



The Commonwealth of Massachusetts
Executive Office of Health and Human Services
Department of Public Health
Division of Health Care Facility Licensure and
Certification
99 Chauncy Street, Boston, MA 02111

CHARLES D. BAKER
Governor

KARYN E. POLITO
Lieutenant Governor

MARYLOU SUDDERS
Secretary

MONICA BHAREL, MD, MPH
Commissioner

Tel: 617-753-8000
www.mass.gov/dph

January 22, 2016

Andrew S. Levine, Esq.
Donoghue, Barrett & Singal, PC
One Beacon Street, Suite 1320
Boston, MA 02108-3106

BY EMAIL ONLY

Re: North Shore Medical Center – Union Hospital Campus
Essential Services Finding

Dear Attorney Levine:

On January 7, 2016, the Department of Public Health ("Department") held a public hearing in response to the notification received from you on behalf of North Shore Medical Center (NSMC) regarding the proposed closure of services at NSMC's Union Hospital campus in Lynn, MA at a future date to be determined, but estimated to be in within approximately three years. As a result of its review, including testimony presented at the hearing, the Department has made a finding that the services provided by NSMC at its Union Hospital campus are in fact necessary for preserving access and health status within NSMC's service area.

Accordingly, pursuant to 105 CMR 130.122(G), NSMC is required to prepare a plan that details how access to the services provided at its Union Hospital campus will be maintained for the residents of the service area. The plan must be submitted to the Department not later than within 15 calendar days of receipt of this letter. NSMC's plan must include the elements specified in 105 CMR 130.122(G) as listed below:

- (1) Information on utilization of the services prior to proposed closure;

- (2) Information on the location and service capacity of alternative delivery sites;
- (3) Travel times to alternative service delivery sites;
- (4) An assessment of transportation needs post discontinuance and a plan for meeting those needs;
- (5) A protocol that details mechanisms to maintain continuity of care for current patients of the discontinued service; and,
- (6) A protocol that describes how patients in NSMC's service area will access the services at alternative delivery sites.

Under the provisions of 105 CMR 130.122(H), the plan NSMC submits to the Department will be reviewed to determine if the plan appropriately assures access to the essential services in question following the closure of services at the Union Hospital campus.

In addition to the regulatory elements listed above, and in light of the Department's review of testimony on the proposed closure, please include within your submitted plan:

- (1) Information regarding NSMC's plans to ensure the availability of emergency department services to the residents of Lynn and the surrounding towns. Your plan must address the concerns raised at the public hearing, including but not limited to the availability of emergency services in Lynn and to the surrounding municipalities; the impact of the closure of the Union Hospital campus on remaining emergency departments in the area, including but not limited to Salem Hospital; methods under consideration to address transport times to remaining emergency departments in the area, and the increased time out of services for ambulances during return trips; and NSMC's plan, if any, to provide emergency services in Lynn including but not limited to establishing a satellite emergency facility (SEF) of Salem Hospital in Lynn.
- (2) Information regarding NSMC's plans to meet the cultural and linguistic needs of the Lynn community when accessing inpatient services at its Salem campus, and outpatient services provided by NSMC.
- (3) Information regarding NSMC's plans for ongoing community engagement through local elected officials and community leaders, and with the community at large, regarding future plans for the Union Hospital site and ongoing access to services in the community.
- (4) A plan to provide both the Department and the greater Lynn community quarterly updates throughout the closure period, beginning with the period of

January 2016 through March 2016, and continuing until the closure of medical and surgical services at Union Hospital. Such updates should be provided to the Department and the community within 30 days of the end of each quarter, the first no later than April 30, 2016. Note that these updates prior to closure are to be provided in addition to information that may be requested by the Department under 105 CMR 130.122(I) subsequent to the closure of services at Union Hospital.

- (5) Written assurances that NSMC will provide additional written notification, at least 90 days prior to the proposed closure of services, in whole or substantial part, at NSMC's Union Hospital campus in Lynn, MA, once determined.

Thank you for your continued cooperation in this process. If you have any questions, please contact me at (617) 753-8160.

Sincerely,

A handwritten signature in black ink, appearing to read 'S. Lohnes', with a stylized flourish at the end.

Sherman Lohnes
Director

cc: E. Sheehan, Director, DPH-BHCSQ
R. Rodman, DPH-OGC
D. Villaruz, DPH-DoN
S. Davis, DPH-DHCFLC