



THE GENERAL COURT OF MASSACHUSETTS
STATE HOUSE, BOSTON 02133-1053

Hon. Maura Healey, *Attorney General*
Commonwealth of Massachusetts
One Ashburton Place
Boston, MA 02108

January 9, 2018

Dear Madam Attorney General,

We the undersigned legislators are writing you to express our deep concern regarding the planned closings of four Kindred Transitional Care & Rehab Centers (hereinafter "Kindred") in South Boston, Needham, Dedham, and Canton. These facilities provide long-term care for some of our most vulnerable constituents, as well as generate over 600 jobs for direct care workers.¹ While we understand the strict protocol that the Department of Public Health must follow in closing long-term care facilities, we are concerned that patients, their families, and our communities may have been negatively impacted by the callous and calculated tactics employed by Kindred.

We also have additional concerns as to how Kindred's upper management may have handled funding allotted to their direct care staff in the Commonwealth's fiscal year (FY) 2017 budget. Chapter 133 of the Acts of 2016, line item 4000-0640 includes an appropriation with the specific provision that, "not less than \$35,500,000 shall be expended to fund a rate-add on for wages, benefits, and related employee costs of *direct care* [emphasis added] staff of nursing homes." Although the language in statute clearly states that direct care staff must have directly received this allocation to supplement their salaries, recent investigations indicate that senior executives of Kindred may have mismanaged these dollars to increase the projected worth of their facilities.

Under Massachusetts General Law c.93A, your office has the ability to investigate methods of competition and unfair or deceptive acts in the conduct of any trade or commerce, and the power to provide injunctive relief to cease inequitable business practices. We respectfully request that your office investigate the circumstances surrounding Kindred's closing, and the money allocated from FY 2017's budget further. Ultimately, Kindred's senior officials are responsible for the closure and sale of these long-term care facilities, and therefore would seemingly be liable if state money was used to increase the overall profitability of their operation.

¹ <https://www.bizjournals.com/boston/news/2017/12/06/more-than-600-workers-will-be-cut-as-kindred.html>

Thank you for your attention to this matter. We would welcome a chance to discuss the Kindred closings with you and your staff at the earliest convenience. Please do not hesitate to contact us directly with any further questions or comments.

Sincerely,



NICK COLLINS
State Representative



DENISE GARLICK
State Representative



WILLIAM GALVIN
State Representative



PAUL McMURTRY
State Representative



LINDA DORCENA FORRY
State Senator



MICHAEL RUSH
State Senator



RICHARD ROSS
State Senator



WALTER TIMILTY
State Senator