



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 and Certification  
67 Forest Street, Marlborough, MA 01752

MAURA T. HEALEY  
Governor

KIMBERLEY DRISCOLL  
Lieutenant Governor

KATHLEEN E. WALSH  
Secretary

ROBERT GOLDSTEIN, MD, PhD  
Commissioner

April 24, 2025

Tel: 617-624-6000  
www.mass.gov/dph

Lianne Ankner, Esq.  
Ankner & Levy, P.C.  
10 High Street, Suite 1003  
Boston, MA 02110  
[kla@anknerlevy.com](mailto:kla@anknerlevy.com)

BY EMAIL ONLY

**Re: Essential Services Finding**

**Facility:** MetroWest Medical Center – Framingham Union Campus  
**Services:** Level IIB Special Care Nursery  
**Ref. #:** VL8S-026

Dear Attorney Ankner:

On April 9, 2025, the Department of Public Health (the "Department") held a public hearing in response to the notification received from MetroWest Medical Center regarding their proposed plans to discontinue its Level IIB Special Care Nursery service (12 bassinets) at Framingham Union Campus (the "Hospital") in Framingham, MA, effective June 10, 2025. As a result of its review, the Department has made a finding that the services provided by the Hospital are 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 Special Care Nursery services will be maintained for the residents of the service area. The plan must be submitted to the Department no later than 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 services prior to proposed closure;

- (2) Information on the location and service capacity of alternative delivery sites. Include an explanation of the basis for the Hospital's determination that the alternative delivery sites **do** or **do not** have the capacity (necessary space, resources, etc.) to handle the increased patient volume at the identified sites. To support that assertion, please provide the following specific details:
  - (a) Current utilization at these alternative sites;
  - (b) Type of services available at the alternative sites;
  - (c) Type of medical diagnoses accepted; and
  - (d) Adequacy of space and resources at the alternative sites.
- (3) Travel times to alternative service delivery sites, for both peak and non-peak travel times, and an explanation as to the source for this information or what these estimates are based on;
- (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 the Hospital's service area will access the services at alternative delivery sites. The protocol should specifically address the following:
  - (a) The process that will be employed to effectively refer patients to other facilities or providers;
  - (b) The impact that this may have on the current occupancy rates at alternative delivery sites;
  - (c) The ability of the alternative delivery sites to meet the needs of these patients; and
  - (d) Other alternatives if medical needs cannot be accommodated at the proposed alternative sites.

In addition to the regulatory elements listed above, and in light of the Department's review of comments on the proposed closure, your plan must also address the following:

- (1) **Transitioning from Level IIB to IB:** Based on testimony presented at the hearing on April 9, 2025, concern was expressed regarding the Hospital's plans to eliminate Level IIB services altogether rather than transitioning to Level IB which would require an advanced practitioner to be onsite. The plan which you are required to submit must include information on level change considerations as an alternative to the elimination of 12 Level IIB bassinets and what measures would be necessary to accomplish this.

- (2) **Cultural and Linguistic Needs:** Based on testimony presented at the hearing on April 9, 2025, concern was expressed regarding the cultural makeup of Framingham and how diverse populations would be the most affected by this elimination of services. The plan which you are required to submit must address ways the Hospital intends to meet the cultural and linguistic needs of patients from the Hospital's service area when referring these patients to alternate facilities.
- (3) **Engagement with Community Groups:** Based on testimony presented at the hearing on April 9, 2025, concern was expressed that the Hospital failed to appropriately communicate with the local community to assess the impact of eliminating the Special Care Nursery. The plan which you are required to submit must address how the Hospital intends to initiate ongoing engagement with the local community to ensure awareness of the impact of the discontinuance of this service and solicit input on the development and implementation of a plan to ensure access in the future.
- (4) **Lack of Advanced Practitioners:** Based on testimony presented to the Department at the hearing on April 9, 2025, concern was expressed regarding the lack of 24-hour advanced practitioners onsite after the elimination of Level IIB Special Care Nursery services. The plan which you are required to submit must address how the Hospital will ensure safe and timely resuscitation and emergency care for newborns without provision of 24-hour onsite advanced practitioners available.
- (5) **Parent + Child Bonding:** Based on testimony presented to the Department at the hearing on April 9, 2025, concern was expressed regarding instances where the newborn is transferred to a special care nursery at an alternative hospital and the birthing parent is medically required to remain at the Hospital. The plan which you are required to submit must include information on what mitigation measures can be implemented to prevent separation of birthing parents and newborns when higher levels of neonatal care are required.
- (6) **OB/GYN Practitioners:** Based on testimony presented to the Department at the hearing on April 9, 2025, concern was expressed regarding the decrease in OB/GYN practitioners available in the Hospital's service area. The plan which you are required to submit must include information on how the Hospital plans to recruit and retain local OB/GYN practitioners (MD's, advance practice RN's, etc.) to provide GYN, pre-natal, and post-natal care for this large population within the community.

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 services in question following the plans to discontinue operation of the Special Care Nursery at Framingham Union Campus.

April 24, 2025

MetroWest Medical Center – Framingham Union Campus – Essential Services Finding

Page 4 of 4

Thank you for your continued cooperation in this process. If you have any questions, please contact me at [Stephen.Davis@Mass.Gov](mailto:Stephen.Davis@Mass.Gov).

Sincerely,

A handwritten signature in black ink, appearing to read "Step Davis". The signature is written in a cursive style with a large, prominent "S" at the beginning and a long, sweeping underline.

Stephen Davis  
Division Director

cc: T. Smith, DPH  
A. Sousa, DPH  
J. Bernice, DPH  
J. Gagne, DPH  
M. Callahan, DPH  
J. Zeidman, DPH  
T. McNamara, DPH