



STATE OF ILLINOIS
HEALTH FACILITIES AND SERVICES REVIEW BOARD

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DOCKET ITEM: A-02	BOARD MEETING: May 9, 2024	PROJECT NUMBER: 19-003
PERMIT HOLDERS(S): River North Surgery Center, LLC Fertility Surgical Partners, LLC Fertility Centers of Illinois S.C.		
FACILITY NAME and LOCATION: River North Center for Reproductive Health, Chicago		

STATE BOARD STAFF REPORT
PERMIT RENEWAL REQUEST

I. Background

On April 30, 2019, the State Board approved Project #19-003. The permit authorized the establishment of a limited-specialty ASTC in Chicago. The State Board Staff notes the project is obligated, and the current project completion date is June 30, 2024. Original project cost: \$15,615,112.

State Board Staff notes the permit holders submitted the permit renewal request on March 14, 2024. This submittal was in accordance with 77 IAC 1130.740(d), which states that the State Board must receive renewal requests at least 45 days prior to the permit expiration date. A \$500.00 permit renewal fee accompanied the renewal request.

II. Findings

State Board Staff notes this is the third renewal request for this project and the permit holders have submitted all the information required in Section 1130.740 for a permit renewal. The chronology for the two previous permit renewal requests and one permit alteration are listed below.

- 1) May 12, 2021: Permit holders approved for a 24-month renewal, from June 30, 2021, to June 30, 2023.
- 2) January 2, 2022: Permit holders approved for a permit alteration to increase size of project from 18,258 GSF to 18,953 GSF. An increase of 695 GSF (3.8%)
- 3) June 27, 2023: Permit holders approved for a 12-month renewal, from June 30, 2023, to June 30, 2024.

III. The Permit Renewal Request

- A. Requested Completion Date: The permit holders request a project completion date of December 31, 2024. This would extend the project's completion date six months, from June 30, 2024, to December 31, 2024.
- B. Status of the Project and Components Yet to be Finished: The permit holders state the construction phase is complete, with IDPH survey/licensure inspections, and final cost report remaining.
- C. Reason(s) Why the Project Has Not Been Completed: The permit holders note on December 31, 2023, after completion of the initial construction phase, the facility experienced massive flooding. The permit holders worked to repair the flood damage, which delayed the scheduling of IDPH surveys/inspections by four months. Final occupancy checklist certifications were submitted to IDPH in March 2024, and the facility awaits its survey from the Agency. The permit holders are requesting an additional six months to allow time for life safety code and nursing surveys.
- D. Evidence of Financial Commitment to Fund the Project: The permit holders indicate that \$12,700,000 (81.4% of the overall project cost) has been expended to date, and that sufficient resources exist to reach project completion.
- E. Anticipated Final Cost of the Project: The permit holders estimate the project will not deviate from the original permit amount of \$15,615,112.

IV. Project Description & Other Background Information

The permit authorized the establishment of a limited-specialty ASTC in Chicago. Project cost: \$15,615,112.

Permit Issuance Date:	April 30, 2019
Project Obligation Date:	August 15, 2019
Original Project Completion Date:	June 30, 2021
Proposed Project Completion Date: (24-month renewal request)	June 30, 2023
Proposed Project Completion Date: (12-month renewal request, 2 nd request)	June 30, 2024
Proposed Project Completion Date: (6-month renewal request, 3 rd request)	December 31, 2024

V. Applicable Rules for Permit Renewal Requests

77 IAC 1130.740 specifies that a permit holder may request a change in the approved project completion date by applying for a permit renewal.

77 IAC 1130.230(h)(5) states that failure to complete a project or to renew a permit within the prescribed timeframes will subject the permit holders to the sanctions and penalties provided in the Act and this Subpart.

77 IAC 1130.740(b) states that a permit renewal will commence on the expiration date of the original or renewed completion period.

77 IAC 1130.740(c) states that the State Board must be in receipt of a permit renewal request at least 45 days prior to the expiration date of the completion period, and include the following: 1) the requested completion date; 2) a status report on the project detailing what percent has been completed and a summary of project components yet to be finished and the amount of funds expended on the project to date; 3) a statement as to the reasons why the project has not been completed; and 4) confirmatory evidence by the permit holders' authorized representative that the project's costs and scope are in compliance with what the State Board approved and that sufficient financial resources are available to complete the project.

77 IAC 1130.740(d) states the State Board staff will review the request and prepare a report of its findings. If the findings are that the request is in conformance with all HFSRB criteria, and if this is the first request for this project, then the request, staff's findings, and all related documentation shall be sent to the Chairman. The Chairman, acting on behalf of HFSRB, will approve, deny, or refer the request to the HFSRB for action. If staff finds that all criteria are not positive or, if this is not the first request for this project, or if the Chairman refers this to HFSRB for action, then HFSRB will evaluate the information submitted to determine if the project has proceeded with due diligence (as defined in 77 IAC 1130.140). Denial of a permit renewal request constitutes HFSRB's Notice of Intent to revoke a permit and the permit holders will be afforded an opportunity for an administrative hearing.