
CITATION ON PETITION FOR FORMAL ADJUDICATION
Estate of: George Vranos
Date of Death: 07/10/2020
To all interested persons: A Petition for Formal Probate of Will with Appointment of Personal Representative has been filed by John Vranos of Worcester, MA requesting that the Court enter a formal Decree and Order for and for such other relief as requested in the Petition. The Petitioner requests that: John Vranos of Worcester, MA be appointed as Personal Representative(s) of said estate to serve Without Surety on the bond in an unsupervised administration.
IMPORTANT NOTICE
You have the right to obtain a copy of the Petition from the Petitioner or at the Court. You have a right to object to this proceeding. To do so, you or your attorney must file a written appearance and objection at this Court before: 10:00 a.m. on the return day of 02/01/2021. This is NOT a hearing date, but a deadline by which you must file a written appearance and objection if you object to this proceeding. If you fail to file a timely written appearance and objection followed by an Affidavit of objections within thirty (30) days of the return day, action may be taken without further notice to you.
UNSUPERVISED ADMINISTRATION UNDER THE MASSACHUSETTS UNIFORM PROBATE CODE (MUPC)
Personal Representative appointed under the MUPC in an unsupervised administration is not required to file an inventory or annual accounts with the Court. Persons interested in the estate are entitled to notice regarding the administration directly from the Personal Representative and may petition the Court in any matter relating to the estate, including the distribution of assets and expenses of administration.
WITNESS, Hon. Leilah A. Keamy, First Justice of this Court.
Date: December 14, 2020
Stephanie K. Fattman, Register of Probate
December 23, 2020

Commonwealth of Massachusetts
Probate and Family Court

Docket No. WO20C0384CA
Worcester Probate and Family Court
225 Main Street, Worcester, MA 01608
(508) 831-2200
CITATION ON PETITION TO CHANGE NAME
In the matter of: Patrick Thomas Capasso
A Petition to Change Name of Minor has been filed by Patrick Thomas Capasso of Worcester, MA requesting that the Court enter a Decree changing their name to:
Patrick Thomas Balsavich
IMPORTANT NOTICE
Any person may appear for purposes of objecting to the petition by filing an appearance at Worcester Probate and Family Court before 10:00 a.m. on the return day of 12/29/2020. This is NOT a hearing date, but a deadline by which you must file a written appearance if you object to this proceeding.
WITNESS, HON. Leilah A. Keamy, First Justice of this Court.
Date: December 01, 2020
Stephanie K. Fattman, Register of Probate
December 23, 2020
Public Announcement Concerning a Proposed Health Care Project
UMass Memorial MRI & Imaging Center, LLC ("Applicant") located at 700 Congress Street, Suite 204, Quincy, MA 02269, intends to file a Notice of Determination of Need for a Significant Change ("Application") with respect to DoN Project #4-4886, as amended, to add two days of PET/CT services at Shields MRI at UMass Memorial Shrewsbury Street, located at 214 Shrewsbury Street, Worcester, MA 01604. There is no cost associated with this Application and therefore no change to the total value of the Project based on the approved maximum capital expenditure. The Applicant does not anticipate any price or service impacts on the Applicant's existing Patient Panel as a result of the Proposed Project. Any ten members of Massachusetts may register in connection with the intended Application by no later than February 05, 2021 or 30 days from the Filing Date, whichever is later, by contacting the Department of Public Health, Determination of Need Program, 250 Washington Street, 6th Floor, Boston, MA 02108.
December 23, 2020

WONDERWORD

HOW TO PLAY: All the words listed below appear in the puzzle — horizontally, vertically, diagonally and even backward. Find them, circle each letter of the word and strike it off the list. The leftover letters spell the WONDERWORD.
MICROFIBER CLOTH
Solution: 5 letters
H S H S A W D E R E G N O L R
G Y R P H O T O G R A P H C
C N D E O I I W I D M S N P O
R C I R W F N M I A U S G M L
E O S L O O Y Y T N E M I A O
V U N S I G H T L Y D R S D R
I N D T A A E S C H R O M E K
C T C I B R T N T O I L W C B
E E D U S T V E R S A T I L E
S R R A O E N S D E W U E N S
L S R E R I R R S K Q A G C T
C E E L B R A M M S B U R C S
A P W A E M G R E A S E I M A
R I C O N J U G A T E D T R L
S W W A T E R N R N A E L C E
© 2020 Andrews McMeel Syndication www.wonderword.com 12/23
Absorbent, Area, Cabinet, Cars, Chrome, Clean, Color, Conjugated, Counters, Crevice, Damp, Detailing, Doors, Dust, Grease, Grimy, Grit, Hydrogen, Last, Lint, Longer, Marble, Matter, Mirrors, Number, Photographic, Quick, Rags, Require, Residue, Rinse, Screen, Scrub, Section, Shiny, Showers, Smear, Smudge, Task, Tiny, Towel, Unightly, Versatile, Warm, Wash, Water, Window, Wipe
Yesterday's Answer: Jennings

LEGAL NOTICES

TOWN OF UXBRIDGE ZONING BOARD OF APPEALS
PUBLIC HEARING NOTICE
The Uxbridge Zoning Board of Appeals will hold a remote Public Hearing on January 6, 2021 at 6:00 pm, to review the case below.
Pursuant to Governor Baker's Orders Suspending Certain Provisions of the Open Meeting Law and limiting the number of people that may gather in one place, the January 6, 2021 meeting of the Uxbridge Zoning Board of Appeals will be conducted via remote participation. Members of the public who wish to participate in the meeting may do so in the following manner: online at https://uxbridge.zoom.us/j/8616203349 or by phone at 301-715-8592 using meeting i.d. 861 620 3349. The meeting will also be broadcast live online at www.uxbridgetv.org and on Uxbridge Community Television Channel 191.
FY21-09: 75 Mendon Street, St. Mary Parish/ Our Lady of The Valley Regional School, is seeking a VARIANCE of twelve feet (12') from the side yard setback requirement of twenty-five feet (25') to construct a new gymnasium/classroom structure on the property. The applicant is also seeking a SPECIAL PERMIT to expand a pre-existing Educational Use at the site in accordance with the Uxbridge Zoning Bylaw Appendix A Table of Use Regulations. The property is located in the Residential A Zone and shown on the Town of Uxbridge Assessor's Map 19, Parcel 4256.
Copies of the proposals are available for review online at https://www.uxbridge-ma.gov/zoning-board-appeals/pages/current-zba-public-hearing-applications.
To appear in the Worcester Telegram & Gazette on Wednesday December 23rd and Wednesday December 30th 2020.

TOWN OF UXBRIDGE ZONING BOARD OF APPEALS
PUBLIC HEARING NOTICE
The Uxbridge Zoning Board of Appeals will hold a remote Public Hearing on January 6, 2021 at 6:00 pm, to review the case below.
Pursuant to Governor Baker's Orders Suspending Certain Provisions of the Open Meeting Law and limiting the number of people that may gather in one place, the January 6, 2021 meeting of the Uxbridge Zoning Board of Appeals will be conducted via remote participation. Members of the public who wish to participate in the meeting may do so in the following manner: online at https://uxbridge.zoom.us/j/8616203349 or by phone at 301-715-8592 using meeting i.d. 861 620 3349. The meeting will also be broadcast live online at www.uxbridgetv.org and on Uxbridge Community Television Channel 191.
FY21-08: 10 Rockmeadow Road, Pintos Plumbing and Heating, Owner/Applicant, is seeking a VARIANCE of eighteen feet and eight inches (18'7") from the front setback requirement of forty feet (40') to construct a family dwelling. The property is located in the Residential C Zone and shown on the Town of Uxbridge Assessor's Map 14, Parcel 2255 and described in a deed recorded at the Worcester Registry of Deeds in Book 35286 and Page 10.
Copies of the proposals are available for review online at https://www.uxbridge-ma.gov/zoning-board-appeals/pages/current-zba-public-hearing-applications.
To appear in the Worcester Telegram & Gazette on Wednesday December 23rd and Wednesday December 30th 2020.

Commonwealth of Massachusetts
Probate and Family Court

Docket No. WO20C0384CA
Worcester Probate and Family Court
225 Main Street, Worcester, MA 01608
(508) 831-2200
CITATION ON PETITION TO CHANGE NAME
In the matter of: Patrick Thomas Capasso
A Petition to Change Name of Minor has been filed by Patrick Thomas Capasso of Worcester, MA requesting that the Court enter a Decree changing their name to:
Patrick Thomas Balsavich
IMPORTANT NOTICE
Any person may appear for purposes of objecting to the petition by filing an appearance at Worcester Probate and Family Court before 10:00 a.m. on the return day of 12/29/2020. This is NOT a hearing date, but a deadline by which you must file a written appearance if you object to this proceeding.
WITNESS, HON. Leilah A. Keamy, First Justice of this Court.
Date: December 01, 2020
Stephanie K. Fattman, Register of Probate
December 23, 2020
Public Announcement Concerning a Proposed Health Care Project
UMass Memorial MRI & Imaging Center, LLC ("Applicant") located at 700 Congress Street, Suite 204, Quincy, MA 02269, intends to file a Notice of Determination of Need for a Significant Change ("Application") with respect to DoN Project #4-4886, as amended, to add two days of PET/CT services at Shields MRI at UMass Memorial Shrewsbury Street, located at 214 Shrewsbury Street, Worcester, MA 01604. There is no cost associated with this Application and therefore no change to the total value of the Project based on the approved maximum capital expenditure. The Applicant does not anticipate any price or service impacts on the Applicant's existing Patient Panel as a result of the Proposed Project. Any ten members of Massachusetts may register in connection with the intended Application by no later than February 05, 2021 or 30 days from the Filing Date, whichever is later, by contacting the Department of Public Health, Determination of Need Program, 250 Washington Street, 6th Floor, Boston, MA 02108.
December 23, 2020

LEGAL NOTICES

PUBLIC HEARING NOTICE
In accordance with the provisions of MGL Ch. 41, §81T, the Southbridge Planning Board will hold a public hearing on Wednesday, January 6, 2021, at 7:15 PM, via GoToMeeting at: https://global.gotomeeting.com/join/649167301 or by phone at: +1 (571) 317-3122 Access Code: 649-167-301.
The purpose of the public hearing is to consider the subdivision application, as filed by Fiske Hill East Realty Trust, (Fiske Hill East Realty Trust, Owner)
The application and plan are on file for review during normal business hours with the Town Clerk. This notice is also published electronically on www.telegram.com and on www.ma.mypublicnotices.com.
Any person interested or wishing to be heard on the application should appear at the time and place designated.
David V. Payeur
Chairman, Southbridge Planning Board
December 23, 30, 2020
TOWN OF DOUGLAS
ZONING BOARD OF APPEALS
NOTICE OF PUBLIC HEARING
The Town of Douglas Zoning Board of Appeals will hold a Public Hearing at 7:00pm on Wednesday, January 6, 2021 in the Douglas Municipal Center, Resource Room, 29 Depot Street, Douglas, MA to hear the following Application:
7:00 PM Public Hearing: Rebecca Laramée has filed for an Amendment to a Special Permit pursuant to MGL Chapter 40A, Section 9 and the Douglas Zoning Bylaws, Section 3.4.3, Nonconforming Structures to replace a metal roof and cabana depicted on the certified Plot Plan dated 8/5/2016, with a roofed pavilion as depicted on a Certified Plot Plan dated 8/25/2020 both being submitted with the application. The prior existing structure had a side yard setback of 2.5 feet to 3 1/2 feet, while the proposed roofed pavilion has a side yard setback ranging from 3.1 feet to 4.8 feet. The property is located in a Rural Agricultural (R/A) Zoned District at 17 Hough Road, Assessors Map 111, Parcel 41.
The purpose of this hearing is to provide an opportunity for public comment. A copy of the Application may be viewed in the Community Development Department during regular business hours. Any person interested or wishing to be heard on the proposed Application should appear at the time and place designated.
Daniel Heney
Chairman
Zoning Board of Appeals
December 23, 30, 2020

PUBLIC HEARING NOTICE
The Zoning Board of Appeals of the Town of Leicester, MA will hold a public hearing on Wednesday, January 6, 2021 at 6:00PM on the application of Nathan Osgood for a variance from the required 40-foot setback for an addition to an existing home at 1A Hammond Street. Members of the public can attend virtually by https://global.gotomeeting.com/join/219348885 or by phone at 1-877-309-2073 using access code 219-348-885. Copies of the plan and application may be inspected on the ZBA's web page at www.leicestersma.org. Any person interested or wishing to be heard on this application should appear at the time and place designated.
December 23, 30, 2020

Place your ads using self service

TELEGRAM&GAZETTE

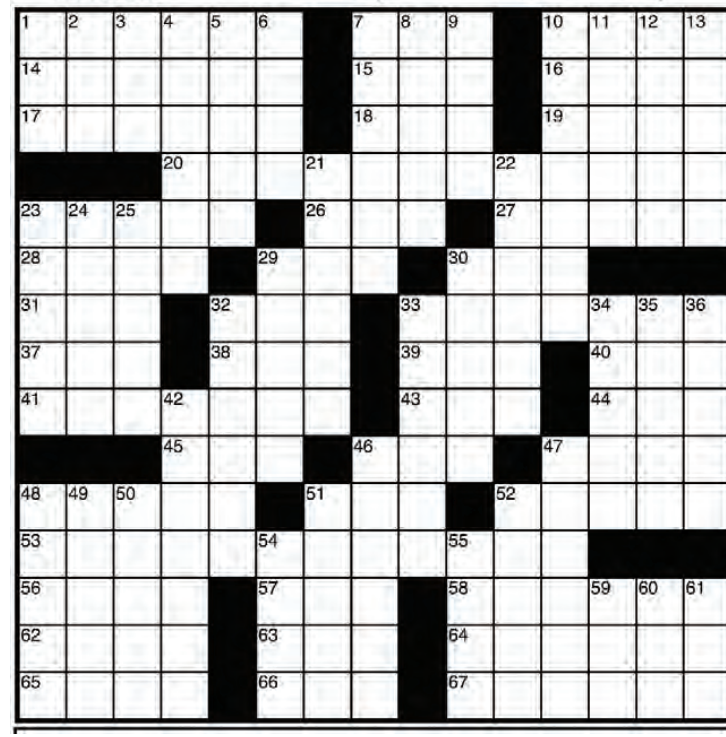
telegram.com

telegram.com/AnytimeAds

CROSSWORD

ACROSS
1 Flea
7 Skip stones
10 Go very fast
14 Mel Gibson role (2 wds.)
15 It's easily deflated
16 Guthrie of folk music
17 Hesitant
18 Geisha's accessory
19 Lose interest
20 At great speed (hyph.)
23 Ram, in astrology
26 Dundee refusal
27 Druppers
28 Most recent
29 Peach center
30 Wetland
31 Seventh notes
32 More than ask
33 Early settler
37 Tempe inst.
38 Sidelines cry
39 Go bad
40 Tavern order
41 Put back into office
43 Unrefined metal
44 Frontier's — Carson
45 Charge it
46 German conjunction
47 Loaded for —
48 Diminish
51 Grasshopper's rebuker
52 Pal, slangily
53 Waitstaff boss (2 wds.)
56 Ceremonial fire
57 "Me" opposite
58 Comet discoverer
PREVIOUS PUZZLE SOLVED
FOBS STAMP TAXI
ALAN HOMER OPEC
LENO ASTRO RENO
LOGOFFS JORDAN
TUTU JEDI
BRAID PRECEDENT
RATED EATS RIO
ODOR WRENS MEND
NIL ACED PACED
COLORFAST ARTSY
MAID RINK
PHOEBE ANGERED
EARL LAUDE TARO
NICE DINER ENID
DRAT SMART RICO
12-23-20 © 2020 UFS, Dist. by Andrews McMeel for UFS
62 Wolf's expression
63 Miscalculate
64 Funny feeling
65 Vortex
66 Congeal
67 Unexpected
DOWN
1 Grounded bird
2 — Fernando Valley
3 Assets
4 Magic charm
5 Notre Dame's city
6 Management figure
7 Overcome
8 Form of quartz
9 Small horse
10 Shocking
11 Dreaded exams
12 Kukla's friend
13 Loses hair
21 Armor wearer
22 Willowy
23 Sacred place
24 Employee's hope
25 Magazine edition
29 Hippie word
30 Oslo sight (var.)
32 Coffee maker
33 Right now
34 Did a fall chore
35 A Homer opus
36 Part of MGM
42 Sweepstakes
46 Not injured
47 Sent an invoice
48 Enough
49 Howled
50 Talked about
51 Delight in
52 Reeves of "Speed"
54 Looks closely
55 Like so
59 Boy
60 Compass dir.
61 Hankering

12/23



“Marmaduke really likes the smell of bacon.”

T & G SANTA

See who gave; how to donate

Telegram & Gazette Staff

In its 82nd year, T&G Santa brings Christmas smiles to needy children of Central Massachusetts.

The effort is made possible by donations from readers, businesses and organizations.

The newspaper works with several nonprofit organizations to deliver toys, books and, of course, smiles to those in need in the region. The United Way of Central Massachusetts is a main partner in the effort.

This year, T&G Santa will connect with children through the following agencies: Catholic Charities of Southbridge; the state Department of Mental Health; the Devereux Foundation; the Devereux School; the Gardner Community Action Committee; Rainbow Child Development Center; Salvation Army branches in Worcester, Fitchburg and Milford; WHEAT Community Services in Clinton, and Winchendon Community Action Committee.

To donate to the T&G Santa Fund, mail a check or money order to the Telegram & Gazette Santa Fund, c/o Commerce Bank, PO Box 15020, Worcester, MA 01615-0020.

To donate, visit telegram.com.



PREVIOUS BALANCE: \$58,686.41

CONTRIBUTIONS

Santa's Helper, \$100.00
Santa's Helper, \$100.00
Santa's Helper, \$50.00
Steve, \$50.00
Robert & Pod Prescott, \$27.00
Andrew & Annabelle, \$25.00

IN MEMORY OF

Anita and Charlie Day; Jacqueline Smith, \$75.00
Our dad, Timothy Anderson; Love Emily & Cam, \$50.00
Margaret Shaughnessy; Love, Kim Teixeira, \$50.00
Mom, Dad & Tricia, \$50.00
Peter, Alice and Billy Sullivan, Carlo, Faith and Carlo M. Baldino; Maureen Baldino, \$50.00
Sherry A. Casey 10/13/2016,

Virginia I. Lavigne 02/03/2020, Richard H. (Dick) Lavigne 05/02/2020, Friend, Phyllis & Dick, \$50.00
Dr. Frank Bednarek; The Gardners, \$50.00
Our Dear Library Friend, Donna Bohl; DeeAnne Grebinar & Marie Clemente, \$40.00
Kenneth Sjoberg & Josephine Johnson, We love and miss you dearly; Karin & Family, \$37.00
Mom Bessie; Dennis & Dot Christo, \$35.00
Great Grandpa and Great Grandma Deignan; Love Ellie and Sammy, \$25.00
Great Grandpa and Great Grandma Deignan; Love Emma and William, \$25.00
Matt Chronchio, \$25.00
Jane B. Kane, Kathleen K. Cushing, Love Margaret, \$25.00
Venita & "Tom" Simoneau, We love and miss you dearly; Phil & Family, \$25.00
Muriel E. & Gary C. Jacobson, \$25.00
Katie Jean Leon; Mom, Dad, David & Kevin, \$25.00
Sue Wang; Faith Wang, \$25.00
Patty Brousseau, Tom Deluca, Ralph Delle Femine; Rita Deluca, \$25.00
Marissa Paige Przygoda; The Przygoda Family, \$20.00

Daily Total: \$1,084.00

GRAND TOTAL: \$59,770.41

MASCOT

From Page A3

Tucker said.

Tucker said those opposed were concerned about preserving tradition and the costs associated with changing uniforms, signs and even the junior-senior high school gymnasium floor, where a large image of a Native American is painted at center court.

Others felt most people weren't offended by the mascot.

Also of concern, Tucker said, was the idea that changing the mascot would somehow erase history. That, she said, would not be the case.

"There's no plan to remove championship banners or tear pages out of yearbooks," she said.

In fact, the mascot will be eased into retirement as new uniforms are purchased and maintenance is required to the floor and other items adorned with the logo, she and the superintendent said.

The process of choosing a new mascot will likely involve forming a committee that includes

students, community members and School Department staff. Lind explained that he has researched how other schools chose new mascots and will follow a similar protocol.

Lind said he will review any potential choices to be sure there are no copyright violations or other issues, before any decisions are made.

While some felt the logo is a sign of pride in the community, Lind said he doesn't believe that's the case.

North Brookfield is a strong community," he said. "And that strength comes from people, not a nickname."

STUDENTS

From Page A3

said. "The students are eager learners who truly want to do their best every day as well, and as middle schoolers, they keep us all on our toes — no day is the same as the one before it. Some days can be more challenging than others, but mostly because there never seems to be enough time to accomplish all that I hope to do in that time frame, and it can be hard not to take my work home with me at the end of the day."

She said since day one of the SEL class, she has stressed to the students that this is their class, and as such she welcomes "constant feedback" about how they feel the class is going.

"So far the feedback has been positive, and I am hearing that many of them are hoping we will cover topics that help them regulate their emotions and improve their relationships with others," Dervishian said.

Social isolation during the pandemic has led many students to experience an increase in anxiety and depression, she said.

"Although most are still connecting to their friends through technology, it is not the same as being physically near one another and has led to a sense of disconnect from the outside world," she said.

"The inability to leave their homes regularly and assert themselves outside of their immediate family environment challenges their need developmentally to practice being who they are. Middle schoolers are in that transition from childhood to adolescence, and the inability to experience their identity and who they are outside of home can exacerbate the usual parenting challenges of living with a child this age. This is in addition to all the other COVID-related stressors

families are experiencing right now."

Another major pandemic and remote learning-related challenge students and families are saying they are experiencing revolves around doing all their schoolwork electronically, causing organizational and other executive functioning issues.

"Middle school is the age when we begin to see students develop these skills more independently, but the addition of and reliance on our technology and navigating through screens and tabs is causing additional hurdles for many students," Dervishian said.

"It's important to remember that what we are experiencing now is not normal for any of us, and how your student is presenting in this moment is not indicative of how they have performed and presented in the past, or (how they will) in the future at school. If a student or family member is finding themselves so overwhelmed that they are not able to carry out daily routine activities, or find themselves feeling completely paralyzed by fear or worry, reach out for support and access mental health providers."

Besides the classes, Dervishian continues to meet virtually with students individually on Google Meets, both on a regular basis and when a specific need arises.

"I miss everything about the face-to-face interactions I have with students," she said.

"I can't always pick up on their body language when we are meeting through screens.

A lot of my particular work depends on noticing those nonverbal cues as much as what is verbally communicated with me. I also miss students just popping into my office to say hi and tell me something about their day. Physically seeing the kids every day helps to establish that rapport with them, as well as be able to pick up on how they are coping with their day-to-day experiences."

Dervishian is also feeling the effects of the pandemic, and longs for the day when students can resume in-person school.

"I look forward to the more consistent pace of my 'normal' days; some of these remote days have felt like an eternity," she said.

"But I think what I will most cherish, once we get back to this point, is lunch and recess duty, which is not something I always looked forward to, especially on cold days. I really can't wait to witness the students being able to be with their friends again, socializing and playing with one another. This has become one of the aspects of school I think we all have missed the most."

Dervishian said that if any parent or student has any questions or concerns, they should not hesitate to reach out to her or other Chocksett staff.

"We don't necessarily know all that is going on for our students during the school day, and if there is anything we can do to make this entire experience less stressful or easier, we want to have the opportunity to try."

Public Announcement Concerning a Proposed Health Care Project

UMass Memorial MRI & Imaging Center, LLC ("Applicant") located at 700 Congress Street, Suite 204, Quincy, MA 02169 intends to file a Notice of Determination of Need for a Significant Change ("Application") with respect to DoN Project #4-4886, as amended, to add two days of PET/CT services at Shields MRI at UMass Memorial-Shrewsbury Street, located at 214 Shrewsbury Street, Worcester, MA 01604. There is no cost associated with this Application and therefore no change to the total value of the Project based on the approved maximum capital expenditure. The Applicant does not anticipate any price or service impacts on the Applicant's existing Patient Panel as a result of the Proposed Project. Any ten Taxpayers of Massachusetts may register in connection with the intended Application by no later than February 5, 2021 or 30 days from the Filing Date, whichever is later, by contacting the Department of Public Health, Determination of Need Program, 250 Washington Street, 6th Floor, Boston, MA 02108.

THE RESULTS ARE IN!



Find out who our readers have chosen as the 2020 Best of Central Mass!

View the winners at telegram.com/contests



Check your {marketing} list twice.

You can't do it all. That's why LOCALiQ's digital experts have identified the key marketing tactics most critical to win this holiday season — all personalized to match your specific objectives and place in the market. Does your holiday marketing plan check all the necessary boxes?

Drive more holiday revenue now!
Visit: localiq.com/HappyHolidays

LOCALiQ



ATTACHMENT 6

COPY OF DOCUMENTS RELATED TO APPROVED DON AND AMENDMENTS

ATTACHMENT 6A

**COPY OF STAFF SUMMARY AND ORIGINAL
DECISION LETTER FOR APPROVED DON**

STAFF SUMMARY FOR DETERMINATION OF NEED
BY THE PUBLIC HEALTH COUNCIL
January 22, 2002

APPLICANT: Shields Imaging of Massachusetts, LLC PROGRAM ANALYST: Jere Page

LOCATION: Crown Colony Office Park
700 Congress Street
Quincy, MA 02169 REGION: HSA IV

DATE OF APPLICATION: February 1, 2001 PROJECT NUMBER: 4-4886

PROJECT DESCRIPTION: Provision of Positron Emission Tomography (PET) services through acquisition of a mobile PET body scanner and related equipment. The services will be provided at three host sites: South Shore Hospital in Weymouth, UMass Memorial Medical Center in Worcester, and Baystate Medical Center in Springfield.

ESTIMATED MAXIMUM CAPITAL EXPENDITURE:

Requested: \$2,564,000 (February 2001 dollars)
Recommended: \$2,564,000 (February 2001 dollars)

ESTIMATED FIRST YEAR OPERATING COST:

Requested: \$3,135,291 (February 2001 dollars)
Recommended: \$3,135,291 (February 2001 dollars)

LEGAL STATUS: A regular application for substantial changes in service pursuant to M.G.L. c.111, s.25C and the Regulations adopted thereunder.

ENVIRONMENTAL STATUS: No environmental notification form or environmental impact report is required to be submitted for this project since it is exempt under 301 Code of Massachusetts Regulations 11.00, promulgated by the Executive Office of Environmental Affairs pursuant to Massachusetts General Laws, Chapter 30, Sections 61-62H. As a result of this exemption, the project has, therefore, been determined to cause no significant damage to the environment.

OTHER PENDING APPLICATION: None

COMPARABLE APPLICANTS: Brigham and Women's Hospital (Project No. 4-3993), Beth Israel Deaconess Medical Center (Project No. 4-3994), and Children's Hospital Medical Center (Project No. 4-3995)

COMMENTS BY THE DIVISION OF HEALTH CARE FINANCE AND POLICY: None submitted

COMMENTS BY THE DIVISION OF MEDICAL ASSISTANCE: None submitted

TEN TAXPAYER GROUP(S): The Mark R. Taylor, Mary T. Sweeney, and Stephen M. Weiner Ten Taxpayer Groups (TTGs) registered in connection with the project. The Brockton Ten Taxpayer Group originally registered as well and requested a public hearing, but subsequently rescinded its request on August 6, 2001, and withdrew as a TTG on August 7, 2001.

RECOMMENDATION: Approval with conditions

I. BACKGROUND AND PROJECT DESCRIPTION

Shields Imaging of Massachusetts, LLC ("Shields"), a consortium comprised of Shields Imaging of Eastern Massachusetts, LLC, Shields Imaging of Worcester, LLC, and Shields Imaging of Springfield, LLC, has filed a Determination of Need application to provide Positron Emission Tomography (PET) services through acquisition of a mobile PET scanner. Specifically, Shields Imaging of Eastern Massachusetts, LLC will operate a licensed medical clinic in Weymouth in space leased from South Shore Hospital; Shields Imaging of Worcester, LLC will operate a licensed medical clinic in Worcester in space leased from UMass Memorial Medical Center; and Shields Imaging of Springfield, LLC will operate a licensed medical clinic in Springfield in space leased from Baystate Medical Center. The licensed medical clinic at each hospital will be a joint venture between the applicant or one of its affiliates and each of the hospitals or one of their affiliates. The proposed PET service is initially expected to operate six (6) days per week, and the three host hospitals will share the service based on each hospital's demand.

South Shore Hospital is a 282-bed, full service community hospital located in Weymouth, that offers services including acute care, cardiology, emergency care, home health services, hospice, maternity and pediatric services, oncology, a regional paramedic service, and an outpatient services center.

UMass Memorial Medical Center is a 761-bed tertiary care hospital located in Worcester, and is a member of the UMass Memorial Health Care System that operates five hospitals and is the second largest integrated health care delivery system in Massachusetts, and also serves as the teaching hospital for the University of Massachusetts Medical School. The Medical Center offers specialty care in cancer, cardiology, emergency medicine, pediatric medical services, newborn intensive care, and women's health. Additionally, the Medical Center offers a comprehensive array of inpatient and outpatient services with a transplant program that offers heart, liver, kidney, pancreas, and bone marrow transplantation, as well as advanced laser technology, off-pump cardiac bypass surgery, minimally invasive surgical techniques, cardiac catheterization, and a breast care center.

Baystate Medical Center is a 599-bed hospital located in Springfield, which serves as a tertiary teaching hospital for Tufts University School of Medicine, as well as a referral center for western Massachusetts. The Medical Center offers a full range of hospital services that include anesthesiology, emergency medicine, general medicine, obstetric and gynecology, oncology, psychiatry, radiology, rehabilitation services, and surgery. Baystate also provides the region's only neonatal intensive care unit, trauma center, cardiac surgery service, and kidney, pancreas, and bone marrow transplantation programs.

II. COMPARABILITY

When reviewing applications that have been declared comparable, Staff follows the procedures set forth in 105 CMR 100.537 of the Determination of Need Regulations, which read as follows:

Whenever the Council is presented with comparable applications, it shall first determine whether each application, considered alone, is capable of being approved and shall exclude from further consideration any application which it determines has to be denied. If under applicable standards and criteria, all remaining applications may not be approved, the Council shall approve the application or applications which, in its judgment, best satisfies or satisfy the factors under 105 CMR 100.533 and the objective set forth at 105 CMR 100.532.

Four (4) comparable applications, including the present application, have applied to provide PET services through acquisition of a PET scanner. The other applications are Brigham and Women's Hospital (Project No. 4-3993), Beth Israel Deaconess Medical Center (Project No. 4-3994), and Children's Hospital Medical Center (Project No. 4-3995). Staff's findings, elaborated elsewhere, are that all four of the applications are capable of being approved. As discussed below, the present application is one of the four (4) PET applications, Staff is recommending for approval.

III. STAFF ANALYSIS

The application was reviewed against the November 24, 1998 Determination of Need Guidelines for Positron Emission Tomography (PET Guidelines). The Guidelines do not recommend a statewide planning target of a specific number of PET units, but require each applicant to plan for a service area population of 1.6 million people in order to demonstrate a projected minimum demand of 1,250 annual scans in the service area.

PET is a nuclear medicine technique, which has been used as a research tool for over a decade. Currently, the clinical use of PET may allow some patients to avoid undergoing invasive procedures and provide information on diagnosis, staging and re-staging of cancer that will increase confidence in management of their care. PET differs from the conventional imaging procedures of computerized axial tomography (CT) and magnetic resonance imaging (MRI), because it allows for the quantitative assessment of physiological function in the living human body and the imaging of the function of an organ system. A PET service usually consists of a cyclotron to produce the radioactively labeled tracers, a radiochemistry facility to mix the tracers into the biological compound which the patient will receive, a PET scanner to measure the distribution of the radio-pharmaceuticals within the body, and a computer for image reconstruction. The most widely used radio-pharmaceutical in the field of PET today is FDG-18, which was developed over 10 years ago.

Since the PET Guidelines were developed in 1998, several new clinical applications of PET have been approved for reimbursement by the Medicare program, which is used as the standard by other third-party payors. As of December 15, 2000, the Medicare program covers the use of PET for six types of cancers--lung, colorectal, lymphoma, melanoma, esophageal and head and neck (but not brain or thyroid) and includes new, broader coverage of neurologic and cardiac applications. Coverage of three additional applications--myocardial viability, dementia and breast cancer which was requested but not approved, was referred to the Medicare Coverage Advisory Committee for further review. The coverage for cancer, expanded from the clinical applications referenced in the Guidelines, now includes all clinically appropriate indications, for example, diagnosis, staging and re-staging for any covered cancer. Previous coverage of scans for the covered cancers was more narrow, including characterization of the cancer and initial staging, for example, rather than the broader indications most recently approved.

The Medicare program has decided not to reimburse scans involving the recently approved applications performed with dual-head coincidence (DHC) imaging on gamma cameras. This decision was based on the inability of the DHC technology, unlike the dedicated PET scans, to adequately detect lesions that are small to medium in size, possibly leading to potential harming of patients by critically impacting treatment decisions. While it is not clear how many DHC cameras are in present use in Massachusetts, the Medicare program has estimated that there are 3,366 DHC cameras nationwide. The Medicare coverage decision on DHC is no doubt a factor in the renewed interest in PET in Massachusetts, as evidenced by the recent filing of PET DoN applications.

A. Health Planning Process

The Guidelines require that if the PET applicant is a multi-institutional system, a tertiary teaching facility in the service area must be a participant in the system. In this case, the hospital affiliates of the proposed project include UMass Memorial Medical Center and Baystate Medical Center, both of which are tertiary teaching facilities. Shields reports that through its annual and long term planning process, PET services were identified as a primary diagnostic need at South Shore Hospital, UMass Memorial Medical Center, and Baystate Medical Center based on the volume of oncology, cardiology, neurology, and psychiatric patients served at these hospitals. Shields, through each of its member clinics indicated previously, has entered into agreements with each of the host hospitals, whereby each of the hospitals have agreed that Shields will provide PET services to that hospital, and under which the responsibilities of the parties relative to the coordination of services are defined. Shields has also included a number of signed letters of support for the proposed PET service from physicians and others involved with services provided at the three host hospitals.

Staff finds the project meets the health planning process of the Guidelines.

B. Health Care Requirements

The Guidelines recommend that applicants proposing to establish a PET service document need for a statewide service area of at least 1.6 million people, demonstrate a minimum demand of 1,250 PET scans annually, and present additional data to supplement the demand analysis. However, Staff notes that in the three years since the Guidelines were promulgated (November, 1998), the clinical applications for PET have increased significantly, to the point that reliance on a patient population of 1.6 million to demonstrate need for a single PET unit may serve to underestimate the number of patients who would benefit from PET services. As indicated previously, in December 2000, HCFA reported that it had expanded the number of indications for PET that are Medicare reimbursable and also recommended that its Medical Coverage Advisory Committee continue to study additional applications. These include Alzheimer's disease/dementia, breast cancer, and expanded indications for myocardial viability. Given these changes and potential for increased volume, Staff has relied instead solely on the applicant's actual and projected patient volume to determine its ability to meet the minimum demand of 1,250 annual scans. Staff also notes that the Guidelines indicate that preference will be given to applicants that are part of a multi-institutional system, such as the Shields project, which will provide mobile PET services to three different hospitals.

1. Proposed Service Area

Shield's proposed service area is based mainly on the Department's definition of a primary service area applied to each of the three host hospitals. Shields relied further on the broad network of affiliated providers that both the UMass and Baystate systems have in their respective regions, and developed a broader projected service area than would be indicated by each hospital's primary service area. As a result, the UMass and Baystate service areas include essentially all of central and western Massachusetts (HSA's I and II), which currently lack DoN approved PET services. In addition, South Shore Hospital's service area includes a large part of Southeastern Massachusetts (HSA V), where DoN approved PET services are also not currently provided. Shields assumes that a significant number of patients from Southeastern Massachusetts will use the more accessible PET service at South Shore, instead of the current DON approved PET services in Boston.

2. Shields' Projected Number of Scans

To project the number of PET scans at the three host hospitals, Shields first reviewed the most recent FY 2000 inpatient discharge and outpatient data for oncological patients treated at South Shore Hospital and UMass Memorial Medical Center, as well as inpatient data for Baystate Medical Center, as reported by the hospitals. Shields reports that the data detailed below in Tables 1 - 3, indicate that the types or forms of cancer most prevalent in each Hospitals' service areas are among the very types of cancer for which PET scanning is a critical diagnostic tool. Additionally, these types of cancer are also included in the diagnostic categories covered by Medicare reimbursement.

Table 1
South Shore Hospital
FY 2000 Oncology Patient Volume

<u>Types</u>	<u>Inpatient Cases</u>	<u>Outpatient Cases</u>
Lung Cancer	182	862
Colorectal Cancer	39	188
Melanoma/Skin Cancer	1	149
Sarcomas	1	35
Lymphomas	42	269
Brain Tumors/Cancers	14	111
Breast Cancer	52	106
Other Cancer	<u>1,124</u>	<u>7,361</u>
Total	1,455	9,081

Table 2
UMass Memorial Medical Center
FY 2000 Oncology Patient Volume

<u>Types</u>	<u>Total Inpatient and Outpatient</u>
Lung Cancer	473
Colorectal Cancer	717
Melanoma/Skin Cancer	348
Sarcomas	107
Lymphomas	409
Brain Tumors/Cancers	148
Breast Cancer	2,196
Other Cancer	<u>4,255</u>
Total	8,653

Table 3
Baystate Medical Center
FY 2000 Oncology Patient Volume

<u>Types</u>	<u>Inpatient Cases</u>
Lung Cancer	94
Colorectal Cancer	35
Melanoma/Skin Cancer	6
Sarcomas	6
Lymphomas	50
Brain Tumors/Cancers	191
Breast Cancer	35
Other Cancers	<u>1,374</u>
Total	1,791

Shields reports that citations in the literature, which were applied in the previously approved Dana Farber Cancer Institute PET project (DoN No. 4- 3968), indicate that 53% of lung cancer patients will need PET scans for diagnosis of their disease, and 50% of patients will need PET scans for staging of their lung cancer. These percentages were applied to the 1,611 actual lung cancer patients at the three host hospitals in FY 2000, using only inpatients from Baystate and total inpatients and outpatients from UMass and South Shore, to determine the possible total demand for PET scans for these patients. Shields notes that Baystate outpatient cancer cases were not available at the time the application was filed, so the projected PET volume should be considered conservative. Table 4 below shows lung cancer patients treated at the three host hospitals who would require PET scans for diagnosis of Solitary Pulmonary Nodules (SPN) and for lung cancer staging.

Table 4
Projected Number of PET Scans Based on FY 2000 Inpatient and Outpatient Lung Cancer
Patients from South Shore, UMass Memorial, and Baystate

53% of Patients for Diagnosis of SPN	1,611	854
50% of Patients for Staging of Lung Cancer	1,611	<u>806</u>
Total		1,660

In addition, Shields reports that the second largest number of PET scans are for colorectal patients, and that citations in the literature applied in the above-referenced Dana Farber PET project, indicate that 20-50% of colorectal patients will develop local recurrence within two years of surgery to treat the primary tumor. Shields notes that PET scans are indicated for the majority of these patients since conventional imaging techniques are unable to distinguish tumor recurrence from post-treatment scars. Shields further notes that if only 20% of the total volume of 979 colorectal patients treated at the three host hospitals experienced a recurrence, then 196 of the total colorectal patients would have needed a PET scan. As discussed above, only Baystate inpatient cases were included in the total count.

Shields projected total demand for 1,856 PET scans for the three host hospital sites, based on FY 2000 data, which include the estimated 1,660 lung cancer cases in from Table 4 above, and the 196 colorectal patients indicated above. Shields has estimated that, based on current market conditions at the three host hospitals, it will realize approximately an 80% market share for PET services in the host hospitals' expanded service areas. Therefore, Shields anticipates that it will perform at least 1,500 PET scans of the total 1,856 projected scans by FY 2003, well above the

minimum volume requirements of the Guidelines. Staff believes this assumption is accurate, as both the UMass and Baystate systems control a significant number of acute care services in their service areas, which currently do not have DoN approved PET services.

Shields also reports that there are other protocols and conditions for which PET is indicated. These include cardiology, neurology, and psychiatry. Specifically, Shields notes that PET is particularly cost effective in evaluating myocardial ischemia and in predicting the revascularization potential of the heart muscle, resulting in possible additional volume for the Shields mobile service at the three host hospitals.

3. Existing Resources

Massachusetts General Hospital (Project No. 4-3801) and Dana-Farber Cancer Institute (Project No. 4-3968) currently operate the only other DoN approved PET services in the state. Both institutions report that their respective PET scanners are fully utilized with a backlog of patients and appointments currently scheduled three to four weeks in advance.

4. Conclusion on Need

Based on the above analysis, Staff finds demand for the mobile PET unit proposed by Shields to provide more accessible PET services to patients served by South Shore Hospital in Weymouth, UMass Memorial Medical Center in Worcester, and Baystate Medical Center in Springfield. Staff also finds that the Shields PET service is expected to perform at least 1,250 PET scans, consistent with the Guidelines. The existing PET services at MGH and Dana Farber are fully utilized with waiting times of 3 to 4 weeks. Staff notes that the number of scans projected by Shields is, in fact, conservative since it does not include several other applications of diagnostic PET.

C. Operational Objectives

Shields has submitted documentation as evidence that the proposed PET service will provide the following FTEs: a Medical Director of PET from UMass Memorial Medical Center who is board certified in nuclear medicine with experience and training in PET technology; certified nuclear medicine technologists; nuclear medicine physicians to read PET scans all of whom are board certified; and a nuclear medicine physicist. The duties of the Imaging Processing Laboratory Supervisor (required by the Guidelines) will be performed by nuclear medicine technologists. Support services to patients and families during the course of treatment will be available at each host hospital. Shields reports that at each host hospital there is access to nuclear medicine, SPECT, CT, MRI, cardiac catheterization, ultrasound, and diagnostic radiology, as required by the Guidelines. In addition, each hospital has physicians qualified in thoracic surgery, cardiology, oncology, radiation oncology, neurology, and neurosurgery. Further, both Baystate Medical Center and UMass Memorial Medical Center have physicians qualified to perform cardiac surgery.

As required by the Guidelines, Shields, with the assistance of each member clinic, will develop a Clinical Oversight Committee with appropriate membership and responsibilities as outlined in the Guidelines including the task of providing information on utilization data, clinical data and reports of clinical efficacy as requested by the Department. Both the PET scanner and the radiopharmaceuticals, which Shields plans to purchase, have received pre-market approval from the Food and Drug Administration. The proposed mobile PET service will not include a cyclotron. Shields has indicated that all clinically appropriate patients will have access to the PET service regardless of ability to pay. To ensure patient access to the service, Staff is recommending a condition of approval that ability to pay or insurance status should not be considered in selecting or scheduling patients for the mobile PET

service. In addition, Shields reports that it has developed comprehensive plans for PET training and education for each hospital for radiologists, physicians, nuclear technologists and other personnel.

Staff finds that the proposed project, with adherence to a certain condition, meets the operational objectives of the Guidelines.

D. Compliance Standards

Because the proposed Shields mobile PET service is a new entity, it has not yet obtained a certificate of registration from the Department's Radiation Control Program, as required by the Guidelines. Since Shields Imaging of Massachusetts, LLC will be the licensed provider, Staff recommends, as a condition of approval, that Shields secure the certificate of registration prior to implementation of the project.

Staff finds that, with adherence to a certain condition, the proposed project meets the compliance standards of the Guidelines.

E. Reasonableness of Expenditures and Cost

1. Maximum Capital Expenditure

The requested and recommended maximum capital expenditure is \$2,564,000 (February 2001 dollars) itemized as follows:

Major Movable Equipment	\$2,504,000 *
Other: Fair Market Value of Shared Space at Host Sites	<u>60,000 **</u>
Total Construction Costs	<u>\$2,564,000</u>
Total Maximum Capital Expenditure	\$2,564,000

* Includes mobile PET scanner, and ancillary equipment including computers and a trailer

** Fair market value was determined to be \$20,000 for the existing receiving pad at each host hospital, as well as for electrical and other hook-ups necessary to accommodate the service

Shields will provide the mobile PET service in a trailer sited on existing suitable receiving pads at each of the three host hospitals, and no new construction or renovation at the hospitals will be required to accommodate the service. Shields reports that it will purchase the mobile PET equipment from Siemens Medical Systems, Inc., a major manufacturer of PET equipment, and has provided a quote from Siemens, which indicates that the requested \$2,504,000 cost of the mobile PET scanner and related equipment including computer hardware, software, and a trailer is reasonable. The mobile PET unit will be financed through a 23.4% equity contribution (\$600,000 in February 2001 dollars), whereby Shields, South Shore, UMass Medical Center and Baystate's hospital affiliate, Baystate Radiology Imaging, LLC, will contribute proportional equity shares that are yet to be determined. The remaining MCE of \$ 1,964,000 (February 2001 dollars) will be financed through the vendor, Siemens Medical Systems, Inc., at an interest rate of 9% for a sixty (60) month term.

Staff finds the recommended MCE reasonable, based on price quotes from Siemens Medical Systems, which, excluding the mobile trailer, are similar to quotes from vendors for other comparable projects.

2. Reasonableness of Operating Costs

The requested and recommended operating costs of \$3,135,291 (February 2001 dollars) for the project's first full year of operation, FY 2003, are based on a projected volume of 1,500 PET scans in that year, and are itemized as follows:

Salaries, Wages, Fringe Benefits	\$ 495,000
Supplies and Other Expenses	1,685,300
Purchased Services	315,200
Depreciation	506,800
Interest	<u>132,991</u>
Total Operating Expenses	\$3,135,291

Salaries, Wages and Fringe include the costs related to 8.4 FTE's: 1 Ph.D. Radiochemist, 1 Nuclear Medicine Technician, 2.4 Radiological Technicians, 1 Scheduler, 1 Transcriptionist, and 2 Billing/Accounting Staff. The greatest operating expense will be for Supplies and Other Expenses, which include the radiopharmaceuticals to be purchased from P.E.T. Net Pharmaceuticals, Inc., which has a cyclotron site in Woburn, Massachusetts. However, Staff notes that while Shields has a letter from P.E.T. Net indicating its willingness to supply the required monthly volume of radiopharmaceuticals, Shields has not yet secured a formal written agreement for the purchase from P.E.T. Net or other provider of radiopharmaceuticals, as required by the Guidelines. Therefore, Staff is recommending, as a condition of approval, that Shields secure such an agreement prior to implementation of the project.

Shields' net revenue assumptions are based a projected volume of 1,500 scans in FY 2003, with projected Medicare reimbursement of \$2,600 per scan, resulting in a break-even point of 851 scans. However, recent changes in Medicare reimbursement have reduced this reimbursement to \$2,300 per scan, which will have some impact on projected revenue. Therefore, given the revised Medicare rate, and taking into account anticipated reimbursement from other payers such as Blue Cross, HMO's, and private pay patients, Shields estimates reimbursement of approximately \$2,375 per scan for 1,500 scans, which results in a slightly higher anticipated break-even point of 900 scans in FY 2003, the first full year of operation.

Shields reports that PET is cost-effective, and notes that various studies have determined that PET, whether used alone or with other imaging technologies, was cost-effective in diagnosing lung nodules, staging for lung, head and neck cancers, and for managing recurrent colorectal cancer and melanoma. Savings resulted from avoiding surgery for patients with either benign lesions or wide-spread non-operable disease. Shields notes that other studies also indicate that using PET or PET plus CT was cost-effective in selecting lung cancer patients who qualified for surgery, and that as much as \$2,000 per patient was saved through the use of PET.

Based on the above analysis, Staff finds the recommended operating costs reasonable for a freestanding mobile PET service.

F. Financial Feasibility and Capability

Shields will contribute 23.4% in equity (\$600,000 in February 2001 dollars) of the recommended capital expenditure of \$2,564,000 (February 2001 dollars), and that the proposed equity will be provided by Shields, South Shore, UMass Medical Center, and the Baystate hospital affiliate, Baystate Radiology Imaging, LLC, with proportionate shares yet to be determined. The debt service coverage ratio projected for FY 2003, the project's first full year, will be 2.18, which exceeds

the DoN minimum standard of 1.4. Staff notes that Shields Imaging of Massachusetts, LLC is a newly formed entity for the purpose of providing the proposed mobile PET service, and therefore does not have audited financial statements, which are required to calculate the current ratio. Shields states that it has a commitment for a line of credit from Rockland Trust that will ensure that Shields has sufficient operating resources to reach the projected 1,500 PET scans by FY 2003, the first full year of operation. Based on this projected volume and anticipated reimbursement by third party payers, Shields projects a gain in operations of \$607,209 by FY 2003. However, Staff notes that Medicare is a significant payer for PET services and sets the standard for coverage by other payers. Therefore, based on the recent reduction in Medicare reimbursement per scan discussed previously, Shields still projects an excess of revenues over expenses of \$427,209 by FY 2003. Staff notes that Shields has also discussed the provisions it has made for free care for PET patients.

Staff finds the project financially feasible and within the financial capability of the applicant.

G. Relative Merit

Shields considered one alternative to the proposed mobile PET service, which involved the addition of a fixed PET scanning service at one of the three host hospitals' campuses, with the other two hospitals referring patients to the fixed site. However, given the wide geographic area between the hospitals, Shields determined that such a service would not provide sufficient and sustainable utilization and would not increase accessibility to PET services in the other two hospitals' service areas. In addition, Shields determined that a fixed service would not be as cost effective as providing PET services on a mobile basis.

Staff finds that the proposed mobile PET service meets the relative merit provisions of the Guidelines.

H. Community Health Initiatives

Shields Imaging of Massachusetts, LLC has agreed to provide a total of \$130,000 (February 2001 dollars) over five years at \$26,000 per year to fund grant-based prevention programs that support the Healthy People 2010 leading indicators, particularly cancer and heart disease prevention. Each Community Health Network Area (CHNA) associated with the three host sites, including South Shore Hospital (CHNA #20), UMass Memorial Medical Center (CHNA #8), and Baystate Medical Center (CHNA #4), will award its share of the funding through community grants to community based health and wellness organizations, based upon recommendations by the Grant Review Committees of each CHNA. All grants will be awarded by a fiscal agent approved by each CHNA. Specific details of the grant award process will be determined through further consultation with the Department and each CHNA.

Staff finds that, with adherence to a certain condition, the project meets the community health initiatives of the DoN Regulations.

IV. TEN TAXPAYER GROUP(S)

The Mark R. Taylor, Mary T. Sweeney, and Stephen M. Weiner Ten Taxpayer Groups (TTGs) registered in connection with the project. The Brockton Ten Taxpayer Group originally registered as well and requested a public hearing, but subsequently rescinded its request on August 6, 2001, and withdrew as a TTG on August 7, 2001.

The Taylor TTG has submitted comments in response to a request for data from Staff to the Chiefs of Nuclear Medicine at MGH and Dana Farber, the two existing previously approved PET projects. Staff requested information on volumes of PET scans and length of waiting lists for these PET units. The Taylor TTG submitted utilization data from the New England PET Imaging System in Methuen, which was implemented through a DoN-exempt physician practice. The Taylor utilization data indicated that this PET unit had performed 700 scans in the past 15 months, had no waiting list for non-urgent appointments, and therefore the TTG concluded that there was excess PET capacity in New England PET Imaging System's service area.

Staff notes that New England PET Imaging System's excess capacity, as described by the Taylor TTG, has not eliminated demand for existing PET services at MGH and Dana Farber, as indicated by patient waiting times at these facilities. Staff further notes that Shields has projected demand for PET services based on the patient populations of South Shore Hospital in Weymouth, UMass Memorial Medical Center in Worcester, and Baystate Medical Center in Springfield, all of which are located at greater distances from Methuen than the Boston PET services. Therefore, Staff regards it as unlikely that Shields' patients would chose instead to use the services of New England PET Imaging System.

V. COMPARABILITY ANALYSIS

In reviewing the four comparable applications of Brigham and Women's Hospital (Project No. 4-3993), Beth Israel Deaconess Medical Center (Project No. 4-3994), Children's Hospital Medical Center (Project No. 4-3995), and Shields Imaging of Massachusetts, LLC (Project No. 4-4886), Staff finds that all four applicants are proposing to provide PET services through acquisition of a PET scanner. Because all four of the comparable applicants meet, at a minimum, all of the following review factors of the Guidelines: Health Planning Process, Health Care Requirements, Operational Objectives, Standards Compliance, Reasonableness of Expenditures and Cost, Financial Feasibility, Relative Merit and Community Health Initiatives as elaborated elsewhere, a more detailed comparability analysis was not undertaken.

VI. STAFF FINDINGS

1. Shields Imaging of Massachusetts, LLC proposes to provide Positron Emission Tomography (PET) services through acquisition of a mobile PET body scanner and ancillary equipment, including a trailer. The services will be provided at three host sites: South Shore Hospital in Weymouth, UMass Memorial Medical Center in Worcester, and Baystate Medical Center in Springfield.
2. The project meets the requirements of the health planning process consistent with the Guidelines for Positron Emission Tomography (Guidelines).
3. Shields Imaging of Massachusetts, LLC has demonstrated demand for a mobile PET unit to serve South Shore Hospital, UMass Memorial Medical Center, and Baystate Medical Center, as discussed under the Health Care Requirements factor of the Staff Summary.
4. The project, with adherence to a certain condition, meets the operational objectives of the Guidelines.
5. The project meets the compliance standards of the Guidelines.

6. The recommended maximum capital expenditure of \$2,564,000 (February 2001 dollars) is reasonable, based on the price quote from the PET equipment vendor, which, when the trailer is excluded, is similar to comparable projects.

7. The recommended operating costs of \$3,135,291 (February 2001 dollars) are reasonable for a freestanding mobile PET service.

8. The project is financially feasible and within the financial capability of the applicant.

9. The project meets the relative merit provisions of the Guidelines.

10. The project, with adherence to a certain condition, meets the community health service initiatives of the DoN Regulations.

11. The Mark R. Taylor, Mary T. Sweeney, and Stephen M. Weiner Ten Taxpayer Groups (TTGs) registered in connection with the proposed project. The Brockton Ten Taxpayer Group originally registered as well and requested a public hearing, but subsequently rescinded its request on August 6, 2001, and withdrew as a TTG on August 7, 2001. The Taylor TTG submitted written comments, which indicated that there was excess capacity at New England PET Imaging System in Methuen, a DoN exempt physician practice. However, Staff noted that this excess capacity has not eliminated demand for existing PET services at MGH and Dana Farber, as indicated by patient waiting times these facilities. Staff further noted that Shields has projected demand for PET services based on the patient populations of the three host hospitals: South Shore, UMass Memorial, and Baystate, all of which are located further from Methuen than the Boston Pet services. Therefore, Staff regarded it as unlikely that Shields' patients would chose instead to use the services of New England Pet Imaging System.

12. This project is one of four comparable applications filed by Shields Imaging of Massachusetts, LLC, Children's Hospital Medical Center, Brigham and Women's Hospital, and Beth Israel Deaconess Medical Center. When considered alone, all of the applications are capable of being approved, since each has demonstrated demand for PET services. A detailed comparability analysis was not undertaken since the four applications meet all the review factors of the PET Guidelines.

VII. STAFF RECOMMENDATION

Based on the above analysis and findings, Staff recommends approval with conditions of Project Number 4-4886 submitted by Shields Imaging of Massachusetts, LLC for provision of a mobile Positron Emission Tomography (PET) service through acquisition of a mobile PET body scanner. The services will be provided at three host sites: South Shore Hospital in Weymouth, UMass Memorial Medical Center in Worcester, and Baystate Medical Center in Springfield. Failure of the applicant to comply with the conditions may result in Department sanctions, including possible fines and/or revocation of the DoN. The recommended conditions are as follows:

1. Shields Imaging of Massachusetts, LLC shall accept the maximum capital expenditure of \$2,564,000 (February 2001 dollars) as the final cost figure, except for those increases allowed pursuant to 105 CMR 100.751 and 752.

2. Shields Imaging of Massachusetts, LLC shall contribute 23.4% in equity (\$600,000 in February 2001 dollars) toward the final approved MCE.

3. Prior to implementation of the mobile PET service, Shields Imaging of Massachusetts, LLC will obtain a certificate of registration from the Department's Radiation Control Program.

4. Prior to implementation of the mobile PET service, Shields Imaging of Massachusetts, LLC shall secure a written agreement with a provider of radiopharmaceuticals to ensure that a reliable supply will be available for the service.

5. Shields Imaging of Massachusetts, LLC shall not consider ability to pay or insurance status in selecting or scheduling patients for PET services. .

6. Shields Imaging of Massachusetts, LLC shall provide a total of \$130,000 (February 2001 dollars) over five years at \$26,000 per year to fund grant-based prevention programs that support the Healthy People 2010 leading indicators, particularly cancer and heart disease prevention. Each Community Health Network Area (CHNA) associated with the three host sites, including South Shore Hospital (CHNA #20), UMass Memorial Medical Center (CHNA #8), and Baystate Medical Center (CHNA #4), will award its share of the funding through community grants to community based health and wellness organizations, based upon recommendations by the Grant Review Committees of each CHNA. All grants will be awarded by a fiscal agent approved by each CHNA. Specific details of the grant award process will be determined through further consultation with the Department and each CHNA. Shields will file reports, as specified by the Department, detailing the frequency, content, and formalities of programming resulting from the grants and evaluations of the programming's effect on the health of service area residents. Such reports shall be filed annually or more frequently if so determined by the DoN Program Director. Funding for this initiative will begin upon project implementation, and notification to the Department's Office of Healthy Communities.

The applicant has agreed to these conditions



JANE SWIFT
GOVERNOR

ROBERT P. GITTENS
SECRETARY

HOWARD K. KOH MD, MPH
COMMISSIONER

The Commonwealth of Massachusetts
Executive Office of Health and Human Services
Department of Public Health
Determination of Need Program
250 Washington Street, Boston, MA 02108-4619
(617) 624-5002

February 5, 2002

CERTIFIED MAIL
RETURNED RECEIPT REQUESTED

NOTICE OF DETERMINATION OF NEED
Project Number 4-4886
Shields Imaging of Massachusetts, LLC
(Establish Mobile PET Service)

Andrew Levine, Esq.
Donoghue, Barrett & Singal, P.C.
One Beacon Street
Boston, MA 02108

Dear Mr. Levine:

At their meeting of January 22, 2002 the Commissioner and the Public Health Council, acting together as the Department, voted pursuant to M.G.L. c.111, s25C and the Regulations adopted thereunder, to approve with conditions, the application filed by Shields Imaging of Massachusetts, LLC for a Determination of Need. The application, as approved, provides for provision of Positron Emission Tomography (PET) services through acquisition of a mobile PET body scanner and related equipment. The services will be provided at three host sites: South Shore Hospital in Weymouth, UMass Memorial Medical Center in Worcester, and Baystate Medical Center in Springfield. This Notice of Determination of Need incorporates by reference the attached Staff Summary and the Public Health Council proceedings concerning this application.

The approved maximum capital expenditure of \$2,564,000 (February 2001 dollars) is itemized below:

Major Movable Equipment	\$2,504,000
Other: Fair Market Value of Shared Space at Host Sites	<u>60,000</u>
Total Construction Costs	<u>\$2,564,000</u>
Total Maximum Capital Expenditure	\$2,564,000

The approved MCE of \$2,564,000 (February 2001 dollars) will be funded with a 23.4% equity contribution (\$600,000 in February 2001 dollars), whereby Shields Imaging of Massachusetts, UMass Memorial Medical Center, and Baystate Medical Center's hospital affiliate, Baystate Radiology Imaging, LLC will contribute proportional equity shares that are yet to be determined. The remaining MCE of \$1,964,000 (February 2001 dollars) will be financed through the vendor, Siemens Medical Systems, Inc., at an interest rate of 9% for a sixty (60) month term.

Shields Imaging of Massachusetts

2

Project No. 4-4886

The approved operating costs of \$3,135,291 (February 2001 dollars) for the project's first full year of operation (FY 2003), are based on a projected volume of 1,500 PET scans in that year, and are itemized as follows:

Salaries, Wages, Fringe Benefits	\$ 495,000
Supplies and Other Expenses	1,685,300
Purchased Services	315,200
Depreciation	506,800
Interest	<u>132,991</u>
Total Operating Costs	\$3,135,291

The reasons for this approval with conditions are as follows:

1. Shields Imaging of Massachusetts, LLC proposes to provide Positron Emission Tomography (PET) services through acquisition of a mobile PET body scanner and ancillary equipment, including a trailer. The services will be provided at three host sites: South Shore Hospital in Weymouth, UMass Memorial Medical Center in Worcester, and Baystate Medical Center in Springfield.
2. The Department found that the project meets the requirements of the health planning process consistent with the Guidelines for Positron Emission Tomography (Guidelines).
3. The Department found that Shields Imaging of Massachusetts, LLC has demonstrated demand for a mobile PET unit to serve South Shore Hospital, UMass Memorial Medical Center, and Baystate Medical Center, as discussed under the Health Care Requirements factor of the Staff Summary.
4. The Department found that the project, with adherence to a certain condition, meets the operational objectives factor of the DoN Regulations.
5. The Department found that the project meets the standards compliance factor of the DoN Regulations.
6. The Department found the recommended maximum capital expenditure of \$2,564,000 (February 2001 dollars) reasonable, based on the price quote from the PET equipment vendor, which, when the trailer is excluded, is similar to comparable projects.
7. The Department found the recommended incremental operating costs of \$3,135,291 (February 2001 dollars) are reasonable for a freestanding mobile PET service.
8. The Department found the project financially feasible and within the financial capability of the applicant.
9. The Department found the project meets the relative merit requirements of the Don Regulations.
10. The Department found the project, with adherence to a certain condition, meets the community health service initiatives of the DoN Regulations.
11. The Mark R. Taylor, Mary T. Sweeney, and Stephen M. Weiner Ten Taxpayer Groups (TTGs)

Shields Imaging of Massachusetts

3

Project No. 4-4886

registered in connection with the proposed project. The Brockton Ten Taxpayer Group originally registered as well and requested a public hearing, but subsequently rescinded its request on August 6, 2001, and withdrew as a TTG on August 7, 2001. The Taylor TTG submitted written comments, which indicated that there was excess capacity at New England PET Imaging System in Methuen, a DoN exempt physician practice. The Department found that this excess capacity has not eliminated demand for existing PET services at Massachusetts General Hospital and Dana Farber Cancer Institute, as indicated by patient waiting times at these facilities.

12. The Department found that this project is one of four comparable applications filed by Shields Imaging of Massachusetts, LLC, Children's Hospital Medical Center, Brigham and Women's Hospital, and Beth Israel Deaconess Medical Center. When considered alone, all of the applications are capable of being approved, since each has demonstrated demand for PET services. A detailed comparability analysis was not undertaken since each of the four applications meets all the review factors of the PET Guidelines.

This Determination is effective twenty (20) days after receipt of this Notice. The Determination is subject to the conditions set forth in Determination of Need Regulation 105 CMR 100.551, including sections 100.551 (C) and (D) which read in part:

- (C) ...such determination shall be valid authorization only for the project for which made and only for the total capital expenditure approved.
- (D) The determination...shall be valid authorization for three (3) years. If substantial and continuing progress toward completion is not made during the three (3) year authorization period, the authorization shall expire if not extended by the Department for good cause shown (see 105 CMR 100.756)... Within the period of authorization, the holder shall make a substantial and continuing progress toward completion; however, no construction may begin until the holder has received final plan approval in writing from the Division of Health Care Quality.

This Determination is subject to the following conditions, in addition to the terms and conditions set forth in 105 CMR 100.551. Failure of the applicant to comply with the conditions may result in Department sanctions, including possible fines and/or revocation of the DoN.

1. Shields Imaging of Massachusetts, LLC shall accept the approved maximum capital expenditure of \$2,564,000 (February 2001 dollars) as the final cost figure except for those increases allowed pursuant to 105 CMR 100.751 and 752.
2. Shields Imaging of Massachusetts, LLC shall contribute 23.4% in equity (\$600,000 in February 2001 dollars) toward the final approved MCE.
3. Prior to implementation of the mobile PET service, Shields Imaging of Massachusetts, LLC will obtain a certificate of registration from the Department's Radiation Control Program.
4. Prior to implementation of the mobile PET service, Shields Imaging of Massachusetts, LLC shall secure a written agreement with a provider of radiopharmaceuticals to ensure that a reliable supply will be available for the service.

Shields Imaging of Massachusetts

4

Project No. 4-4886

5. Shields Imaging of Massachusetts, LLC shall not consider ability to pay or insurance status in selecting or scheduling patients for PET services.

6. Shields Imaging of Massachusetts, LLC shall provide a total of \$130,000 (February 2001 dollars) over five years at \$26,000 per year to fund grant-based prevention programs that support the Healthy People 2010 leading indicators, particularly cancer and heart disease prevention. Each Community Health Network Area (CHNA) associated with the three host sites, including South Shore Hospital (CHNA #20), UMass Memorial Medical Center (CHNA #8), and Baystate Medical Center (CHNA #4), will award its share of the funding through community grants to community based health and wellness organizations, based upon recommendations by the Grant Review Committees of each CHNA. Specific details of the grant award process will be determined through further consultation with the Department and each CHNA. Shields will file reports, as specified by the Department, detailing the frequency, content, and formalities of programming resulting from the grants and evaluations of the programming's effect on the health of service area residents. Such reports shall be filed annually or more frequently if so determined by the DoN Program Director. Funding for this initiative will begin upon project implementation, and notification to the Department's Office of Healthy Communities.

Please note that any party wishing to appeal the Department's action stated above must file a claim of appeal with the Health Facilities Appeals Board, Attention of: William Kaleva, Administrator, Boston University School of Law, 765 Commonwealth Avenue, Boston, MA 02215, within fourteen (14) days of receipt of this Notice. Each Appellant must include a statement that the appeal is not knowingly interposed for delay and must comply with the Board's "Rules of Procedure" available upon request from the Board. A copy of any claim of appeal filed with the Board must be served upon this Department through its Office of General Counsel, 250 Washington Street, Second Floor, Boston, MA 02108.

FOR THE PUBLIC HEALTH COUNCIL

Linda M. Hopkins

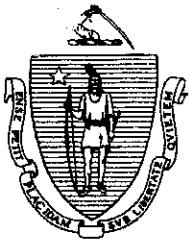
Linda M. Hopkins
Secretary to the Council

LMH/JJ/jp

cc: Jean Pontikas, Division of Health Care Quality
Kathleen Coyle, Division of Health Care Quality
Steve McCabe, Division of Health Care Finance and Policy
Elizabeth Pressman, Division of Medical Assistance
Decision Letter File
Public File
MIS
Jere Page, Program Analyst

ATTACHMENT 6B

COPY OF PRIOR AMENDMENTS TO APPROVED DON (6)



The Commonwealth of Massachusetts
Executive Office of Health and Human Services
Department of Public Health
Determination of Need Program
250 Washington Street, Boston, MA 02108-4619
(617) 624-5002

MITT ROMNEY
GOVERNOR

KERRY HEALEY
LIEUTENANT GOVERNOR

RONALD PRESTON
SECRETARY

CHRISTINE C. FERGUSON
COMMISSIONER

April 10, 2003

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

NOTICE OF PUBLIC HEALTH COUNCIL
ACTION
PREVIOUSLY APPROVED PROJECT
NUMBER 4-4886
Shields Imaging of Massachusetts, LLC
Request to Add a Fourth Host Site to the
Mobile Positron Emission Tomography
Service

Andrew S. Levine
Donoghue Barrett & Singal, P.C
One Beacon Street
Boston, MA 02108

Dear Mr. Levine:

At their meeting of April 3, 2003, the Commissioner and the Public Health Council, acting together as the Department, voted pursuant to M.G.L. c.111, s. 25C and the Regulations adopted thereunder to approve with condition a significant change to DoN Project No. 4-4886 filed by Shields Imaging of Massachusetts, LLC. The approval provides for the addition of Berkshire Medical Center located at 725 North Street, Pittsfield, MA as a fourth host site to the mobile Positron Emission Tomography service. One day of mobile service per month will be provided at the fourth site.

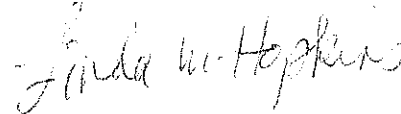
The reasons for the Public Health Council's action are as follows:

1. The Department found that pursuant to 105 CMR 100.753(A) of the Determination of Need Regulations, the significant change meets the Procedures for Significant Changes set forth at 105 CMR 100.756.
2. The Department found that after careful consideration, the comments submitted by Alliance Imaging, Inc. provided no basis for the recommendation of denial.

The condition accompanying this approval is as follows:

All conditions attached to the original and amended approval of Project No. 4-4886 shall remain in effect.

Sincerely,



Linda Hopkins

Secretary for the Public Health Council

LH/jj

cc: Sherman Lohnes, DHCQ
Donna Allen, DHCQ
Steve McCabe, Division of Health Care Finance and Policy
Elizabeth Pressman, Division of Medical Assistance
Public File
Decision Letter File
MIS



The Commonwealth of Massachusetts
Executive Office of Health and Human Services
Department of Public Health
Determination of Need Program
2 Boylston Street, Boston, MA 02116
(617) 753-7340
FAX (617) 753-7349

MITT ROMNEY
GOVERNOR

KERRY HEALEY
LIEUTENANT GOVERNOR

TIMOTHY R. MURPHY
SECRETARY

PAUL J. COTE, JR.
COMMISSIONER

November 17, 2005

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

NOTICE OF PUBLIC HEALTH COUNCIL
ACTION
PREVIOUSLY APPROVED PROJECT
NUMBER 4-4886
Shields Imaging of Massachusetts, LLC
Request to Add a Fifth Host Site to the
Mobile Positron Emission Tomography
Service

Andrew S. Levine
Donoghue Barrett & Singal, P.C.
One Beacon Street
Boston, MA 02108

Dear Mr. Levine:

At their meeting of September 27, 2005, the Commissioner and the Public Health Council, acting together as the Department, voted pursuant to M.G.L. c.111, s. 25C and the Regulations adopted thereunder to approve with condition a significant change to DoN Project No. 4-4886 filed by Shields Imaging of Massachusetts, LLC. The approval provides for the addition of the Burbank campus of HealthAlliance Hospital located at 275 Nichols Road, Fitchburg, MA as a fifth host site to the mobile Positron Emission Tomography service. One day of mobile service per week of the three days per week currently allocated to UMass Memorial Medical Center in Worcester month will be provided at the fifth site.

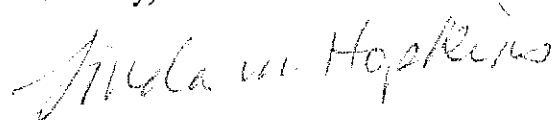
The reason for the Public Health Council's action is as follows:

The Department found that pursuant to 105 CMR 100.753(A) of the Determination of Need Regulations, the significant change meets the Procedures for Significant Changes set forth at 105 CMR 100.756.

The condition accompanying this approval is as follows:

All conditions attached to the original and amended approval of Project No. 4-4886 shall remain in effect.

Sincerely,

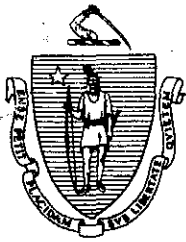


Linda Hopkins

Secretary for the Public Health Council

LH/jj

cc: Sherman Lohnes, DHCQ
Jill Mazzola, DHCQ
Steve McCabe, Division of Health Care Finance and Policy
Elizabeth Pressman, Division of Medical Assistance
Public File
Decision Letter File
MIS



The Commonwealth of Massachusetts

Executive Office of Health and Human Services

Department of Public Health

Determination of Need Program

2 Boylston Street, Boston, MA 02116

(617) 753-7340

FAX (617) 753-7349

MITT ROMNEY
GOVERNOR

KERRY HEALEY
LIEUTENANT GOVERNOR

TIMOTHY R. MURPHY
SECRETARY

PAUL J. COTE, JR.
COMMISSIONER

August 9, 2006

Andrew S. Levine
Donoghue Barrett and Singal, PC
One Beacon Street, Suite 1320
Boston, MA 02108

Re: Approved DoN Project No. 4-4886
Establish Mobile PET Service
Request for Minor Change

Dear Mr. Levine:

This is in response to your letter dated July 12, 2006, requesting a minor change to the approved DoN Project No. 4-4886 referenced above. Shields Imaging of Massachusetts, LLC, (Shields Imaging) a consortium comprised of Shields Imaging of Eastern Massachusetts, LLC, Shields Imaging of Worcester, LLC and Shields Imaging of Springfield, LLC was approved on February 5, 2002 to provide PET services through acquisition of a mobile PET scanner and related equipment. As stated in the DoN decision letter, the services were to be provided at three host sites: Baystate Medical Center, UMass Memorial Medical Center and South Shore Hospital. These sites were subsequently licensed as three separate clinics, one for each of the consortium members and the current licensees are: Baystate MRI and Imaging Center, LLC, UMass Memorial MRI and Imaging Center, LLC and Shields Imaging of Eastern Mass, LLC.

The minor change requested in your letter of July 12 involves the deletion of Shields Imaging of Massachusetts, LLC as the provider of service for this project in order to correctly specify the individual consortium members currently licensed to provide the mobile PET services. The reason given for the minor change is that the deletion of Shields Imaging will correctly reflect the three clinics, Baystate MRI and Imaging Center, LLC, UMass Memorial MRI and Imaging Center, LLC and Shields Imaging of Eastern Mass, LLC., as the providers of services under the DoN and all subsequent amendments.

Pursuant to 105 CMR 100.752 of the Determination of Need Regulations, I hereby approve the minor change to Project No.4-4886 as requested for the following reasons:

1. All criteria set forth in 105 CMR 100.755 of the Determination of Need Regulations have been satisfied.
2. The minor change involves no change in the scope of the project or maximum capital expenditure.

Please note that all terms and conditions attached to the original approval of Determination of Need Project No.4-4886 shall remain in effect.

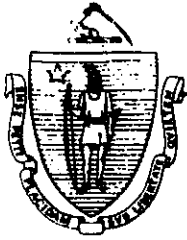
Sincerely,

A handwritten signature in black ink, appearing to read "Joan Gorga", written in a cursive style.

Joan Gorga
Director
Determination of Need Program

JMG/jmg

cc: Sherman Lohnes, DHCQ
Public File
Compliance
MIS



The Commonwealth of Massachusetts
Executive Office of Health and Human Services
Department of Public Health
Determination of Need Program
99 Chauncy Street, 2nd Floor, Boston, MA 02111
617-753-7340
FAX 617-753-7349

DEVAL L. PATRICK
GOVERNOR

TIMOTHY P. MURRAY
LIEUTENANT GOVERNOR

JUDYANN BIGBY, MD
SECRETARY

JOHN AUERBACH
COMMISSIONER

October 13, 2011

CERTIFIED MAIL
RETURN RECEIPT REQUESTED
NOTICE OF PUBLIC HEALTH COUNCIL ACTION
PREVIOUSLY APPROVED PROJECT NUMBER 4-4886

Andrew S. Levine
Donoghue Barrett & Singal, P.C
One Beacon Street
Boston, MA 02108

UMass Memorial MRI and Imaging Center, LLC
Request to Add a Sixth Host Site to the
Mobile Positron Emission Tomography Service

Dear Mr. Levine:

At their meeting of October 12, 2011, the Commissioner and the Public Health Council, acting together as the Department, voted pursuant to M.G.L. c.111, s. 25C and the Regulations adopted thereunder to approve with condition a significant change to DoN Project No. 4-4886 filed by UMass Memorial MRI and Imaging Center, LLC. The approval provides for the addition of the Wing Memorial Hospital and Medical Center located at 40 Wright Street, Palmer, MA as a sixth host site to the mobile Positron Emission Tomography service. One half-day of mobile service every two weeks will be provided at the sixth site.

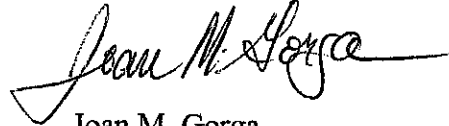
The reason for the Public Health Council's action is as follows:

The Department found that pursuant to 105 CMR 100.753(A) of the Determination of Need Regulations, the significant change meets the Procedures for Significant Changes set forth at 105 CMR 100.756.

The condition accompanying this approval is as follows:

All conditions attached to the original and amended approval of Project No. 4-4886 shall remain in effect.

Sincerely,

A handwritten signature in black ink, appearing to read "Joan M. Gorga", with a long, sweeping horizontal line extending to the right.

Joan M. Gorga
Director, Determination of Need

cc: Sherman Lohnes, DHCQ
Paul DiNatale, DHCQ
Steve McCabe, Division of Health Care Finance and Policy
Terri Yannetti, Division of Medical Assistance
Public File
Decision Letter File



DEVAL L. PATRICK
GOVERNOR

TIMOTHY P. MURRAY
LIEUTENANT GOVERNOR

JOHN W. POLANOWICZ
SECRETARY

LAUREN A. SMITH, MD, MPH
INTERIM COMMISSIONER

The Commonwealth of Massachusetts
Executive Office of Health and Human Services
Department of Public Health
Bureau of Health Care Safety and Quality
Determination of Need Program
99 Chauncy Street, Boston, MA 02111
617-753-7340

February 14, 2013

Andrew S. Levine, Esq.
Donoghue, Barrett & Singal, P.C.
One Beacon Street, Suite 1320
Boston, MA 02108

NOTICE OF PUBLIC HEALTH COUNCIL
ACTION
PREVIOUSLY APPROVED DON #4-4886
Baystate MRI and Imaging Center, LLC.
Request for Significant Change

Dear Mr. Levine:

At their meeting of February 13, 2013, the Commissioner and the Public Health Council, acting together as the Department, voted pursuant to M.G.L. c. 111, § 25C and the regulations adopted thereunder, to approve with conditions a significant change to approved Determination of Need ("DoN") Project Number 4-4886 of Baystate MRI and Imaging Center, LLC ("BMIC" or "Holder"). The change authorizes establishment of an additional host site for the BMIC mobile PET service at Berkshire Medical Center ("Berkshire"), 725 North Street in Pittsfield. The DoN is held jointly by BMIC, Shields Imaging of Eastern Massachusetts, LLC, and UMass Memorial MRI and Imaging Center and currently operates at South Shore Hospital in Weymouth, Baystate Medical Center in Springfield, and at three UMass Memorial Medical Center campuses in Worcester, Fitchburg, and Palmer.

As approved, the significant change will result in one day of PET services per week at Berkshire and a reduction in service at the Springfield host site from two days to one day per week. This change has an associated capital expenditure estimated at \$200,000.

The conditions accompanying this approval are as follows:

1. Upon implementation of the Berkshire Medical Center site for the mobile PET service, Baystate MRI and Imaging Center, LLC shall contribute an additional \$10,000 to fund community health initiatives in the greater Pittsfield area to be approved by the Office of Healthy Communities ("OHC") in consultation with the Community Health Network of Berkshire County (CHNA 1). BMIC shall contact OHC at least three months prior to implementation of the project to begin the planning process

2. All other conditions attached to the original and amended approvals of this project shall remain in effect.

Sincerely,

A handwritten signature in black ink, appearing to read "Bernard Plovnick", written in a cursive style.

Bernard Plovnick, Director
Determination of Need Program

cc: Steve McCabe, DHCFP
Sherman Lohnes, DHCQ
Paul DiNatale, DHCQ
Daniel Gent, DHCQ
Cathy O'Connor, OHC
Kristin Golden, Commissioner's Office



CHARLES D. BAKER
Governor

KARYN E. POLITO
Lieutenant Governor

The Commonwealth of Massachusetts
Executive Office of Health and Human Services
Department of Public Health
250 Washington Street, Boston, MA 02108

MARYLOU SUDDERS
Secretary

MONICA BHAREL, MD, MPH
Commissioner

October 1, 2018

Via E-mail and first class mail

Andrew Levine, Esq.
Barrett & Singal
One Beacon Street, Suite 1320
Boston, MA 02108-3106
alevine@barrettsingal.com

RE: Notice of Final Action
Project No. DoN #18080612-AM
Shields Imaging of Eastern Massachusetts, LLC (SIEM)

Dear Mr. Levine:

This shall serve as notification that, based on the information provided by the Applicant and staff analysis, and pursuant to M.G.L. c. 111, § 25C and the regulatory provisions of 105 CMR 100.000 et seq, including 105 CMR 100.635(A)(3) (Amendments to a Notice of Determination of Need), I hereby approve the request for a significant change to Project #4-4886 (originally filed 02/01/2001) to add a second day of mobile MRI/PET service to South Shore Hospital (South Shore).

This approval of the request for significant amendment incorporates by reference the Memorandum to the Commissioner.

Sincerely,

Monica Bharel, MD, MPH
Commissioner

cc: Sherman Lohnes, Director, Division of Health Care Facility Licensure and Certification
Rebecca Rodman, Deputy General Counsel
Daniel Gent, Health Care Facility Licensure and Certification
Mary Byrnes, Center for Health Information and Analysis
Stephen Sauter, MassHealth
Katherine Mills, Health Policy Commission
Eric Gold, Office of the Attorney General

ATTACHMENT 7

CERTIFICATE OF ORGANIZATION AND AMENDMENTS

FILED

OPEN AIR OF CENTRAL MASSACHUSETTS, LLC

FEB 9 1999

CERTIFICATE OF ORGANIZATION

SECRETARY OF THE COMMONWEALTH
CORPORATIONS DIVISION

Pursuant to the provisions of the Massachusetts Limited Liability Company Act (the "Act") the undersigned hereby certifies as follows:

1. *Name of the Limited Liability Company.* The name of the limited liability company formed hereby (the "LLC") is Open Air of Central Massachusetts, LLC.

2. *Office of the Limited Liability Company.* The address of the office of the LLC in The Commonwealth required to be maintained by § 5 of the Act is 265 Westgate Drive, Brockton, Massachusetts 02401.

3. *Agent for Services of Process.* The name and address of the resident agent for service of process for the LLC is Carmel A. Shields, 265 Westgate Drive, Brockton, Massachusetts 02401.

4. *Date of Dissolution.* The LLC is to have no specific date of dissolution.

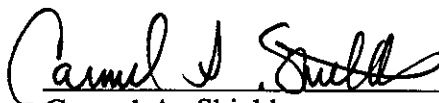
5. *Manager.* At the time of formation of the LLC, the LLC has no managers.

6. *Execution of Documents.* Each of Carmel A. Shields and John M. Shields, acting singly, is authorized to execute any documents to be filed with the Secretary of State of The Commonwealth of Massachusetts.

7. *Business of the LLC.* The general character of the business of the LLC is to acquire, own, and invest in magnetic resonance imaging equipment; to acquire, own invest in, develop, operate, and/or manage magnetic resonance imaging facilities; to provide management services to medical practices that provide magnetic resonance imaging services, and to carry on any lawful business, trade, purpose or activity.

8. *Execution of Documents Relating to Real Property.* Each of Carmel A. Shields and John M. Shields, acting singly, is authorized to execute, acknowledge, deliver, and record any recordable instrument on behalf of the LLC purporting to affect an interest in real property, whether to be recorded with a registry of deeds or a district office of the Land Court.

IN WITNESS WHEREOF, the undersigned hereby affirms under the penalties of perjury that the facts stated herein are true, this 9 day of February, 1999.


Carmel A. Shields,
An Authorized Person

647829

Ck.# 7012699

The Commonwealth of Massachusetts
Limited Liability Company
(General Laws, Chapter 156C)

Filed this 9 day February, 1999.

FEE PAID
500.00
FEB 09 1999

CASHIERS
SECRETARY'S OFFICE

William Francis Galvin

WILLIAM FRANCIS GALVIN
SECRETARY OF THE COMMONWEALTH

SECRETARY OF THE
COMMONWEALTH
99 FEB -9 PM 12:21
CORPORATION DIVISION

Jim Roberti

Phone: 438-2242

021
034

FILED

AUG 10 1999

SECRETARY OF THE COMMONWEALTH
CORPORATIONS DIVISION

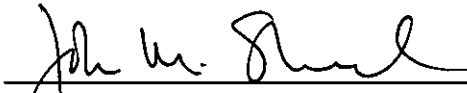
**Certificate of Amendment
of
Certificate of Organization
of
OPEN AIR OF CENTRAL MASSACHUSETTS, LLC**

OPEN AIR OF CENTRAL MASSACHUSETTS, LLC (the "Company"), a limited liability company organized and existing under and by virtue of the Massachusetts Limited Liability Company Act (the "Act"), does hereby certify as follows:

1. The federal employer identification number of the Company is 04-3454298.
2. The name of the limited liability company is "Open Air of Central Massachusetts, LLC".
3. The date of the filing of the Certificate of Organization is February 9, 1999.
4. The Certificate of Organization of the Company shall be amended as follows:
 - a) To change the name of the Company to "UMass Memorial MRI & Imaging Center, LLC" and
 - b) To designate the following person as the sole Manager of the Company:

John M. Shields
143 Powder Point Avenue
Duxbury, MA 02332

IN WITNESS WHEREOF, the undersigned hereby affirms under the penalties of perjury that the facts stated herein are true this 31st day of July, 1999.


John M. Shields, An Authorized Person

CONSENT

4

CONSENT TO USE OF NAME

UMass Memorial Health Care, Inc., a corporation formed under Massachusetts General Laws Ch. 180, on its own behalf and on behalf of all of its subsidiaries and affiliates, hereby consents to the use of the name "UMass Memorial" by Open Air of Central Massachusetts, LLC, a Massachusetts limited liability company, for the purpose of changing said LLC's name to "UMass Memorial MRI & Imaging Center, LLC" and for all purposes in furtherance thereof.

UMass Memorial Health Care, Inc.

By:



Name: Peter H. Levine, M.D.

Title: President / Chief Executive Officer

SEE ATTACHMENT "A"

ATTACHMENT "A"

LIST OF SUBSIDIARIES AND AFFILIATES OF UMASS MEMORIAL HEALTH CARE, INC.

UMass Memorial Medical Center, Inc. (Massachusetts Ch. 180 Corp.)
UMass Memorial Hospitals, Inc. (Massachusetts Ch. 180 Corp.)
UMass Memorial Health Resources, Inc. (Massachusetts Ch. 180 Corp.)
UMass Memorial Physicians, Inc. (Massachusetts Ch. 180 Corp.)
UMass Memorial Behavioral Health System, Inc. (Massachusetts Ch. 180 Corp.)
UMass Memorial Health Ventures, Inc. (Massachusetts Ch. 180 Corp.)
UMass Memorial Realty, Inc. (Massachusetts Ch. 180 Corp.)
UMass Memorial Foundation, Inc. (Massachusetts Ch. 180 Corp.)
UMass Memorial Community Medical Group, Inc. (Massachusetts Ch. 180 Corp.)
UMass Memorial Community Physicians, Inc. (Massachusetts Ch. 180 Corp.)
UMass Memorial Group Practice Plan, Inc. (Massachusetts Ch. 180 Corp.)
UMass Memorial Laboratories, Inc. (Massachusetts Ch. 180 Corp.)

Ck.# 5334

669783

The Commonwealth of Massachusetts
Limited Liability Company
(General Laws, Chapter 156C)

SECRETARY OF
THE COMMONWEALTH
99 AUG 10 PM 1:51

Filed this 10th day August, 1999.

FEE PAID

\$ 100.00
AUG 10 1999

CASHIERS
SECRETARY'S OFFICE

William Francis Galvin

WILLIAM FRANCIS GALVIN
SECRETARY OF THE COMMONWEALTH

NUTTER, McLENNAN + FISH
1 INFORMATION PC
BUTLER MA

Phone: _____



The Commonwealth of Massachusetts
William Francis Galvin

Minimum Fee: \$100.00

Secretary of the Commonwealth, Corporations Division
One Ashburton Place, 17th floor
Boston, MA 02108-1512
Telephone: (617) 727-9640

Certificate of Amendment

(General Laws, Chapter)

Federal Employer Identification Number: 043454298 (must be 9 digits)

The date of filing of the original certificate of organization: 2/9/1999

1.a. Exact name of the limited liability company: UMASS MEMORIAL MRI & IMAGING CENTER, LLC

1.b. The exact name of the limited liability company as amended, is: UMASS MEMORIAL MRI & IMAGING CENTER, LLC

2a. Location of its principal office:

No. and Street: 700 CONGRESS STREET
City or Town: QUINCY State: MA Zip: 02169 Country: USA

3. As amended, the general character of business, and if the limited liability company is organized to render professional service, the service to be rendered:

4. The latest date of dissolution, if specified:

5. Name and address of the Resident Agent:

Name: JOHN M. SHIELDS
No. and Street: 143 POWDER POINT AVE.
City or Town: DUXBURY State: MA Zip: 02332 Country: USA

6. The name and business address of each manager, if any:

Title	Individual Name First, Middle, Last, Suffix	Address (no PO Box) Address, City or Town, State, Zip Code
MANAGER	JOHN M. SHIELDS	CROWN COLONY OFFICE PARK, 700 CONGRESS ST. QUINCY, MA 02169 USA

7. The name and business address of the person(s) in addition to the manager(s), authorized to execute documents to be filed with the Corporations Division, and at least one person shall be named if there are no managers.

Title	Individual Name First, Middle, Last, Suffix	Address (no PO Box) Address, City or Town, State, Zip Code
SOC SIGNATORY	CARMEL A. SHIELDS	CROWN COLONY OFFICE PARK, 700 CONGRESS ST. QUINCY, MA 02169 USA
SOC SIGNATORY	JOHN M. SHIELDS	CROWN COLONY OFFICE PARK, 700 CONGRESS ST. QUINCY, MA 02169 USA

8. The name and business address of the person(s) authorized to execute, acknowledge, deliver and record any recordable instrument purporting to affect an interest in real property:

Title	Individual Name First, Middle, Last, Suffix	Address (no PO Box) Address, City or Town, State, Zip Code
REAL PROPERTY	JOHN M. SHIELDS	CROWN COLONY PARK, 700 CONGRESS ST. QUINCY, MA 02169 USA

9. Additional matters:

10. State the amendments to the certificate:

THE PRINCIPAL OFFICE ADDRESS OF THE LIMITED LIABILITY COMPANY IS 700 CONGRESS STREET, QUINCY, MA 02169.

11. The amendment certificate shall be effective when filed unless a later effective date is specified:

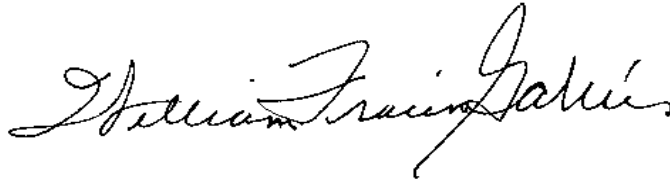
SIGNED UNDER THE PENALTIES OF PERJURY, this 23 Day of April, 2009,
CARMEL A. SHIELDS , **Signature of Authorized Signatory.**

THE COMMONWEALTH OF MASSACHUSETTS

I hereby certify that, upon examination of this document, duly submitted to me, it appears that the provisions of the General Laws relative to corporations have been complied with, and I hereby approve said articles; and the filing fee having been paid, said articles are

deemed to have been filed with me on:

April 23, 2009 11:48 AM

A handwritten signature in black ink, reading "William Francis Galvin". The signature is written in a cursive, flowing style with a large initial 'W' and 'G'.

WILLIAM FRANCIS GALVIN

Secretary of the Commonwealth



The Commonwealth of Massachusetts
William Francis Galvin

Minimum Fee: \$100.00

Secretary of the Commonwealth, Corporations Division
 One Ashburton Place, 17th floor
 Boston, MA 02108-1512
 Telephone: (617) 727-9640

Certificate of Amendment

(General Laws, Chapter)

Identification Number: 043454298

The date of filing of the original certificate of organization: 2/9/1999

1.a. Exact name of the limited liability company: UMASS MEMORIAL MRI & IMAGING CENTER, LLC

1.b. The exact name of the limited liability company *as amended*, is: UMASS MEMORIAL MRI & IMAGING CENTER, LLC

2a. Location of its principal office:

No. and Street: 700 CONGRESS STREET
STE 204

City or Town: QUINCY State: MA Zip: 02169 Country: USA

3. As amended, the general character of business, and if the limited liability company is organized to render professional service, the service to be rendered:

TO ENGAGE IN ANY LAWFUL ACTIVITIES FOR WHICH LIMITED LIABILITY COMPANIES MAY BE ORGANIZED UNDER THE MASSACHUSETTS LIMITED LIABILITY COMPANY ACT, INCLUDING BUT NOT LIMITED TO, THE OWNERSHIP, ACQUISITION, DEVELOPMENT, AND MANAGEMENT OF MEDICAL IMAGING FACILITIES.

4. The latest date of dissolution, if specified:

5. Name and address of the Resident Agent:

Name: SHIELDS HEALTH CARE GROUP INC

No. and Street: 700 CONGRESS STREET
STE 204

City or Town: QUINCY State: MA Zip: 02169 Country: USA

6. The name and business address of each manager, if any:

Title	Individual Name First, Middle, Last, Suffix	Address (no PO Box) Address, City or Town, State, Zip Code

7. The name and business address of the person(s) in addition to the manager(s), authorized to execute documents to be filed with the Corporations Division, and at least one person shall be named if there are no managers.

Title	Individual Name	Address (no PO Box)
-------	-----------------	---------------------

	First, Middle, Last, Suffix	Address, City or Town, State, Zip Code
SOC SIGNATORY	ALICE SHAKMAN	55 LAKE AVENUE NORTH WORCESTER, MA 01655 USA
SOC SIGNATORY	THOMAS A SHIELDS	700 CONGRESS STREET QUINCY, MA 02169 USA
SOC SIGNATORY	JEFFREY RONNER	700 CONGRESS STREET QUINCY, MA 02169 USA

8. The name and business address of the person(s) authorized to execute, acknowledge, deliver and record any recordable instrument purporting to affect an interest in real property:

Title	Individual Name First, Middle, Last, Suffix	Address (no PO Box) Address, City or Town, State, Zip Code
REAL PROPERTY	THOMAS A SHIELDS	700 CONGRESS STREET QUINCY, MA 02169 USA
REAL PROPERTY	ALICE SHAKMAN	55 LAKE AVENUE NORTH WORCESTER, MA 01655 USA
REAL PROPERTY	JEFFREY RONNER	C/O SHIELDS HEALTH CARE GROUP, INC. QUINCY, MA 02169 USA

9. Additional matters:

10. State the amendments to the certificate:

1.CHANGE DESCRIPTION OF CHARACTER OF BUSINESS. 2. ADD JEFFREY RONNER AS PERSON AUTHORIZED TO EXECUTE ANY DOCUMENTS TO BE FILED WITH THE OFFICE OF THE SECRETARY OF STATE OF THE COMMONWEALTH. 3. ADD JEFFREY RONNER AS A PERSON AUTHORIZED TO EXECUTE, ACKNOWLEDGE, DELIVER AND RECORD ANY RECORDABLE INSTRUMENT PURPORTING TO AFFECT AN INTEREST IN REAL PROPERTY.

11. The amendment certificate shall be effective when filed unless a later effective date is specified:

**SIGNED UNDER THE PENALTIES OF PERJURY, this 11 Day of July, 2017,
JEFFREY RONNER , Signature of Authorized Signatory.**

THE COMMONWEALTH OF MASSACHUSETTS

I hereby certify that, upon examination of this document, duly submitted to me, it appears that the provisions of the General Laws relative to corporations have been complied with, and I hereby approve said articles; and the filing fee having been paid, said articles are deemed to have been filed with me on:

July 11, 2017 02:52 PM

A handwritten signature in black ink, reading "William Francis Galvin". The signature is written in a cursive, flowing style with a large initial 'W' and 'G'.

WILLIAM FRANCIS GALVIN

Secretary of the Commonwealth

ATTACHMENT 8

AFFIDAVIT OF TRUTHFULNESS AND COMPLIANCE



Massachusetts Department of Public Health
Determination of Need
Affidavit of Truthfulness and Compliance
with Law and Disclosure Form 100.405(B)

Version: 7-6-17

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: UMMIC-20120208-AM Original Application Date: 01-06-2021

Applicant Name: UMass Memorial MRI & Imaging Center, LLC

Application Type: Amendment Significant

Applicant's Business Type: ☐ Corporation ☐ Limited Partnership ☐ Partnership ☐ Trust ☒ LLC ☐ Other

Is the Applicant the sole member or sole shareholder of the Health Facility(ies) that are the subject of this Application? ☒ Yes ☐ No

Describe the role /relationship:

The undersigned certifies under the pains and penalties of perjury:

1. The Applicant is ;
2. I have read 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 this application for Determination of Need including all exhibits and attachments, and certify 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 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;
11. I have read 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,
 - a. 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,
 - b. The Proposed Project is exempt from zoning by-laws or ordinances.

LLC

All parties must sign. Add additional names as needed.

Type name here THOMAS A. SHIELDS [Signature]

Name:

Signature:

9/21/2020
Date

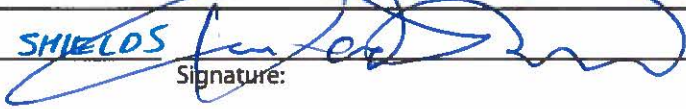
*been informed of the contents of

**have been informed that

***issued in compliance with 105 CMR 100.00, the Massachusetts Determination of Need Regulation effective January 27, 2017 and amended December 28, 2018

Affidavit of Truthfulness

Page 1 of 2

Type name here	THOMAS A. SHIELDS		9/21/2020
Name:		Signature:	Date

This document is ready to print: ☐

Date/time Stamp: