



March 8, 2022

Margret R. Cooke
Commissioner
Massachusetts Department of Public Health
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Dear Commissioner Cooke,

On behalf of Dignity Alliance Massachusetts, I am writing about the closure of the four nursing homes in Chicopee, Springfield, and Westfield.

What is happening is outrageous, tragic, and needs to be halted by immediately placing at least two of the homes in receivership. This will allow for a careful and closely-monitored closing and avoid putting residents at risk and further stressing out family members and staff.

The "so-called" public hearings held last week were a sham. Ostensibly, the purpose was to gain public input prior to DPH's approval of the plans - which incidentally has 14 days to issue the approval or make any changes. However, in the real world, scores of residents have been leaving for several weeks already. Some are being forced to accept placements as far away as Pittsfield and Natick. They are also being pressured to make decisions within 24 hours.

There is a litany of concerns, some of which are blatantly in violation of regulations and statutory requirements. See attached. Here's just a sample:

- The presentation of a closing plan by ownership was a sham. There are no components of a plan. The attorney representing ownership provided only the reason for closure, which they are ascribing to the implementation of the two-bed limitation. [This is a bogus reason. I am happy to elaborate on why if you are interested.] The closure plan has yet to be approved by DPH. Nonetheless, facility management have been actively engaged in discharging residents with little or no regard to their interests.
- More than 5 residents are reportedly being transferred in a day - a violation of DPH's regulations.
- There is little to no support being provided to residents and their families during and following transfers.
- Spanish speaking residents are being transferred to facilities which do not have Spanish speaking staff. The Springfield facility has a significant number of residents who only speak Spanish.
- No effort is being made to consider home and community care options and a number of residents clearly should be candidates.

Dignity Alliance Massachusetts is recommending that at least two facilities be placed into receivership (e.g., one of the Willimansett facilities and Chapin Center) to allow continued operations while extending the time for sensitive, rational transfer options to be explored. Under DPH regulations, the earliest any of the facilities can legitimately close is June 6. Yet, facility management is telling residents and families that they have to vacate by April 6 - two full months before regulations permit closure. Technically and to comply with regulations, the closure process is not even supposed to start until DPH approves the plan in writing which can take up to March 16.

Additionally, a public health crisis is in the making. There is already a tight bed supply in western MA. BayState Health system is reporting more than 100 patients in acute settings waiting for placements in long-term care.

Once these four facilities close, here's the remaining long-term care bed capacity:

Springfield: 2 facilities [160 beds and 42 beds (which is part of a continuing care community)]

Chicopee: 1 facility [68 beds]

Westfield: 2 facilities [98 beds and 80 beds]

Also, since the ownership structure of the facilities is not-for-profit, the Attorney General's office is being notified so the disposal of any assets is subject to careful scrutiny and approval by the Attorney General.

All the elected officials (legislators and mayors) in the area have been actively engaged. Most spoke during the public hearings. All were highly critical of the owners (who are based in Palm Beach, Florida) as well as of DPH.

We hope this situation is immediately and satisfactorily addressed.

Very truly yours,

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Copy: Jennifer Barrelle, JD, Assistant Commissioner

Dignity Alliance Massachusetts is a state-wide, grass-roots coalition of aging and disability service and advocacy organizations and supporters dedicated to systemic transformation to ensure the dignity of older adults, people with disabilities, and caregivers. We are committed to advancing new ways of providing long-term services, support, living options, and care while respecting choice and self-determination. Dignity Alliance works through education, legislation, regulatory reform, and legal strategies to realize this vision throughout the Commonwealth.