

HOUSE No. 4062

The Commonwealth of Massachusetts

PRESENTED BY:

John J. Lawn, Jr.

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to essential services.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>John J. Lawn, Jr.</i>	<i>10th Middlesex</i>	<i>1/17/2025</i>
<i>David Paul Linsky</i>	<i>5th Middlesex</i>	<i>9/30/2025</i>

HOUSE No. 4062

By Representative Lawn of Watertown, a petition (accompanied by bill, House, No. 4062) of John J. Lawn, Jr., relative to the closing of hospitals or the discontinuance of essential health services. Health Care Financing.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Fourth General Court
(2025-2026)**

An Act relative to essential services.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Section 51G of chapter 111 of the General Laws, as amended by section 63 of chapter
2 343 of the acts of 2024, is hereby further amended by striking out paragraph (4) and inserting in
3 place thereof the following paragraph:-

4 (4) Any hospital shall inform the department 90 days prior to the closing of the hospital
5 or the discontinuance of any essential health service provided therein. The department shall by
6 regulation define the words “essential health service” for the purposes of this section. The
7 department shall, in the event that a hospital proposes to discontinue an essential health service
8 or services, conduct a public hearing on the closure of said essential services or of the hospital,
9 and the department may seek an analysis of the impact of the closure from the health policy
10 commission. The department shall determine whether any such discontinued services are
11 necessary for preserving access and health status in the hospital's service area and shall require
12 hospitals to submit a plan for assuring access to such necessary services following the hospital's

13 closure of the service and assure continuing access to such services in the event that the
14 department determines that their closure will significantly reduce access to necessary services.
15 The department, in making any determination on the closure of said essential services or a
16 hospital, shall: (i) consider the state health resource plan developed pursuant to section 22 of
17 chapter 6D; and (ii) seek an analysis of the impact of the closure from the division of insurance
18 to determine if the closure will cause a carrier not to meet the standards for network adequacy
19 pursuant to 211 CMR 52.12 or any successor regulation. The department shall conduct a public
20 hearing prior to a determination on the closure of said essential services or of the hospital. No
21 original license shall be granted to establish or maintain an acute-care hospital, as defined in
22 section 25B, unless the applicant submits a plan, to be approved by the department, for the
23 provision of community benefits, including the identification and provision of essential health
24 services. In approving the plan, the department may take into account the applicant's existing
25 commitment to primary and preventive health care services and community contributions as well
26 as the primary and preventive health care services and community contributions of the
27 predecessor hospital. The department may waive this requirement, in whole or in part, at the
28 request of the applicant that has provided or at the time the application is filed, is providing,
29 substantial primary and preventive health care services and community contributions in its
30 service area.