

The Commonwealth of Massachusetts
Executive Office of Health and Human Services
Department of Public Health
Bureau of Health Care Safety and Quality
Division of Health Care Facility Licensure & Certification
67 Forest Street, Marlborough, MA 01752

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November 1, 2019

Renee Clark, Executive VP & COO
Southcoast Health
Tobey Hospital
43 High Street
Wareham, MA 02571

BY EMAIL ONLY

Re: Tobey Hospital Essential Services Finding

Dear Ms. Clark:

On October 23, 2019, the Department of Public Health ("Department") held a public hearing in response to the notification received from you on behalf of Tobey Hospital ("Hospital") regarding the proposed closure of its inpatient maternal and newborn service ("Service"), effective December 31, 2019. As a result of its review, including testimony presented at the hearing, the Department has made a finding that the Service provided by the Hospital is in fact necessary for preserving access and health status within the Hospital's service area.

Accordingly, pursuant to 105 CMR 130.122(F), the Hospital is required to prepare a plan that details how access to the services provided by the Service at the Hospital will be maintained for the residents of the service area. The plan must be submitted to the Department within 15 calendar days of receipt of this letter. The Hospital's plan must include the elements specified in 105 CMR 130.122(F) as listed below:

- (1) Information on utilization of the service 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 closure 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;
- (6) A protocol that describes how patients in the Hospital's service area will obtain the services at alternative delivery sites.

In light of this and other concerns voiced to the Department by members of the community at the public hearing held on October 23, 2019 and testimony submitted to the Department in writing, in addition to the above, the Hospital's plan must address the following issues:

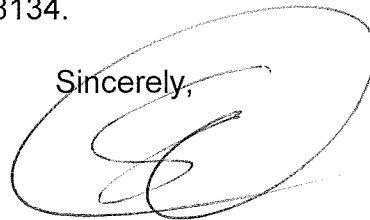
- (1) Training and Competency of Staff:** The Hospital's plan must include information as to how the Hospital will evaluate competency of staff expected to remain with the Hospital after the proposed closure of the Service; the ability of remaining staff to meet the needs of patients who present at the Hospital in labor or in need of care to address pregnancy or post-partum related issues; and what will be done to ensure trained and competent staff will be available at all times to respond to the needs of such patients in the future, particularly but not limited to, the Hospital's emergency department.
- (2) Pre-Labor Evaluations:** The Hospital's plan must include information as to how, subsequent to the proposed closure, the Hospital will meet the needs of patients from the community who may present in need of pre-labor checks and needs prior to delivery.
- (3) Transportation Needs of Populations Served:** The Hospital's plan must include detailed information as to what options exist to meet the transportation needs of patients in the community, particularly in regard to low income families; what needs have been identified; what resources will exist after the proposed closure to address the needs identified; and how that information will be made available to patients.
- (4) Impact on Staff:** The Hospital's plan must include information on the number of staff impacted by the proposed closure; and the Hospital's plans to mitigate that impact on these current employees.
- (5) Associated Community Services:** The Hospital's plan must include information as to how the need for associated post-partum services such as lactation counseling will be assessed, offered, and available to the community either at the Hospital, or if not offered at the hospital, how community residents will be able to access these services.

(6) Cultural and Linguistic Needs of Populations Served: The Hospital's plan must include information as to what the Hospital has done to assess the cultural and linguistic needs of the populations it currently serves; what needs have been identified; and to what extent the alternate delivery sites, identified as likely to provide care after the proposed closure, will be able to address those needs.

Under the provisions of 105 CMR 130.122(G), the plan the Hospital submits to the Department will be reviewed to determine if it appropriately assures access to the essential service in question following the closure of the Service at the Hospital.

Thank you for your continued cooperation in this process. If you have any questions, please contact me at (617) 753-8134.

Sincerely,

A handwritten signature in black ink, appearing to be "S. Davis", enclosed within a large, loopy oval scribble.

Stephen Davis
Licensure Unit Manager

cc: E. Kelley
S. Lohnes
K. Haynes
R. Rodman