

The Commonwealth of Massachusetts
Executive Office of Health and Human Services
Department of Public Health
250 Washington Street, Boston, MA 02108-4619

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Lieutenant Governor

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November 18, 2022

Crystal Bloom, Partner
Husch Blackwell LLP
One Beacon Street, Suite 1320
Boston, MA 02108-3106

VIA electronic mail: Crystal.Bloom@huschblackwell.com

RE: Notice of Final Action DON Application #UMMHC-22042514-HE

Dear Attorney Bloom,

At their meeting of November 9, 2022, the Commissioner and the Public Health Council, acting together as the Department, voted pursuant to M.G.L. c.111, §25(c) and the regulations adopted thereunder, to approve the Determination of Need application filed by UMass Memorial Health Care, Inc. (Applicant) located at One Biotech Park, 365 Plantation Street Worcester, MA for a Substantial Capital Expenditure and Substantial Change in Service at UMass Memorial Medical Center (UMMMC) for the following:

- Renovation of a six-story building adjacent to UMMC's University Campus that will contain 72 additional medical/surgical (M/S) beds, one additional computed tomography (CT) unit, and shell space for future build out to accommodate clinical services.¹
- The addition of 19 M/S beds on UMMC's Memorial Campus.
- Other renovation projects at UMMC's Memorial Campus to improve the existing services and facilities.²

This Notice of Final Action incorporates by reference the Staff Report, and the Public Health Council proceedings concerning this application, all of which are incorporated herein by reference.

This Determination of Need Application was reviewed pursuant to M.G.L. c. 111, § 25(c), and the regulatory provisions of 105 CMR 100.000 et seq. Based upon a review of the materials, the

¹ Shell space: 2,180 square feet represents net/interior square footage, but the total amount of gross square footage is 2,280.

² The other renovation projects consist of the expansion of morgue services, and the replacement of a Nuclear Medicine Machine with a larger machine, and renovations of existing space to accommodate the larger machine.

Department found that the Applicant has met each DoN factor with conditions and approves this Determination of Need application for a substantial capital expenditure for the Proposed Project of \$143,242,167.00. The total required Community Health Initiative (CHI) contribution is \$7,162,108.35.

In compliance with the provisions of 105 CMR 100.310 A (2) and (11) the Holder shall submit an acknowledgment of receipt to the Department (attached) and include a written attestation of participation or intent to participate in MassHealth.

In compliance with 105 CMR 100.310(A)(12), which requires a report to the Department, at a minimum on an annual basis, including the measures related to achievement of the DoN factors for a period of five years from completion of the Proposed Project, the Holder shall address its assertions with respect to all the factors.

Other Conditions to the DoN

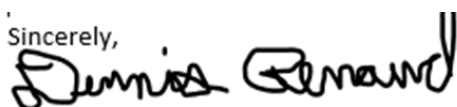
1. Of the total required CHI contribution of \$7,162,108.35
 - a. \$1,754,716.54 will be directed to the CHI Statewide Initiative
 - b. \$5,264,149.64 will be dedicated to local approaches to the DoN Health Priorities
 - c. \$143,242.17 will be designated as the administrative fee.
2. To comply with the Holder's obligation to contribute to the Statewide CHI Initiative, the Holder must submit a check for \$1,754,716.54 to Health Resources in Action (the fiscal agent for the CHI Statewide Initiative).
 - i. The Holder must submit the funds to HRiA within 30 days from the date of the Notice of Approval.
 - ii. The Holder must promptly notify DPH (CHI contact staff) when the payment has been made.

Payment should be sent to:

Health Resources in Action, Inc.(HRiA)
2 Boylston Street, 4th Floor
Boston, MA 02116
Attn: Ms. Bora Toro

Ongoing compliance with the conditions and all terms of the DoN is, pursuant to the Regulation, a precondition to the filing of any future DoN by the Holder.

Sincerely,



Dennis Renaud
Director, Determination of Need Program

cc:

Elizabeth D. Kelley, Director, Bureau of Health Care Safety and Quality

Stephen Davis, Division of Health Care Facility Licensure and Certification

Daniel Gent, Division of Health Care Facility Licensure and Certification

Rebecca Rodman, General Counsel's Office

Samuel Louis, Office of Health Equity

Jennica Allen, Division of Community Health Planning and Engagement

Elizabeth Maffei, Division of Community Health Planning and Engagement

Katelyn Teague, Division of Community Health Planning and Engagement

Elizabeth Almanzor, Center for Health Information Analysis

Katherine Mills, Health Policy Commission

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