April 11, 2013

TRANSMITTED BY EMAIL

NOTICE OF DETERMINATION OF NEED
RE: Project No. 4-3C19
South Shore Hospital, Inc.
(Transfer of Ownership of South Shore Hospital)

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

Dear Mr. Levine:

At their meeting of April 10, 2013, the Commissioner and the Public Health Council, acting together as the Department, voted pursuant to M.G.L. c.111, §51 and the regulations adopted thereunder, to approve with conditions the application filed by South Shore Hospital, Inc. (“Applicant” or “Hospital”) to undertake a transfer of ownership. The application, as approved, provides for a change in corporate control of the Hospital whereby Partners HealthCare System, Inc., 800 Boylston Street, Suite 1150, Boston, MA will become the sole corporate member of South Shore Health and Educational Corporation, the current sole member of the Applicant. South Shore Hospital is located at 55 Fogg Road in Weymouth.

The transaction does not include a capital expenditure, and South Shore Hospital will remain a separately licensed hospital after the transfer is implemented. This Notice of Determination of Need incorporates by reference the Staff Summary and the Public Health Council proceedings concerning this application.

The reason for this approval with conditions is that the application satisfies the standards applicable under the Alternate Process for Change of Ownership, as listed at 105 CMR 100.602 of the Determination of Need regulation as follows:

A. Individuals residing in South Shore Hospital’s health systems area comprise a majority of the individuals responsible for decisions concerning:
1. approval of borrowings in excess of $500,000;  
2. addition or conversions which constitute substantial change in services;  
3. approval of capital and operating budgets; and  
4. approval of the filing of an application for Determination of Need.

B. The Executive Office of Health and Human Services has stated that no known access problems exist for Medicaid recipients in the Hospital’s primary service area.

C. Staff has determined that neither the Applicant and its affiliates nor individuals representing the Applicant have engaged in a pattern or practice in violation of the provisions of M.G.L. c.111, §51(D).

D. All parties to the transaction are hospitals or affiliates of hospitals licensed by the Department.

This Determination is effective upon receipt of this Notice and is subject to the following conditions:

1. South Shore Hospital shall continue to provide language access and culturally appropriate services with the improvements described in the document prepared by the Office of Health Equity (“OHE”), as amended from time to time by agreement of the Applicant and OHE, which is attached and is incorporated herein by reference (Attachment 1).

2. Pursuant to conditions of two approved DoN Projects (#4-3A38 – NICU square footage increase and #4-3B80 – add 60 inpatient beds) and those of two 308 Exemption approvals (5/12/2009: mobile MRI service and 9/10/2009: add fixed MRI unit), South Shore Hospital shall continue to provide a total of $2,207,180 in support for community health service initiatives in accordance with the payment schedule presented in Attachment 2 of this Staff Summary. This condition may be amended by agreement of the Applicant and the Office of Healthy Communities.

To proceed with original licensure of the Hospital, please contact in writing:

Mr. Sherman Lohnes  
Department of Public Health  
Division of Health Care Quality and Safety  
99 Chauncy Street, 2nd Floor  
Boston, MA 02111

Sincerely  
Bernard Plovnick  
Director, Determination of Need Program

BP/jp

cc: Sherman Lohnes, Division of Health Care Quality  
Steve McCabe, Center for Health Information and Analysis  
Priscilla Portis, MassHealth  
Iyah Romm, Commissioner’s Office  
Samuel Louis, Office of Health Equity  
Cathy O’Connor, Office of Healthy Communities  
David Seltz, Health Policy Commission  
Wendoly Langlois, Office of the Attorney General
March 21, 2013

Richard H. Aubut
President/Chief Executive Officer
South Shore Health and Educational Corporation/South Shore Hospital
55 Fogg Road
South Weymouth, MA 02190

Dear Mr. Aubut:

This letter pertains to the proposed affiliation between South Shore Health and Educational Corporation/South Shore Hospital and all of its affiliates and Partners HealthCare Systems, Inc. and the Brigham and Women's Health Care Inc., and all of their affiliates. Part of this process required an assessment of language access services by the Office of Health Equity.

On February 28, 2013, Samuel Louis, Massachusetts Department of Public Health, Office of Health Equity met with Peg Holda, Senior Vice President, Strategy, Marketing and Governance affairs, Benjamin A. Asfaw, Vice President, Quality, Lisa Rabideau, Manager, Patient Relations and Service Excellence, Michele Driscoll, Coordinator, Patient Relations, Rose DiPietro, Vice President, Clinical, Outpatient and Home Care, to discuss and review mandatory policies and procedures related to language access for limited English proficient and non-English speaking clients.

After review of facts, the following pages outline the conditions discussed at the meeting and placed on South Shore Hospital to ensure the needs of limited English proficient and non-English patients are met.

If you wish to discuss any of the conditions, or other areas covered at the visit, please contact me at (617) 624-5905 or at samuel.louis@state.ma.us.

Sincerely,

[Signature]

Samuel Louis, M.P.H.
Health Care Interpreter Services Coordinator
Enclosure

Cc: Peg Holda, Senior Vice President, Strategy, Marketing and Governance affairs
    Benjamin A. Asfaw, Vice President, Quality
    Lisa Rabideau, Manager, Patient Relations and Service Excellence
    Rose DiPietro, Vice President, Clinical, Outpatient and Home Care
    Michele Driscoll, Coordinator, Patient Relations
    Jere Page, Senior Analyst, Determination of Need Program
    Georgina Simpson May, Director, Office of Health Equity
ATTACHMENT 1 (continued)

SOUTH SHORE HOSPITAL

The Office of Health Equity has concluded that in order to continue to meet the needs of limited English proficient patients, South Shore Hospital shall enhance its capacity to ensure the availability of timely and competent interpreter services and have in place the following elements of a professional medical interpreter services:

1. Revise its policy and procedures to address the following, but not limited to:
   - Language that are direct, clear, succinct, and simple for adherence by all users
   - Language that clearly describes operations and availability of services, access, and informs staff and volunteers that such services are provided free of cost
   - Competence and monitoring of all medical interpreters
   - The use of only medically trained interpreters for all medical interpretations, unless otherwise allowed under the law
   - Assurance of posting of signage at all points of contact and public points of entry informing patients of the availability of interpreter services at no charge
   - Compliance with all state and federal mandates, i.e., prohibition of the use of minors, grievances procedures, etc....

2. Post signage at all points of contact and public points of entry informing patients of the availability of interpreter services at no charge

3. Ensure that the revised policy and procedures is implemented throughout the hospital and all sites operating under its license

4. Enhance its data tracking mechanism to comprehensively monitor, assess, and capture all activities related to the Interpreter Service department

5. Include the Interpreter Service Manager in all decision-making processes that have an impact on communities that are racially, ethnically, and linguistically different, including, but not limited to, quality improvement projects

6. Provide on-going training to hospital staff, new hires, and volunteers on the use and services offered through Interpreter Service Department, and emerging issues

7. Obtain technical assistance from the Office of Health Equity Culturally and Linguistically Appropriate Services Initiative Project Manager to develop an implementation plan for the Language Access Services standards and follow recommended standards for Cultural Competent Care and Organizational Support for Cultural Competency. The plan must include specific goals and objectives, action steps, targeted staff/departments, evaluation, and outcomes

8. Report on the implementation of the Culturally and Linguistically Appropriate Service Initiative (CLAS) standards

9. Include Limited English proficient and non-English speaking patients in satisfaction surveys
10. Conduct tailored outreach to all of its identified service areas to ensure that their limited English Proficiency communities have first hand information about the hospital and the availability of interpreter services. This plan shall include periodic coordination with community groups to gather information about new and emerging non-English speaking populations in the service areas and the identification of a systemic support necessary to conduct outreach to non-English speaking communities throughout all satellite clinic service areas.

11. Conduct an annual language needs assessment and submit a completed report to the Office of Health Equity.

12. Notify the Office of Health Equity of any substantial changes to its Interpreter Services Program.

13. Provide an Annual Progress Report to the Office of Health Equity within 45 days at the end of the Federal Fiscal Year.

An implementation plan that addresses the aforementioned conditions and includes outcomes, evaluation, and periodic submission of progress reports, is to be submitted within 30 days of DoN's approval to:

Samuel Louis, M.P.H.
Health Care Interpreter Services Coordinator
Massachusetts Department of Public Health
Office of Health Equity
250 Washington Street, 5th Floor
Boston, MA 02108
South Shore Hospital Determination of Need Community Health Initiative Payments

Updated: April 2013
Revised per DPH 4/3/13

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<th>Project</th>
<th>DPH ID</th>
<th>Recipient</th>
<th>Fiscal Sponsor</th>
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*Updated: April 2013*
*Revised per DPH 4/3/13*

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CHI Funding: $2,200,000
MCE: $43,981,000
Add 50 inpatient beds |

| 4-3B80  | 353    | Southeast RCHC | Southeast RCHC | $275,000 | 5 yrs  | 2013, 2014, 2015, 2016, 2017, 2018 | $55,000/yr | $0                      | $275,000                 |
| Approval Date: 12/17/2009
CHI Funding: $2,200,000
MCE: $43,981,000
Add 50 inpatient beds |

$222,950 $2,207,180