



Board of Health

Edward Cosgrove, PhD
Chair

Stephen Epstein, MD, MPP
Member

Jane Fogg, MD, MPH
Vice Chair

ARTICLE 10 **HOSPICE PERMIT REGULATIONS**

SECTION 10.1 **AUTHORITY**

The Board of Health adopts the following regulations under the provisions of Massachusetts General Laws (M.G.L.), Chapter 111, Section 31.

SECTION 10.2 **RATIONALE/PURPOSE**

This regulation applies to any residential hospice house operating in the Town of Needham. It is designed to protect the safety of residents and the environment by ensuring compliance with health and safety procedures relating to the handling, storage, and disposal of medical waste, as listed in Section 12.4.1, Permit Requirements, of this regulation.

SECTION 10.3 **DEFINITIONS** (As used in this regulation):

Residential Hospice House: any residential dwelling in which care is given to five (5) or more terminally ill patients who have medically documented prognoses of less than six (6) months to live.

SECTION 10.4 **PERMIT**

No residential hospice house shall operate in the Town of Needham without first receiving a permit issued by the Needham Board of Health. The permit shall be issued subject to the requirements of 12.4.1 and shall be renewed each year by January 1.

10.4.1 Permit Requirements:

Prior to issuance of the initial permit the Board of Health shall conduct an inspection and review records to ensure that the residential hospice house:

(a) Owner/operator is licensed to provide hospice care by the State of Massachusetts, under 105 CMR 141.001, Licensure of Hospice Programs.

(b) Complies with all requirements for handling and disposing of “sharps”, “blood and blood products”, and “dialysis wastes” as defined in 105 CMR 480.000--Storage and Disposal of Infectious or Physically Dangerous Medical or Biological Waste; State Sanitary Code Chapter VIII. The applicable sections of 105 CMR 480.000 are: 105 CMR 480.100 (A) through (F); 105 CMR 480.200 (A), (B), and (C); 105 CMR 480.300 (A) and (B); 105 CMR 480.500 (A) through (F), and 105 CMR 480.600 (A) through (G).

10.4.2 Inspections:

A residential hospice house shall be inspected biannually by the Board of Health to ensure compliance with the permit requirements.

10.4.3 Fees:

The Board of Health shall charge a fee for a permit to operate a residential hospice house of one hundred (100) dollars per year.

SECTION 10.5 PENALTIES/ENFORCEMENT

Any operator/owner of a residential hospice house who shall violate any provision of these rules and regulations or operates a residential hospice house without a permit from the Board of Health may be punished by a fine of not less than twenty five (25) dollars or more than one hundred (100) per day of violation.

SECTION 10.6 SEVERABILITY

Each provision of these regulations shall stand alone. Should any section of these rules be deemed invalid for any reason, the remaining provisions shall remain in full force and effect.

SECTION 10.7 EFFECTIVE DATE

This regulation shall take effect after publication of a summary of the regulation in a newspaper published in the Town of Needham. As required by Massachusetts General Laws, Chapter 111, Section 31, an attested copy has been filed with the Department of Environmental Protection. A public hearing regarding this regulation was held on 07/20/93. This regulation was voted by a majority of this Board on 07/20/93.