

Constantino, Mike

From: Clare.Ranalli@hklaw.com
Sent: Monday, November 15, 2010 10:53 AM
To: Constantino, Mike
Cc: Lori.Wright@fmc-na.com
Subject: Fresenius Joliet CON Application

Dear Mike:

You recently asked about the physician's investment interest in the LLC that will own/operate the proposed Fresenius Joliet facility. Stark does not apply to outpatient dialysis services as these services are not designated health services under Stark. Fresenius does not bill for any designated health services on behalf of clinics which have a physician ownership as it relates to pharmaceuticals or other items ordered by the physician with the ownership interest. I hope this addressed your question fully. If not please do not hesitate to contact me. Thank you.

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