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WABAN

HEALTH CENTER



Notice of Public Hearing on

**PROPOSED CLOSURE PLAN
FOR WABAN HEALTH CENTER**

Dear Resident and other Interested Parties:

On October 17, 2018, Waban Health Center issued a Notice of Intent to Close the Waban Health Center located at 20 Kinmoth Road, Waban, Massachusetts 02468 (the "Facility"). This is the Closure Plan referenced in that notice, and notice of the public hearing on the Closure Plan.

The Massachusetts Department of Public Health will hold a public hearing to receive comments on the Closure Plan and the closure of the Facility on Wednesday, November 7, 2018, at 6:00 p.m., at the Newton Free Library, 330 Homer Street, Newton, MA 02459.

The Department of Public Health will receive public comments prior to this hearing, in writing addressed to:

Stephen Davis, MBA
Licensure Unit Manager
The Commonwealth of Massachusetts
Department of Public Health
Division of Health Care Facility Licensure and Certification
99 Chauncy Street, 11th Floor
Boston, MA 02111
Attention: Closure Coordinator

Background

On March 21, 2018, KCP Advisory Group, LLC was appointed as receiver (the "Receiver") for Waban Health Center, LLC by order of the United States District Court for the District of Massachusetts in *Capital Finance LLC et al v. 22 Maple Street, LLC et. al.*, case no. 18-10172-RWZ. The Receiver continues in custody and control of the operations of Waban Health Center. Next Step Healthcare continues as the manager of Waban Health Center. During the Receivership, efforts have been made to stabilize the finances of Waban Health Center and to identify a new, sufficiently capitalized seasoned owner to acquire the facility and operations. No such operator has been identified, and the Receiver has determined that the facility should be closed.

Notice to Residents and other Interested Parties

Waban Health Center, LLC, by KCP Advisory Group, LLC as Receiver, issued the Notice of Intent to Close on October 17, 2018. On that date, the Notice of Intent to Close was posted at the Facility and issued to residents by hand delivery, by First Class mail to their legal representative or designated contact on file and other interest parties as required by the applicable regulations, as set forth on the attached Notice List.

Long Term Care Ombudsman

The Notice List includes the Long Term Care Ombudsman for the facility. Residents and their families and other representatives may contact the Long Term Ombudsman for assistance at the following:

State Long Term Care Ombudsman
Mass. Executive Office of Public Health
Ombudsman Office
One Ashburton Place, 5th Floor
Boston, MA 02108

Local Long Term Care Ombudsman
Springwell
Attn: Lisa Palaia, Long Term Care
Ombudsman
307 Waverly Oaks Rod, Suite 205
Waltham, MA 02452
Tel.: (617) 926-4110

Relocation Plan

Next Step Healthcare ("Next Step"), which manages Waban Health Center, has offered to relocate the programs and employees at Waban Health Center to Norwood HealthCare (located at 460 Washington Street, Norwood, MA. 02062), which it also manages. This option, detailed below, will be available to all residents who give their consent, up to available capacity. In addition, Next Step Healthcare manages other portfolio facilities, including three in Newton and one in Dedham, which can accommodate residents. The Facility will work to accommodate any other transfer desired by a resident. These efforts are aimed at identifying appropriate alternate placements for all residents in a facility capable of meeting all of their needs and including the consideration of the resident's and family's choice of facility.

Transfer of programs, employees and residents to Norwood HealthCare:

A significant percentage of the resident population of Waban Health Care, presents psycho-geriatric behaviors, which benefit from specific competencies and programs that are offered at the Waban facility. The Director of Nurses, other Waban facility management and direct caregivers will be offered positions at Norwood HealthCare. This will promote the continuity of care, allowing employees to continue the programming and support that they are currently

providing. The Norwood facility has the bed capacity to accommodate a transfer of 50 to 60 residents.

The ability to transfer the program, residents and employees from Waban Health Center to Norwood HealthCare minimizes disruption and encourages continuity of resident care. Since Next Step is currently managing both facilities, clinical and therapeutic systems can be integrated seamlessly into the Norwood facility. Additionally, the Norwood physical plant is a significant upgrade to that of Waban.

Because of the capacity at Norwood, and the proposed relocation of employees and programs, the transfer of residents to Norwood greatly minimizes the disruption to residents while it increases the efficiency of the closing of the Waban facility. Department of Public Health regulations specify that only five residents per day may be transferred unless the Facility has demonstrated to DPH that it has sufficient staff and resources for transferring a larger number of residents per day in an orderly fashion and receives DPH approval. The Waban facility has two nursing units of 44 beds each – one unit on the first floor and one unit on the second floor. The ability to transfer staff to the Norwood facility should enable a transfer of up to 10 residents per day, while providing required staffing levels at both the Waban and Norwood facilities. Waban Health Center is seeking Department approval to transfer up to 10 residents per day.

Resident Counseling

Waban Health Center will assist residents, their families, and representatives in preparing for closure of the Facility. We will provide individual and group meetings to prepare the residents for the transfer options and process, including psychological preparation or counseling of each resident as necessary. We will consult with each resident or legal representative regarding placement options and the placement process being considered, and to obtain required consent. Family meetings will be held to provide information on the closure process and steps the facility will undertake to ensure the appropriate transfer or discharge of each resident, with notice provided to residents, their families / representatives, and the Resident Council and Family Council.

Admissions and Readmissions

Until the Closure Plan is approved by the Department of Public Health, Waban Health Center will not freeze admissions, however, we will inform all prospective admissions that we have filed the Notice of Intent to Close. We will follow all applicable state and federal regulations related to residents who are admitted to hospital care, including applicable bedholds. We will continue to readmit all hospitalized patients as required, and will accommodate any resident who desires to transfer to another facility following hospitalization.

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Medical Records Storage

Waban Health Center and Next Step will work together to assure the collection and proper storage of medical records occurs. Patient records for residents who transfer to a Next Step facility (Norwood Health Center, or other Next Step facility) will be transferred to and maintained by that facility. Copies of all medical records will be provided to the destination facility at the time of transfer for all residents, and Waban Health Center will designate a contact person for communications with the destination facility regarding resident care and needs. Waban will collect, catalog and store all medical records upon closure of the Facility and have documents stored and available through the expiration of state retention periods.

Information and services for our Employees

We understand that this is a difficult time for the employees of Waban, many of whom have served the facility's residents for years. Waban Health Center is committed to working with its employees to ease the difficulties associated with the transition by offering positions at the Norwood facility to most current Waban employees. Those employees who choose to relocate to the Norwood facility will be given credit for their years of employment with the Waban facility. For employees who elect not to relocate to the Norwood facility Next Step will attempt to match employees with open positions at the other three skilled nursing facilities it operates within Newton as well as helping employees explore job opportunities at the other facilities it manages. Employees will continue to be paid by Waban and receive their existing benefits through their date of relocation to Norwood or another Next Step location or for a minimum of sixty days from this notice date if they choose not to relocate.

For employees who do not relocate from Waban Health Center to either the Norwood or another Next Step managed facility, Waban Health Center will contact the Massachusetts Dislocated Worker Center and the Massachusetts Career Center, enabling employees to take advantage of those services. We may contact area long term care facilities in order to expand the network of available employers who may seek to employ Waban Health Center employees in addition to the facilities managed by Next Step.

Employee meetings will be scheduled to communicate the closure plan and answer their related questions. Employees that are being offered employment will be provided a letter detailing their compensation and benefits at the Norwood or other Next Step managed facility. We will continue to update employees as the plan unfolds and additional information is available.

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Revisions to this Closure Plan

Waban Health Center may revise this Closure Plan to provide additional information in response to public comments, resident and family comments, and its ongoing communication with state agencies including the Department of Public Health, up to the time the Notice of Hearing is issued.

Ongoing Communications

We will be working with residents and their families, with employees, and with state agencies including the Department of Public Health throughout this process to assure the orderly transition of care for our residents. Information will be posted at the Facility on a regular basis. We will provide advance notice of meetings to be conducted with residents, their families and representatives to those persons and to the Resident Council and Family Council.

Residents, their Families, and Representatives may contact the following for further information: You may contact me at pvalentine@kcpadvisory.com / (617) 759-4814 (cell) or at the KCP Advisory Group address above. You may also contact Dave Foley, Vice President of Acquisitions at Next Step Healthcare dfoley@nextstephc.com / (781) 404-3908.

Very truly yours,

WABAN HEALTH CENTER, LLC



By: Paul Valentine
Senior Managing Director
KCP Advisory Group, LLC
As Receiver for Waban Health Center, LLC

Dated: October 24, 2018

Notice List
 For the Notice of Intent to Close and Notice of Public Hearing
 Regarding Waban Health Center

Notice Party <i>Notice method</i>	Address
Resident / legal representative <i>By First Class Mail and By Hand to residents</i>	In person at the facility - 20 Kinmoth Rd., Newton, MA Resident's permanent residence address on file Address on file for legal representatives
Designated Family Member <i>By First Class Mail</i>	Address on file for designated family members
Resident Council <i>By Hand</i>	20 Kinmoth Rd., Newton, MA
Family Council <i>By First Class Mail</i>	
Employee / Staff Member <i>By First Class Mail and Distributed at the Facility</i>	Address on file for employee and distributed at the Facility
Each Labor Organization	Not applicable
State Ombudsman <i>By First Class Mail</i>	Mass. Executive Office of Public Health Ombudsman Office One Ashburton Place, 5 th Floor Boston, MA 02108
Local Ombudsman <i>By First Class Mail</i>	Springwell Attn: Lisa Palaia , Long Term Care Ombudsman 307 Waverly Oaks Rod, Suite 205 Waltham, MA 02452
Members of the General Court who represent the City of Newton <i>By First Class Mail</i>	Senator Cynthia Stone Creem (Room 312-A) Representative Ruth B. Balzer (Room 136) Representative Kay Khan (Room 146) Representative John J. Lawn, Jr. (Room 174) 24 Beacon Street Boston MA 02133
Representatives of the Local Officials, City of Newton <i>By First Class Mail</i>	Mayor Ruthanne Fuller 1000 Commonwealth Avenue Newton, MA 02459 David A. Olson, City Clerk 1000 Commonwealth Avenue Newton, MA 02459