

**Memo**

**From:** Mike Constantino  
**File:** # 10-086 Fresenius Medical Care East Aurora  
**Re:** Public Hearing  
**Hearing Officer:** Courtney Avery  
**Location:** Aurora Police Department, 1200 East Indian Trail, Aurora, Illinois  
**Date:** February 24, 2011

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Number of Individuals in Support of the Project no testimony:	36
Number of Individuals in Support of the Project testimony:	15
Number of Individuals in Opposition to the Project no testimony:	3
Number of Individuals in Opposition to the Project testimony	5

# ILLINOIS HEALTH FACILITIES and SERVICES REVIEW BOARD

## Public Hearing Register

Project: Fresenius Medical Care East Aurora, Project # 10-086

Date: February 24, 2011

Location: Aurora Police Department, 1200 East Indian Trail; Aurora, Illinois 60505

Time: 10AM

### ATTENDANCE/NO TESTIMONY ON PROJECT

✓ #	NAME (Please Print)	AGENCY, ORGANIZATION OR INSTITUTION REPRESENTED (PLEASE PRINT)	CITY (Please Print)	(S) SUPPORT (O) OPPOSE (N) NEUTRAL
1	Alithea Fields			Support
2	CHARLES VOLKAR		AURORA	SUPPORT
3	PRAGNA DODHIA		AURORA	SUPPORT
4	SUSAN JONES			Support
5	PAT SEURELBER		GLEN ELLEN	SUPPORT
6	MARY MCGOWAN		AURORA	SUPPORT
<del>7</del>	<del>PATRIKIA RIVKIN</del>	<del>Dreyer Medical Billing</del>	<del>Aurora</del>	<del>Support</del>
8	Petra Rosa		Aurora	Support
9	Ismael Rosa SR		Aurora	Support
10	Victorid Rosa		Aurora	Support
11	Bertha Rosa		Aurora	Support
12	Htf Pakhruddin		Dreyer Billing	Support
13	Andrew Amposta		Aurora, City of	Support
14	BINA MURZA		Aurora	Support

Appendix

#	NAME (Please Print)	AGENCY, ORGANIZATION OR INSTITUTION REPRESENTED (PLEASE PRINT)	CITY (PLEASE PRINT)	(S) SUPPORT (O) OPPOSE (N) NEUTRAL
15	STACY Linden	Fresenius Dswego	Dswego	S
16	Mary S. Felix		Aurora	Support
17	Kathy Zanolfo (Waulfe)	concerned citizen	Sugar Grove	Support
18	Pat Waulfe	concerned citizen	Sugar Grove	Support
19	Kemi Forestieri	Renaissance Management	Elgin	Support
20	<del>Patricia K. Cooks</del>	FOR VALLEY MEN ASSOCIATES	Aurora	O
21	<del>Patricia K. Cooks</del>	Renaissance Management	Aurora	O
22	<del>Angela Scott Jones</del>	FOR Valley District	Aurora	O
23	<del>Deborah Gallagher</del>	FOR Valley District	Aurora	O
24	PILAR SALCEDO	CITIZEN	Naperville	S
25	MARGARITA PEREZ	CITIZEN	Aurora	S
26	SONYA R. GOODMAN	CITIZEN	Aurora	S
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1	JOSE A. PANCIENIEN	EMS AURORA DIALYSIS	AURORA	S
2	DOMINIQUE LORENZ	AURORA DIALYSIS	AURORA	S
3	CARL R. TARRAR	" "	" "	S
4	Christine Klapp	EMS Aurora Dialysis	Aurora	S
5	Geori Keilmann	EMS Aurora Dialysis	Aurora	S
6	George E. Shadlington	EMS AURORA DIALYSIS	AURORA	S
7	Malay E. Shadlington	EMS AURORA DIALYSIS	AURORA	S
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#	NAME (Please Print)	AGENCY, ORGANIZATION OR INSTITUTION REPRESENTED (PLEASE PRINT)	CITY (PLEASE PRINT)	(S) SUPPORT (O) OPOSE (N) NEUTRAL
38	Terese Raabe	Rush-Copley Medical Center	Aurora	OPOSE
39	Gail Bunnamer	Rush-Corlea Medical Center	Aurora	OPOSE
40	Kristen Bellus	Rush-Copley Medical Center	Aurora	OPOSE
41	REBEKA KATTERMANN	CITY OF AURORA	AURORA	SUPPORT
42	Mayor Saqani	Dreyer Medical	Aurora	SUPPORT
43	Suzanne Phillips	Dreyer Medical Clinic	Aurora	SUPPORT
44	Lowell Carpenter	Dreyer Medical Clinic	Aurora	SUPPORT
45	Calvin R. Bidman	<del>Dreyer Medical</del>	Aurora	
46	Carloita Padilla			
47	JENNIFER BOLL		AURORA	SUPPORT
48	Bina Mirza	Dreyer Medical Clinic	Aurora	SUPPORT
49	AURORA AMPOSTA		Aurora	SUPPORT
50	Carey Plus	Leopards Company,	Aurora	SUPPORT
51	Anne Kinn	Dreyer Medical Clinic	Aurora	SUPPORT
52	Lisa Groskopf	Dreyer Medical Clinic	Aurora	SUPPORT
53	Esther Beberly	Dreyer	Aurora	SUPPORT
54	Ling Romms	EMERSONS Medical Care	Aurora	SUPPORT
55	Julie Fanning	Fresenius (also Family dialysis)	Aurora	SUPPORT
56	Jose Murgante	Dreyer Medical Clinic	Aurora	SUPPORT
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#	NAME (Please Print)	AGENCY, ORGANIZATION OR INSTITUTION REPRESENTED (PLEASE PRINT)	CITY (Please Print)	(O) ORAL (W) WRITTEN (B) BOTH
✓ 1	Gail BURGESS	Psu Co-ordinator	Aurora	B
✓ 2	Delia M. WIZIALL	DMU Associates, LLC	Chicago	B
✓ 3	PARDEEP K SOON	TOP VALLEY MED ASSOCIATES	AURORA	B
✓ 4	Carvin Esteney	Romascaine Management Group	AURORA	B
✓ 5	Andres Gallago	FOX VALLEY DIABETES	AURORA	B
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# ILLINOIS HEALTH FACILITIES and SERVICES REVIEW BOARD

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### TESTIMONY TO SUPPORT PROJECT

#	NAME (Please Print)	AGENCY, ORGANIZATION OR INSTITUTION REPRESENTED (PLEASE PRINT)	CITY (Please Print)	(O) ORAL (W) WRITTEN (B) BOTH (PLEASE PRINT)
✓ 1	Pathony T. Fennelli		Aurora	Oral
✓ 2	Joseph Kuczyn		Aurora	
✓ 3	Nancy Kuczyn		Aurora	Both
✓ 4	Lorelei Davis		Aurora	
✓ 5	<del>Patricia Davis</del>			
✓ 6	<del>James Davis</del>			
✓ 7	<del>Michaela Davis</del>			
✓ 8	<del>Patricia Davis</del>			
✓ 9	Geri Keimann		Aurora	Oral
✓ 10	Tenny Louise	FMC - Aurora	Aurora	Both
✓ 11	Bill GAZDA	FMC - Aurora		Both
✓ 12	Lori Wright	Fresenius	Westchester	Both
✓ 13	Dere Plmelli	on behalf of Fresenius	Chicago	Both
✓ 14	Nannchandra Sodhan	Medical Director FMC	Aurora	Both

Aurora

Support and Oral or Written or Both

#	NAME (Please Print)	AGENCY, ORGANIZATION OR INSTITUTION REPRESENTED (PLEASE PRINT)	CITY (PLEASE PRINT)	(O) ORAL (W) WRITTEN (B) BOTH
15	Muly Rosa	Fire-Aurora	Aurora	B/B
16	<del>ATIF FAKHREDDIN</del>	<del>Dreyer Clinic</del>	<del>Aurora</del>	<del>W</del>
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<del>1</del>	<del>STAZANE PHIPPS</del>	<del>City of Aurora</del>	<del>Aurora</del>	<del>Support</del>
2	Petig			
✓ 3	Paul O'Brien		Aurora	W
<del>4</del>	<del>Kevin Kibben</del>	<del>Dreyer Medical Clinic</del>	<del>Aurora</del>	<del>OS</del>
✓ 5	Mayor Saviani	Dreyer Medical Clinic	Aurora	Support
6	BREBBA KATHERMAN	City of Aurora	Aurora	Support
<del>7</del>	<del>ANORES ANORA</del>	<del>City of Aurora</del>	<del>Aurora</del>	<del>Support</del>
8	Bina Mirza	Dreyer Medical Clinic	Aurora	Support
W 9	Donna Hopp	Dreyer Medical Clinic	Aurora	Support (W)
W 10	Elizabeth Hopp	Dreyer Medical Clinic	Aurora	Support (W)
<del>11</del>	<del>JOSE MARGO</del>	<del>Dreyer Medical Clinic</del>	<del>Aurora</del>	<del>OS</del>
✓ 12	Kari Einar	Dreyer Medical Clinic	Aurora	W
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14				

Support

#	NAME (Please Print)	AGENCY, ORGANIZATION OR INSTITUTION REPRESENTED (PLEASE PRINT)	CITY (PLEASE PRINT)	(O) ORAL (W) WRITTEN (B) BOTH
✓ 38	Diane Latt York	Fisheries	Quincy	Both
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Mily Rosa  
One copy  
only

February 24, 2011  
Public Hearing

Good morning and Thank you for coming today.

My name is Mily Rosa and I am the secretary for the Aurora Dialysis-Fresenius. Not only am I the secretary, but I was also a patient at the dialysis center back in 1996, I'm proud to say that on January 25, 2001 not only did I receive a kidney but a 2<sup>nd</sup> chance for life. •

Believe me, I was in shock when I was first told by my doctor that I had to start dialysis. To my knowledge, no one in my family had kidney problems. So many thoughts were going through my mind. I feared of the **WHO, WHAT, WHERE, WHEN, HOW AND WHY?**

WHO will help?  
WHAT is dialysis?  
WHERE will I have to go?  
HOW will I get there?  
WHEN will I have time, I need to work.  
And, of course, the WHY me.

I had no idea what dialysis was or how I would be able to handle it. But when I first went to the center and spoke to the nurses' and techs and they made me feel as comfortable as I could, and answer every single question I had.

I had explained to them that I was able to come at a certain times because I was planning to go to work. They worked with me, so I was able to continue to work and maintain a day to day schedule.

My transportation was my dad. I was lucky to have someone. With out him, it would have been difficult for me; from where I lived, to the dialysis center. I had to consider my fathers time. He worked second shifted and sometimes he had the opportunity to work overtime. Luckily, the dialysis center had various shift and so they would try to accommodate me and I could have my dialysis.

I was also afraid of the distance from my home. Having to go too far would have interfered with my job and also my fathers. Not to mention, leaving the dialysis center and feeling too sick to move or weak because I haven't eaten enough; because I was afraid to eat so I wouldn't get sick. **Once I arrived home, what a relief. Mom was there to save the day!**

*And lastly the "Why", I asked myself over a million times, 'why did this happen to me?' I asked myself over and over and over. I never received an answer. With the support of my family, and my faith, and honestly, my faith was questionable but I decided to leave it in the hands of God. I get angry, sad, depressed, and finally I accepted dialysis. Once I did...things become a little easier I accepted my path. I try to take care of myself a bit more, make myself more knowledgeable, and put myself first. Thank you again for coming. •*

ONE COPY  
LETTER  
ONLY

TO WHOM IT MAY CONCERN

Dear Sir/Madam.

I am a practicing Nephrologist in this area. With the growing population needing dialysis it is prudent to provide a facility that would be convenient for patients especially when we are frequently challenged by extreme weather conditions in this area.

Also to this sick population of patient any reduction in commute time would mean a lot to their lives, since dialysis is almost part of their lives.

I request for your support to let facilities go <sup>ahead</sup> with this project

ATIF FAKHRUDDIN, MD.  
133N FORESTVIEW LN  
AURORA, IL 60502  
630-800-5540

one copy  
writer  
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My name is Elisabeth Kopp and I have lived on the east side of Aurora for all my 27 years and my mother Donna Kopp has been a patient of ~~east~~ Dr. Dohdia for 10 years now, she has been a lifetime resident of east Aurora and will some day need dialysis from Dr. Dohdia and I am in full support of him and his practice and to see a need for another dialysis center especially one closer to home.

Thank you  
Elisabeth A. Kopp



## Fresenius Medical Care

February 24, 2011

Ms. Courtney Avery  
Illinois Health Facilities & Services Review Board  
525 W. Jefferson Street, 2<sup>nd</sup> Floor  
Springfield, IL 62761

Re: Public Hearing on Project 10-086

Dear Ms. Avery:

I am providing this letter in support of the Fresenius East Aurora project, as I am unable to attend the public hearing scheduled for February 24, 2011. I am a Regional Vice President for Fresenius Medical Care - North America covering a large part of the Chicago Metropolitan Area including East Aurora where the clinic is proposed to be located. I have been responsible for this area for some time, and am familiar with the consistent growth and high utilization of our clinic in Aurora, which has operated for over 20 years, as well as the Fox Valley Dialysis Clinic. These two clinics have almost always operated at the 80% target utilization rate or higher, despite the planned and consistent addition of stations.

The current Fresenius Aurora clinic has nearly doubled its station count in recent years and cannot physically expand further to accommodate the dialysis patients of those nephrologists who admit to it. Therefore, it is necessary to address the pending need in the area for dialysis stations by establishing a new clinic in East Aurora. The clinic will not adversely impact the Renaissance Management's Tri-Cities or Yorkville clinics as they are well over 30 minutes away. At this point, there are no patients Dr. Dodhia has identified for the East Aurora facility that could reasonably be served by either of these facilities.

The only clinics within 30 minutes travel time that could arguably be impacted by East Aurora are the existing Fresenius Aurora clinic, the Fox Valley Dialysis clinic and the Fresenius West Batavia clinic which is not yet operating and is 30 minutes away. First, I note that Fox Valley is over 80% target utilization and has been for years. Also, with regards to the current Fresenius Aurora facility, Fresenius would not propose to establish a clinic that would negatively impact its own existing clinics nor would it propose to establish a clinic that it did not believe would be sufficiently utilized. Dr. Dodhia and his practice partners have admitted to Fresenius clinics for decades, and we have found him to be a physician who cares for his patients, invests himself in treating a diverse patient

**Fresenius Medical Services ♦ Dialysis Services**

One Westbrook Corporate Center, Suite 1000 Westchester, IL 60154 708-562-0371 Fax: 708-498-9283

population and who is reliable regarding his anticipated ESRD patient load and referral base. This has been evidenced in two recent CONs for expansion at the Aurora facility, #09-18 & #10-054. We reviewed the information he submitted to us and believe that it soundly supports the need for a new clinic in East Aurora, and our experience in the area (as well as that of our competitor's Fox Valley Dialysis) provides empirical evidence that this is true.

Lastly, as Regional Vice President I reviewed the general population growth in the Aurora area over the past 5 to 10 years. The population in the region has grown significantly further supporting the general proposition that the incidence of ESRD in the population will grow with it. I have attended CON Board meetings on behalf of Fresenius for many years, and understand it must analyze each situation on its own merits, applying its rules and reviewing the information before it. Thus, it is with sincere respect that I urge the Board to approve this application as one that makes good sense to provide adequate access to the diverse and growing population in this area.

Sincerely,

A handwritten signature in cursive script, appearing to read "Coleen Muldoon".

Coleen Muldoon  
Regional Vice President  
Fresenius Medical Care

Andrés J. Gallegos | RSP CHICAGO

Email agallegos@rsplaw.com  
Direct 312.456.0381

**ROBBINS, SALOMON & PATT, LTD.**  
*Attorneys at Law*

February 23, 2011

Mr. Dale Galassie  
Chairman  
Health Facilities and Services Review Board  
525 West Jefferson Street, 2<sup>nd</sup> Floor  
Springfield, Illinois 62761

**RE: PUBLIC HEARING TESTIMONY OPPOSING  
FMC - EAST AURORA: HFSRB #10-086**

Dear Mr. Galassie:

My name is Andrés J. Gallegos. I am an attorney with the Chicago law firm of Robbins, Salomon and Patt, Ltd. I serve as the outside corporate counsel for Fox Valley Dialysis, Ltd. ("Fox Valley Dialysis") and its affiliates. On behalf of my client, we respectfully move the Health Facilities and Services Review Board (the "Review Board") to deny Fresenius Medical Care's ("FMC") East Aurora Certificate of Need (CON) application for the following reasons:

1. As reflected in the opposition letter from Dr. Harry Rubinstein and Dr. Pardeep Sood, both nephrologists and principals of Fox Valley Dialysis, who each service the Aurora area, the Review Board should wait until the nearby FMC West Batavia facility is at 80% utilization before it approves another facility in the community. By the applicant's own admission, that project is 12 months away from becoming operational. When it is operational, FMC-West Batavia is a plausible alternative to the proposed project due both to its lack of patients, and its proximity, between 19-22 minutes, from the proposed project's location. Moreover, as Drs. Rubinstein and Sood point out, the Review Board should also consider the capacity and utilization of FMC-Plainfield, which, although omitted from the application, is within 28 minutes of the proposed project and is at 74% utilization, pursuant to data, as of December 31, 2010, from the Renal Network.



**ROBBINS, SALOMON & PATT, LTD.**

*Attorneys at Law*

Mr. Dale Galassie

February 23, 2011

Page 2 of 3

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2. As Mr. Calvin Ganong, Fox Valley Dialysis' Chief Operating Officer, testified, the Aurora community has an open project recently approved by the Review Board, in addition to the FMC West Batavia facility, that has not yet reached its target utilization, namely FMC - Aurora, with its expansion of 4 additional stations (CON permit #10-054), which will also serve the same population as the applicant's East Aurora project purports to serve. In addition, as Mr. Ganong's testimony reflected, there are serious concerns regarding the project's principal referring physician's, Dr. Dodhia, patient growth, specifically, the sufficiency of his patient growth to attain the required utilization percentage of the new project, FMC West Batavia, and the FMC - Aurora expansion, and to maintain the required utilization percentage of the 4 other existing facilities that he refers patients to.
  
3. As all of my client's principals, and its CON consultant, Ms. Delia Wozniak, have testified to, there are significant material discrepancies between the applicant's data regarding the utilization of existing alternative facilities and their respective proximity to the proposed project location, in addition to the referring physician's data used for his projected referrals. Part of the problem with the applicant's utilization data could be its use of Fresenius data "obtained internally" instead of data as reported to the Renal Network. (See Exhibit A, attached hereto, applicant's CON application, Criterion 1110.230 - Purpose of Project, Response No. 4). The problem with the referring physician's projected referrals becomes clearer if you review the anticipated referrals by this referring physician for this project, together with anticipated referrals by that referring physician tendered in support of the applicant's two immediately preceding CONs, which were approved by this board -- FMC-West Batavia (CON permit #09-067) and FMC - Aurora (CON permit #10-054) against the physician's documented historical caseload. When that all is reviewed together, it is clear that the anticipated number of referrals do in fact exceed the physician's documented historical caseload, in violation of the provisions of this Review Board's administrative regulations relating to the Review Criteria's Projected Referrals.<sup>1</sup> Through the collective testimonies made on behalf of my client,

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<sup>1</sup> 77 Il. Admin. Code § 1110.1430(b)(i).

**ROBBINS, SALOMON & PATT, LTD.**

*Attorneys at Law*

Mr. Dale Galassie

February 23, 2011

Page 3 of 3

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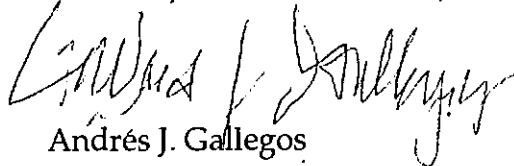
my client has demonstrated, by what we believe is clear and convincing evidence, that the applicant's calculations of utilization, underutilization and time travel, and the anticipated patient referrals are misstated, if not misrepresented.

While the purported purpose of this project is to "keep dialysis services accessible in Kane County, more specifically the Aurora market," we submit that it now is, and for the reasons stated above, as elaborated in my clients' collective testimonies, we believe it will be in the future without the need for the applicant's project.

In summation, we are convinced this project, if approved, will result in unnecessary duplication and maldistribution, the essence of what the Illinois certificate of need law was enacted to avoid.

Very truly yours,

**ROBBINS, SALOMON & PATT, LTD.**


  
Andrés J. Gallegos

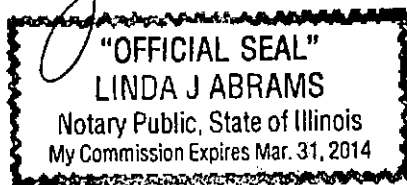
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Enclosure

cc: Ms. Courtney, Avery  
Administrator, HFSRB

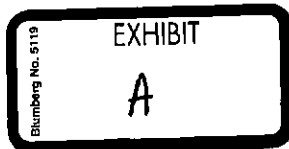
Subscribed and Sworn to before me  
this 23<sup>rd</sup> day of February, 2011.

  
Notary Public



**Criterion 1110.230 – Purpose of Project**

1. The purpose of this project is to keep dialysis services accessible in Kane County, more specifically the Aurora market. This market has experienced high historical utilization despite additional stations being established. The Aurora ESRD market is highly Hispanic and African American. 59% of the current Aurora Dialysis Center's patients are from these combined ethnic backgrounds which have a higher propensity for diabetes and hypertension, the leading causes of kidney failure.
2. The market area that Fresenius Medical Care East Aurora will serve is the mainly the city of Aurora with the combined zip codes of 60505 and 60506.
3. This facility is needed to accommodate the pre-ESRD patients that Dr. Dodhia has identified from this area who will require dialysis services in the next 1-3 years. Dr. Dodhia and his partner, Dr. Fakhruddin refer patients to Fresenius Aurora, Oswego, Sandwich and to Fox Valley Dialysis, which is also in Aurora. The two Aurora facilities have been operating above target utilization for many years. Fresenius Aurora has recently expanded twice (for a total of 10 stations) and yet remains at 83% utilization. Fox Valley Dialysis is at 85% utilization with 26 stations.
4. Utilization of area facilities is obtained from the Renal Network for the 3rd Quarter 2010 for non-Fresenius facilities. For purposes of this application, the utilization for Fresenius facilities was obtained internally. Pre-ESRD patients for the market area were obtained from Dr. Dodhia. Population and demographics data was obtained from the U. S. Census Bureau.
5. The goal of Fresenius Medical Care is to keep dialysis access available to this patient population as we continue to monitor the growth and provide responsible healthcare planning for this area. There is no direct empirical evidence relating to this project other than that when chronic care patients have adequate access to services, it tends to reduce overall healthcare costs and results in less complications.
6. It is expected that this facility would have and maintain the same quality outcomes as Fresenius Medical Care facilities in Illinois as listed below.
  - o 90.55% of patients had a URR  $\geq$  65%
  - o 92.66% of patients had a Kt/V  $\geq$  1.2



Mily Rosa

February 24, 2011  
Public Hearing

Good morning and Thank you for coming today.

My name is Mily Rosa and I am the secretary for the Aurora Dialysis-Fresenius. Not only am I the secretary, but I was also a patient at the dialysis center back in 1996, I'm proud to say that on **January 25, 2001 not only did I receive a kidney but a 2<sup>nd</sup> chance for life.** ●

Believe me, I was in shock when I was first told by my doctor that I had to start dialysis. To my knowledge, no one in my family had kidney problems. So many thoughts were going through my mind. I feared of the **WHO, WHAT, WHERE, WHEN, HOW AND WHY?**

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# **RENAISSANCE**

## **Management Co., L.L.C.**

February 24, 2011

Mr. Dale Galassie  
Chairman  
Health Facilities and Services Review Board  
525 West Jefferson Street, 2<sup>nd</sup> Floor  
Springfield, Illinois 62761

**Re: Public Hearing Testimony Opposing FMC – East Aurora: HFSRB #10-086**

Dear Mr. Galassie:

We ask the Health Facilities and Services Review Board (the “Review Board”) to deny the FMC – East Aurora’s Certificate of Need (CON) application. The Review Board should deny this application for 3 reasons: (1) the project proposes to establish another 12-station in-center hemodialysis facility in the Aurora community before similar projects serving virtually the same population have reached target utilization, (2) the applicant utilizes data in support of its application that we believe is both inaccurate and inconsistent, and (3) the data further indicates that there are not sufficient patients in these communities to support all these stations.

### Area Facilities Are Either Not Yet Operational Or Are Not At Target Utilization

One year ago, the Review Board approved FMC-West Batavia (CON permit #09-067), a new 12-station facility to be located only, approximately 20 minutes, from the proposed East Aurora project. MapQuest studies show the FMC West Batavia project is 20 minutes directly north of the proposed FMC East Aurora project. In measuring travel time the CON rules permit increasing MapQuest travel time by 15%. With this adjustment the FMC-West Batavia facility is still under 23 minutes from the proposed FMC-East Aurora site. (see attachment 1). This project, by the applicant's own admission, is 12 months away from becoming operational, and when it becomes operational it will serve as a plausible alternative to the East Aurora project.

In addition, only four months ago, the Review Board approved four (4) additional stations for FMC – Aurora (CON permit #10-054). These four stations are operational but are not yet 80% occupied. The Renal Network’s 2010 4<sup>th</sup> quarter data show that the facility’s 24 stations served 110 hemodialysis patients (76%

utilization) and ten (10) patients using other treatment modalities. This is in contrast to the applicant's CON application, which reports 83% utilization making the FMC - Aurora facility appear fully occupied, which it is not (see Attachments 2A and 2B).

The Applicant Utilizes Data In Support Of Its Application  
That We Believe Is Both Inaccurate And Inconsistent.

In addition to the overstatement of utilization of FMC – Aurora, there are other discrepancies in the applicant's supporting data which raise additional questions concerning the accuracy and consistency of the data used to support its CON application. For example, the project's referring physician, Dr. Navinchandra Dodhia, served only two (2) patients from Aurora Zip Codes 60505 and 60506 at FMC-Aurora in the 3<sup>rd</sup> quarter 2010. However, historically, for the years ending December 31, 2007, 2008 and 2009, his practice served between 51 and 58 patients from these Aurora zip codes at FMC-Aurora (see Attachment 3).

In yet another data discrepancy, last year FMC-Aurora served 27 patients of Dr. Dodhia from West Chicago (Zip Code 60185); however, in the previous three years (2007-2009) not one dialysis patient from this West Chicago zip code was treated by Dr. Dodhia. Moreover, if this data is correct, it begs the question of why these 27 West Chicago patients are not being served at the new FMC-West Chicago facility, which is much closer and is only 26% utilized. Lastly, it should be noted that FMC-Aurora's utilization will fall 25% if and when these patients transfer to the closer FMC West Chicago facility (27 patients of the total 110 patients.).

Similarly, last year FMC-Aurora served 29 patients of Dr. Dodhia's from North Aurora (Zip Code 60542.) Before last year, FMC-Aurora served only eight (8) patients of Dr. Dodhia's from North Aurora (60542.) The Review Board granted the FMC-West Batavia CON permit last year based in part on Dr. Dodhia's pledge to refer 29 pre-renal patients from Zip Code 60542 (see Attachment 4.) As The Renal Network's 2010 data indicate that Zip Code 60542 had a total of only 25 patients in 2010, we can presume that many of these patients are the same pre-renal patients pledged to justify the establishment of FMC-West Batavia (see Attachment 5). We can further presume that FMC-Aurora's utilization will decline when many of these patients transfer to FMC-West Batavia which is much closer to their homes (29 of 110 patients).

Our concerns for the accuracy of the submitted data continues. The CON application misstates the utilization of other FMC facilities within 30 minutes of the proposed project, as follows:

FMC-DuPage West

The CON application states that FMC-DuPage West is at 78% utilization. However, The Renal Network's 2010 4<sup>th</sup> quarter data indicates the facility served only 66 hemodialysis patients, 69% utilization of 16 stations.

FMC-Naperville North

The CON application states that FMC-Naperville North is at 81% utilization. However, The Renal Network's 2010 4<sup>th</sup> quarter data indicates the facility served only 63 hemodialysis patients, 75% utilization of 14 stations.

This CON application's inaccurate data consistently overstates the facilities utilization rates. The Review Board should deny this CON application based on this inaccurate and conflicting information and data.

Insufficient Patient Growth To Support The Project And Other Approved Projects

All of the following three (3) expansions of hemodialysis services in the Aurora area are supported by the same physician practice of Drs. Dodhia and Fakhruddin: FMC-West Batavia's 12 stations; FMC – Aurora's 4 additional stations; and the proposed FMC – East Aurora 12-station facility. An analysis of the physicians' practice data in these CONs demonstrates that patient growth in their practice is insufficient to support the East Aurora facility without significantly impacting other approved facilities and/or projects.

Dr. Dodhia's practice has grown by only 16 patients since 2008, from 133 patients to 149 patients in 2010 3<sup>rd</sup> quarter (see Attachment 3). Yet in a 24-month period commencing in September 2008 and ending in September 2010, the practice added 189 new patients (See Attachments 6 and 7).

Historical New Patient Referrals

105 patients between 9/08 and 8/09

84 patients between 10/09 and 9/10

189 new patient referrals in 24-month period

Therefore, the practice needed 173 new patients in this two-year period to maintain status quo (189 new patients minus the 16 patients added = 173 patients needed for replacement).

On an annual basis, the practice needed 86.5 new patients to replace the 86.5 patients lost each year during this 2-year period just to maintain 133 patients ( $173 \text{ patients} \div 2 \text{ years} = 86.5 \text{ patients/year}$ ). This represents an annual patient loss ratio of 65% ( $86.5 \text{ patients lost} \div 133 \text{ beginning patients} = 65\%$ ).

We adjusted the loss ratio to be consistent with the time period for Dr. Dodhia's practice size data, i.e., the end of 2008 through the 3<sup>rd</sup> quarter 2010 (21 months). This adjustment reduces the number of new patient referrals required to maintain practice status quo of 133 patients from 86.5 to 83.3 new patients per year with a patient loss ratio of 62.6% (see Attachment 8.)

This 62.6% patient loss ratio is significantly larger than the 20% patient loss estimate applied in the CON application. This ratio, however, is derived from actual data submitted by Dr. Dodhia and is not an "estimate." The more accurate patient loss ratio of 62.6% indicates that Dr. Dodhia will need to double the number of new patient referrals in his practice in 2013 to both maintain his current practice and achieve 80% utilization of the three (3) expansion projects. The number of new patient referrals needed is startling (see Attachment 9).

The analysis indicates that in addition to adding 83.3 new patients per year to maintain his current practice level, Dr. Dodhia must progressively add more new patients to support the multiple CON expansions, to include:

- ❖ CON 10-054; FMC Aurora, 4 new stations approved 10/26/2010;
- ❖ CON 09-067; FMC Batavia, 12 new stations approved 3/2/2010; and
- ❖ CON 10-086; FMC – East Aurora, 12 new stations, Review Board meeting on 4/2011.

Our analysis indicates that Dr. Dodhia will need to double his current new patient referrals from 83.3 new patients to 170.9 new patients in 2013 and 178.1 patients in 2014. He will need these dramatic, unprecedented patient increases in order to both maintain his current practice and meet his pledge to the Review Board to achieve 80% utilization of these three projects within the first two (2) years of operation (see Attachment 9).



These projections assume that projects will be completed within 2 years of the Review Board's approval, with the exception of CON 10-054, which as of this date is complete. These projections also assume that projects will achieve 80% utilization by the end of second year of operation, a CON standard, and that 50% of the target growth will be achieved in year 1 and 50% by the end of year 2. Lastly these projections assume the same loss ratio (62.6%) is applied against the number of patients in year one and each subsequent year thereafter. This model provides a much more accurate and realistic understanding of the number of new patient referrals required to maintain current practice volume and achieve 80% utilization of each expansion project.

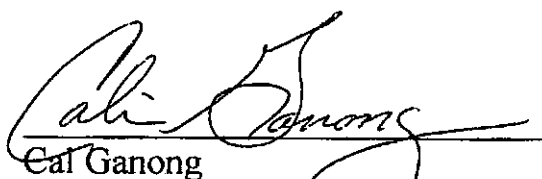
In addition to the aforementioned, data from The Renal Network indicate that the in-center hemodialysis population living within an estimated 30 minutes of Aurora's Zip Code 60505, FMC- East Aurora's location, does not historically support the doubling of new patients in three years. In-center hemodialysis patients living in the area increased 16.5% between 2007 and 2010, from 558 to 650 patients, an annual increase of 5.2% (refer back to Attachment 5.) As the entire hemodialysis population within an estimated 30 minutes of the new facility is increasing only 5.2% per year, it is unreasonable to assume that Dr. Dodhia will be able to double new patient referrals in three years. This data combined with the projected new patient referrals demonstrates that this application fails to prove a true community need for the proposed FMC East Aurora unit.


Absent a plausible explanation, the new patient referrals for the FMC-East Aurora CON, if approved, will be obtained at the expense of numerous other area units undermining the clinical and operational performance of these units.

We ask the Review Board to consider our evidence and deny this unnecessary project.

Thank you for your consideration of this important matter.

Sincerely,

  
Cal Ganong  
Chief Operating Officer








  
Notary  


# MAPQUEST

# Attachment 1

Trip to 1998 W Fabyan Pkwy  
Batavia, IL 60510-1215  
9.78 miles - about 20 minutes

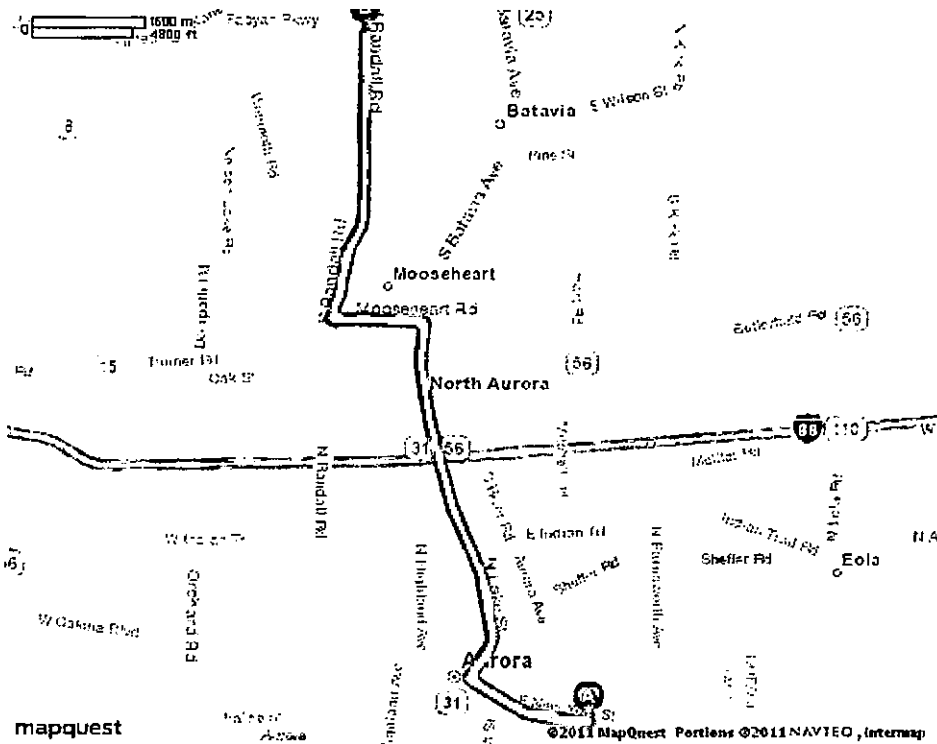
**A** 924 E New York St, Aurora, IL 60505-3724

-  1. Start out going **NORTHWEST** on E NEW YORK ST toward N SMITH ST. go 1.4 mi
-   2. Turn **RIGHT** onto N LAKE ST / IL-31. Continue to follow IL-31. go 4.2 mi
-  3. Turn **LEFT** onto MOOSEHEART RD / CR-71. go 1.0 mi
-  4. Turn **SLIGHT RIGHT** onto S RANDALL RD / CR-34 N. [Map](#) go 3.3 mi
-  5. Turn **RIGHT** onto W FABYAN PKWY / CR-8 E. go 0.0 mi
-  6. 1998 W FABYAN PKWY is on the **RIGHT**. go 0.0 mi

**B** 1998 W Fabyan Pkwy, Batavia, IL 60510-1215

Total Travel Estimate : 9.78 miles - about 20 minutes

Route Map [Hide](#)



All rights reserved. Use subject to License/Copyright | [Map Legend](#)

Directions and maps are informational only. We make no warranties on the accuracy of their content, road conditions or route usability or expeditiousness. You assume all risk of use. MapQuest and its suppliers shall not be liable to you for any loss or delay resulting from your

Attachment 2A

RENAL NETWORK 4th QUARTER 2010

Region	Provider #	Facility Name	Hemo Stations	MWF Shifts	TTS Shifts	In-Center Hemo Patients	Home Hemo Patients	CAPD Patients	CCPD Patients
IL-1	142615	FMC - ROCKFORD DIALYSIS	12	2	3	29	0	0	0
IL-1	142639	DAVITA - SYCAMORE	12	2	2	49	0	1	13
IL-1	142640	DAVITA CHURCHVIEW DIALYSIS CENTER	24	3	2	74	0	16	48
IL-1	142642	DAVITA - FREEPORT DIALYSIS	10	3	3	57	0	0	0
IL-1	142645	DIXON DIALYSIS CENTER	8	3		16	0	0	0
IL-1	142647	DAVITA - ROCKFORD DIALYSIS	19	3	3	105	0	0	0
IL-1	142648	DAVITA - WHITESIDE DIALYSIS	15	3	2	57	0	0	0
IL-1	142651	DAVITA-DIXON KIDNEY CENTER	8	3	1	24	0	1	3
IL-1	142665	DAVITA - ROXBURY DIALYSIS CENTER	16	3	3	87	4	0	0
IL-1	142700	FMC - SANDWICH DIALYSIS, LLC	8	3	0	16	0	1	3
IL-1	IL0067	FMC - SANDWICH DIALYSIS, LLC	8	3	0	2	0	0	0
IL-10	142526	QUAD CITIES KIDNEY CENTER LTD	30	3	2	99	0	0	10
IL-10	142578	FMC - MIDWEST - KEWANEE	7	2	2	27	0	0	0
IL-10	142592	QUAD CITIES KIDNEY CENTER - GENESEO	6	2	0	17	0	0	0
IL-10	142658	ALEDO KIDNEY CENTER, LLC	6	3	0	11	0	0	0
IL-10	142675	QUAD CITIES KIDNEY CENTER SILVIS, LLC	12	2	2	60	0	0	0
IL-10	142703	QUAD CITIES KIDNEY CENTER-ROCK ISLAND, LLC	12	2	2	42	0	0	0
IL-11	142527	METRO EAST DIALYSIS	36	3	2	158	2	1	16
IL-11	142535	FMC - SOUTHWEST ILLINOIS	19	2	2	65	0	0	2
IL-11	142537	DAVITA - GRANITE CITY DIALYSIS CENTER	20	3	3	73	0	0	1
IL-11	142558	FAIRVIEW HEIGHTS DIALYSIS	20	3	3	92	0	6	12
IL-11	142561	DAVITA - SAUGET DIALYSIS CENTER	16	3	3	73	0	0	5
IL-11	142619	ALTON DIALYSIS	12	3	3	61	0	5	4
IL-11	142634	DAVITA - MARYVILLE DIALYSIS	12	3	2	57	0	2	0
IL-11	142637	BREESE DIALYSIS	8	2	2	27	2	0	1
IL-11	142682	RAI HAMACHER - WATERLOO	0	0	0	0	1	0	5
IL-11	142686	MARYVILLE HOME DIALYSIS	2	1	1	2	13	6	1
IL-11	142701	EDWARDSVILLE DAVITA DIALYSIS	8	2	0	18	0	1	2
IL-2	142562	FMC - EAST PEORIA DIALYSIS	24	2	2	92	0	16	30
IL-2	142564	FMC - SPRING VALLEY	16	3	2	68	0	2	0
IL-2	142565	FMC - OF SPOON RIVER	8	3	2	26	0	0	0
IL-2	142571	FMC - CENTRAL ILLINOIS PEKIN	9	3	2	38	0	0	0
IL-2	142574	FMC - PEORIA DOWNTOWN	32	3	2	132	0	0	0
IL-2	142576	FMC - OTTAWA DIALYSIS	10	3	2	28	0	0	0
IL-2	142579	WESTERN ILLINOIS KIDNEY CENTER	11	3	2	51	0	5	4
IL-2	142591	FMC - MACOMB	5	2	2	16	0	0	0
IL-2	142613	FMC - PEORIA NORTH	15	3	2	50	7	5	8
IL-2	142683	AFFILIATED HOME DIALYSIS, LLC	2	0	0	9	12	0	0
IL-2	142695	FMC - STREATOR	8	2	1	15	0	0	0

Region	Provider #	Facility Name	Hemo Stations	MWF Shifts	TTS Shifts	In-Center Hemo Patients	Home Hemo Patients	CAPD Patients	CCPD Patients
IL-3	140148	MEMORIAL MEDICAL CENTER	11	2	2	4	0	0	0
IL-3	142546	RAI - CENTRE WEST SPRINGFIELD	14	3	2	61	3	0	11
IL-3	142581	JACKSONVILLE DIALYSIS	14	3	2	54	0	0	0
IL-3	142582	DAVITA - LINCOLN DIALYSIS	14	2	2	16	0	0	0
IL-3	142583	LITCHFIELD DIALYSIS	11	3	3	42	0	0	0
IL-3	142586	DAVITA - SPRINGFIELD CENTRAL DIALYSIS	21	3	2	95	7	12	19
IL-3	142587	TAYLORVILLE DIALYSIS	10	2	2	27	0	0	0
IL-3	142590	SPRINGFIELD MONTVALE DIALYSIS	17	3	2	79	0	0	0
IL-3	142620	RUSHVILLE DIALYSIS	7	3	2	22	0	0	0
IL-3	142636	JCH DIALYSIS LLC	7	3	3	25	0	0	0
IL-3	142680	QUINCY MEDICAL GROUP PERITONEAL DIALYSIS CTR	0	0	1	2	2	6	24
IL-3	142708	DAVITA - PITTSFIELD DIALYSIS	5	3	0	6	0	0	0
IL-3	142711	DAVITA - ADAMS COUNTY DIALYSIS	18	3	3	48	0	5	5
IL-3	14583	LITCHFIELD DIALYSIS	11	3	3	1	0	0	0
IL-4	142563	FMC - MCLEAN COUNTY	20	3	2	87	0	0	0
IL-4	142584	MACON COUNTY DIALYSIS	21	2	2	78	0	0	0
IL-4	142585	MATTOON DIALYSIS	16	2	2	43	0	0	0
IL-4	142588	FMC - CHAMPAIGN - URBANA DIALYSIS CENTER	25	3	3	109	0	12	1
IL-4	142599	DECATUR EAST WOOD DIALYSIS	16	3	2	63	3	4	0
IL-4	142603	DIALYSIS CENTERS OF AMERICA-ILLINOIS	12	2	2	43	0	0	0
IL-4	142610	FMC - DECATUR - PD	0	0	0	1	0	4	10
IL-4	142611	FMC - PONTIAC	9	3	2	30	0	0	0
IL-4	142624	SHELBYVILLE COMMUNITY DIALYSIS	8	3	2	24	5	0	4
IL-4	142625	DANVILLE DIALYSIS SERVICES, LLC	19	3	3	77	0	0	0
IL-4	142633	DAVITA - ILLINI RENAL DIALYSIS	10	2	2	33	3	15	10
IL-4	142652	FMC - CENTRAL IL. BLOOMINGTON PD	0	0	0	1	0	6	22
IL-5	142514	FMC - CARBONDALE	22	3	2	90	0	1	2
IL-5	142541	DAVITA - MT VERNON DIALYSIS	14	2	2	53	5	6	3
IL-5	142570	DAVITA - MARION DIALYSIS	13	3	3	54	0	0	23
IL-5	142573	FMC - SALINE COUNTY	15	2	2	44	2	7	1
IL-5	142580	EFFINGHAM DIALYSIS	16	3	2	46	2	13	5
IL-5	142589	FMC - RANDOLPH COUNTY	7	3	2	29	0	0	0
IL-5	142595	FMC - DUQUOIN	10	2	2	34	0	0	0
IL-5	142608	DAVITA - BENTON DIALYSIS	13	3	2	51	0	0	0
IL-5	142609	DAVITA - CENTRALIA DIALYSIS	14	2	2	51	0	13	3
IL-5	142627	FMC - WILLIAMSON COUNTY	11	3	2	43	0	1	0
IL-5	142674	OLNEY DIALYSIS CENTER	7	3	3	19	0	0	0
IL-5	142688	DAVITA - WAYNE COUNTY	8	2	0	23	0	2	1
IL-5	142693	VANDALIA DIALYSIS	8	1	0	18	0	3	0
IL-5	142705	FMC - OF METROPOLIS	8	2	2	26	0	0	0
IL-5	142714	ROBINSON DIALYSIS	8	1	0	15	0	0	0

Region	Provider #	Facility Name	Hemo Stations	MWF Shifts	TTS Shifts	In-Center Hemo Patients	Home Hemo Patients	CAPD Patients	CCPD Patients
IL-5	140074	ROBINSON DIALYSIS	8	1	0	1	0	0	0
IL-6	140018	MT SINAI HOSP MED CTR RENAL UNIT	11	4	3	68	0	0	0
IL-6	14003F	JESSE BROWN VA MEDICAL CENTER-WESTSIDE	8	2	2	47	0	0	0
IL-6	140088	UNIVERSITY OF CHICAGO - WOODLAWN	19	4	4	137	0	0	0
IL-6	140117	RESURRECTION MEDICAL CENTER	14	3	3	56	0	0	0
IL-6	140119	RUSH-UNIVERSITY-ST LUKES MED CTR	5	2		10	0	0	0
IL-6	140124	JOHN H. STROGER JR. HOSPITAL OF COOK COUNTY	6	3	3	101	0	0	0
IL-6	140150	UNIVERSITY OF ILLINOIS HOSPITAL - DIALYSIS	26	3	3	130	5	4	17
IL-6	142501	FMC - NEOMEDICA - NORTH KILPATRICK	20	3	3	114	0	0	0
IL-6	142502	FMC - NEOMEDICA - LOOP	24	2	2	102	30	11	4
IL-6	142505	DSI - LOOP RENAL CENTER	28	2	2	72	0	6	1
IL-6	142506	FMC - CHICAGO DIALYSIS CENTER	33	3	2	68	0	0	0
IL-6	142508	FMC - SOUTHSIDE DIALYSIS CENTER	39	3	3	191	0	0	0
IL-6	142516	FMC - JACKSON PARK DIALYSIS CENTER	24	3	3	117	0	0	0
IL-6	142519	FMC - NEOMEDICA - SOUTH	36	3	3	173	0	0	0
IL-6	142522	FMC - ROGERS PARK	20	3	2	79	0	0	0
IL-6	142523	FMC - NEOMEDICA - WEST BELMONT	10	3	3	39	1	0	0
IL-6	142524	FMC - BRIDGEPORT	27	3	3	114	0	1	0
IL-6	142528	DAVITA - LINCOLN PARK NEPHROLOGY ASSN, SC	22	3	3	105	0	0	0
IL-6	142529	EMERALD DIALYSIS	24	3	3	128	0	0	0
IL-6	142531	FMC - NORTH-CENTER DIALYSIS	12	3	3	69	1	0	0
IL-6	142534	DAVITA - LOGAN SQUARE DIALYSIS SVCS INC	20	3	3	109	0	0	0
IL-6	142536	FMC - WEST METRO DIALYSIS	30	3	3	168	4	6	15
IL-6	142540	CIRCLE MEDICAL MANAGEMENT	26	3	2	119	6	6	8
IL-6	142555	FMC - GARFIELD	22	3	2	103	0	6	2
IL-6	142560	DAVITA - SKYLINE HOME DIALYSIS	0	0	0	2	0	6	15
IL-6	142566	FMC - NEOMEDICA - MARQUETTE PARK	14	3	3	79	0	0	0
IL-6	142569	FMC - PRAIRIE	27	3	2	89	0	0	0
IL-6	142572	FMC - NEOMEDICA - SOUTH SHORE	16	3	3	80	1	0	0
IL-6	142597	FMC - NORTHWESTERN	44	3	3	194	0	3	20
IL-6	142600	NEPHRON DIALYSIS CENTER LTD	12	3	3	74	0	0	0
IL-6	142601	FMC - GREENWOOD AVENUE DIALYSIS CENTER	28	2	2	156	0	5	0
IL-6	142604	CHILDRENS DIALYSIS CENTER	6	2	2	18	0	0	10
IL-6	142607	FMC - NEOMEDICA - HAZELCREST	16	3	2	70	0	0	0
IL-6	142618	FMC - SKOKIE DIALYSIS	14	3	2	60	3	3	15
IL-6	142621	FMC - MIDAMERICA EVANSTON	20	3	2	66	0	0	0
IL-6	142622	DSI - HAZELCREST	16	4	3	83	0	0	0
IL-6	142626	NORTHWEST P. D. KARE	0			0	0	0	0
IL-6	142628	DSI - ARLINGTON HEIGHTS	18	3	2	55	2	0	9
IL-6	142630	FMC - ALSIP DIALYSIS CENTER	16	3	1	64	0	0	0
IL-6	142631	FMC - DIALYSIS SERVICES OF CONGRESS PARKWAY	30	3	2	108	0	0	0
IL-6	142635	DAVITA - CHICAGO HEIGHTS DIALYSIS	16	4	3	79	0	0	1

Region	Provider #	Facility Name	Hemo Stations	MWF Shifts	TTS Shifts	In-Center Hemo Patients	Home Hemo Patients	CAPD Patients	CCPD Patients
IL-6	142638	BEVERLY DIALYSIS	10	3	3	52	0	0	0
IL-6	142641	FMC-DIALYSIS SERVICES OF BURBANK	22	3	3	115	0	0	0
IL-6	142644	MAPLE AVENUE KIDNEY CENTER	12	3	3	65	0	6	11
IL-6	142646	GARFIELD KIDNEY CENTER	16	3	3	92	0	0	0
IL-6	142649	MONTCLARE DIALYSIS	16	3	3	75	0	0	0
IL-6	142653	FMC - AUSTIN COMMUNITY KIDNEY CENTER	16	1	3	50	0	0	0
IL-6	142654	DSI - SCHAUMBURG	14	3	3	69	0	0	0
IL-6	142655	DIRECT DIALYSIS	6	3	3	63	4	0	0
IL-6	142659	SUMMIT MEDICAL CARE	0	0	0	1	0	12	0
IL-6	142660	DAVITA DIALYSIS MT GREENWOOD	16	3	3	77	4	3	3
IL-6	142661	STONY CREEK DIALYSIS	12	1	0	63	0	0	0
IL-6	142663	CENTER FOR RENAL REPLACEMENT, LLC	16	3	3	66	0	0	2
IL-6	142667	FMC - MERRIONETTE PARK	16	3	3	88	0	5	4
IL-6	142668	DAVITA - LITTLE VILLAGE DIALYSIS	16	3	3	84	0	0	0
IL-6	142670	FMC - ROSS DIALYSIS - ENGLEWOOD	20	3	2	86	2	0	0
IL-6	142676	AFFILIATED DIALYSIS CENTERS	0	0	0	5	397	0	0
IL-6	142679	FMC-NA LAKEVIEW DIALYSIS	10	3	3	59	0	0	1
IL-6	142681	FMC - CHICAGO WESTSIDE DIALYSIS	31	1	0	62	0	0	0
IL-6	142684	PRS, LLC	1	0	0	13	50	0	0
IL-6	142687	WELLBOUND OF EVANSTON	0	1	1	3	8	3	25
IL-6	142690	FMC - ROSELAND DIALYSIS	12	1	0	59	0	0	0
IL-6	142691	KENNEDY HOME DIALYSIS	5	1	0	0	6	0	0
IL-6	142692	FMCNA - UPTOWN	12	2	1	41	0	0	0
IL-6	142698	COMMUNITY DIALYSIS OF HARVEY	16	3	2	71	0	0	0
IL-6	142713	FMC - MIDWAY DIALYSIS	12	1	0	14	0	0	0
IL-6	143523	DAVITA - LAKE PARK DIALYSIS	19	3	3	121	0	0	1
IL-6	143524	DAVITA - WOODLAWN HOME DIALYSIS	5	4	4	5	4	0	33
IL-6	143527	DAVITA - STONEY ISLAND DIALYSIS	24	4	4	132	0	0	0
IL-7	14007F	VA MEDICAL CENTER - HINES	17	2	2	51	0	5	0
IL-7	140276	FOSTER MCGAW HOSPITAL OF LOYOLA	30	3	3	149	0	11	9
IL-7	142503	FMC - DOWNERS GROVE DIALYSIS CENTER	19	3	3	100	0	0	0
IL-7	142504	FMC - OAK PARK DIALYSIS UNIT	32	3	3	130	1	2	1
IL-7	142507	FMC - ELK GROVE DIALYSIS CTR	28	3	3	142	0	0	0
IL-7	142509	FMC - OF DUPAGE WEST	16	3	2	66	0	5	10
IL-7	142511	DSI - EVANSTON RENAL CENTER	18	3	2	52	0	0	0
IL-7	142515	FMC - AURORA DIALYSIS CENTER	14	4	4	110	1	7	2
IL-7	142517	FMC - SOUTH SUBURBAN	27	3	3	142	0	4	12
IL-7	142518	DSI - SCOTTSDALE	32	3	3	154	2	11	2

Region	Provider #	Facility Name	Hemo Stations	MWF Shifts	TTS Shifts	In-Center Hemo Patients	Home Hemo Patients	CAPD Patients	CCPD Patients
IL-7	142520	FMC OF WESTCHESTER	24	3	2	91	0	0	0
IL-7	142521	FMC - NORRIDGE	18	3	2	56	0	0	0
IL-7	142525	FMC - NEOMEDICA - ROLLING MEADOWS	24	3	3	97	0	0	0
IL-7	142530	FMC - WEST SUBURBAN DIALYSIS CENTER	46	3	3	228	0	0	0
IL-7	142533	FMC - BERWYN	28	3	3	139	0	7	5
IL-7	142538	FMC - CRESTWOOD	32	3	3	116	1	0	0
IL-7	142539	FMC - BLUE ISLAND DIALYSIS CENTER	24	3	3	109	0	3	4
IL-7	142542	FMC - NEOMEDICA - SOUTH HOLLAND	17	3	2	72	0	7	1
IL-7	142543	FMC - NAPERVILLE DIALYSIS CENTER	15	3	3	81	0	7	7
IL-7	142544	DSI - SOUTH HOLLAND	20	3	3	107	0	0	0
IL-7	142545	FMC - NEOMEDICA - EVERGREEN PARK	27	3	3	158	3	9	34
IL-7	142547	FMCNA - NEOMEDICA - HOFFMAN ESTATES	17	4	3	112	0	0	0
IL-7	142548	DAVITA - OLYMPIA FIELDS DIALYSIS CENTER	24	3	2	102	5	2	12
IL-7	142550	FMC - ORLAND PARK	18	3	3	73	1	0	0
IL-7	142551	FMC - GLENVIEW DIALYSIS CENTER	20	3	2	96	0	0	0
IL-7	142554	FMC - NEOMEDICA - MELROSE PARK	18	2	2	59	0	0	0
IL-7	142559	FMC - NILES	32	4	2	130	0	6	1
IL-7	142568	FOX VALLEY DIALYSIS	26	3	3	135	0	0	15
IL-7	142575	DSI - MARKHAM	22	2	2	100	0	0	0
IL-7	142593	FMC - LAGRANGE HOME DIALYSIS CENTER	0			1	0	0	0
IL-7	142594	FMC - ELK GROVE HOME DIALYSIS CENTER	0			0	3	2	17
IL-7	142602	FMCNA - NORTH AVENUE DIALYSIS CENTER	20	3	3	104	0	2	2
IL-7	142606	DUPAGE PERITONEAL DIALYSIS SERVICES	0			0	0	10	11
IL-7	142612	FMC - VILLA PARK	24	3	3	119	0	8	3
IL-7	142617	FMC - GLENDALE HEIGHTS DIALYSIS CENTER	17	3	3	86	0	0	0
IL-7	142632	FMC - WILLOWBROOK	20	3	3	84	0	4	4
IL-7	142678	FMC - NAPERVILLE NORTH DIALYSIS CENTER	12	3	3	63	0	0	0
IL-7	142696	DAVITA - WOODRIDGE AT HOME	6	1	1	0	5	0	0
IL-7	142699	AFFILIATED HOME DIALYSIS - ELK GROVE	1	2	2	2	0	0	0
IL-7	142702	WEST CHICAGO DIALYSIS CENTER	12	1	0	19	0	0	0
IL-7	142706	FMC - LOMBARD HOME THERAPIES	1	1	1	0	0	4	8
IL-7	142712	DAVITA - BIG OAKS DIALYSIS	12	1	0	8	0	0	0
IL-7	IL0075	ADVANCED HOME THERAPIES	0	0	0	0	0	0	2
IL-8	140108	HIGHLAND PARK HOSPITAL DIALYSIS	20	4	3	88	0	0	9
IL-8	142549	FMC - NEOMEDICA - GURNEE	14	3	3	87	0	0	0
IL-8	142552	DAVITA - LAKE COUNTY DIALYSIS SERVICES INC	16	3	3	69	0	1	1
IL-8	142567	DSI - WAUKEGAN - HOME PROGRAM	0	0	0	0	0	0	3
IL-8	142577	DSI - WAUKEGAN RENAL CENTER	24	3	2	98	0	0	0
IL-8	142598	QUALITY RENAL CARE	13	3	3	72	0	2	2
IL-8	142614	TRI CITIES DIALYSIS LLC	18	3	3	70	0	0	5
IL-8	142616	FMC - NEOMEDICA - ROUND LAKE	16	4	3	85	0	0	0
IL-8	142643	QUALITY RENAL CARE, LLC	10	2	2	30	0	0	0

Region	Provider #	Facility Name	Hemo Stations	MWF Shifts	TTS Shifts	In-Center Hemo Patients	Home Hemo Patients	CAPD Patients	CCPD Patients
IL-8	142550	BUFFALO GROVE DIALYSIS	14	2	1	58	1	0	0
IL-8	142662	ARA-SOUTH BARRINGTON DIALYSIS CENTER	10	3	2	48	0	1	1
IL-8	142664	ARA - CRYSTAL LAKE DIALYSIS CENTER	9	3	3	52	0	0	4
IL-8	142666	LAKE VILLA DIALYSIS	12	1	0	30	1	0	0
IL-8	142669	FMCNA - LAKE BLUFF	16	3	2	70	1	0	0
IL-8	142672	FMC OF MCHENRY	12	3	2	49	0	2	1
IL-8	142673	FMC - ANTOCH	12	3	3	61	0	0	8
IL-8	142710	FMC - DEERFIELD DIALYSIS CENTER	12	3	0	25	0	0	2
IL-8	142715	DAVITA - COBBLESTONE DIALYSIS	14	3	3	63	0	0	0
IL-8	142716	DAVITA - CRYSTAL SPRINGS DIALYSIS	5	3	3	2	0	0	0
IL-8	143509	DAVITA - CRYSTAL SPRINGS DIALYSIS	5	3	3	16	0	0	0
IL-9	140155	PROVENA ST MARYS HOSPITAL-DIALYSIS CTR	24	3	3	105	3	10	25
IL-9	140213	SILVER CROSS HOSPITAL	14	3	3	85	0	0	0
IL-9	142553	SUN HEALTH INC	17	3	2	59	0	0	0
IL-9	142596	FMC - MORRIS DIALYSIS	8	3	2	44	0	0	0
IL-9	142605	FMC - BOLINGBROOK DIALYSIS	20	3	3	115	0	4	3
IL-9	142656	FMC - OTTAWA HOME DIALYSIS	0	0	0	0	0	3	4
IL-9	142671	MANTENO DIALYSIS CENTRE	15	3	1	37	0	1	2
IL-9	142677	FMC - OSWEGO	11	3	3	53	0	1	0
IL-9	142685	KANKAKEE COUNTY DIALYSIS	12	2	2	35	0	5	1
IL-9	142689	FMC - MOKENA DIALYSIS	14	1	0	41	0	0	0
IL-9	142694	FMC - HOME DIALYSIS NETWORK INC.	0	0	0	1	0	9	10
IL-9	142697	LOCKPORT DAVITA AT HOME	3	1	1	0	6	0	0
IL-9	142707	FMC - PLAINFIELD	12	3	3	53	0	0	1
IL-9	142709	YORKVILLE DIALYSIS CENTER, LLC	8	3	0	12	0	0	4
IL-9	143516	SILVER CROSS RENAL CENTER WEST	29	3	3	147	1	0	24
IL-9	143526	SILVER CROSS RENAL CENTER MORRIS	9	2	1	22	0	0	0



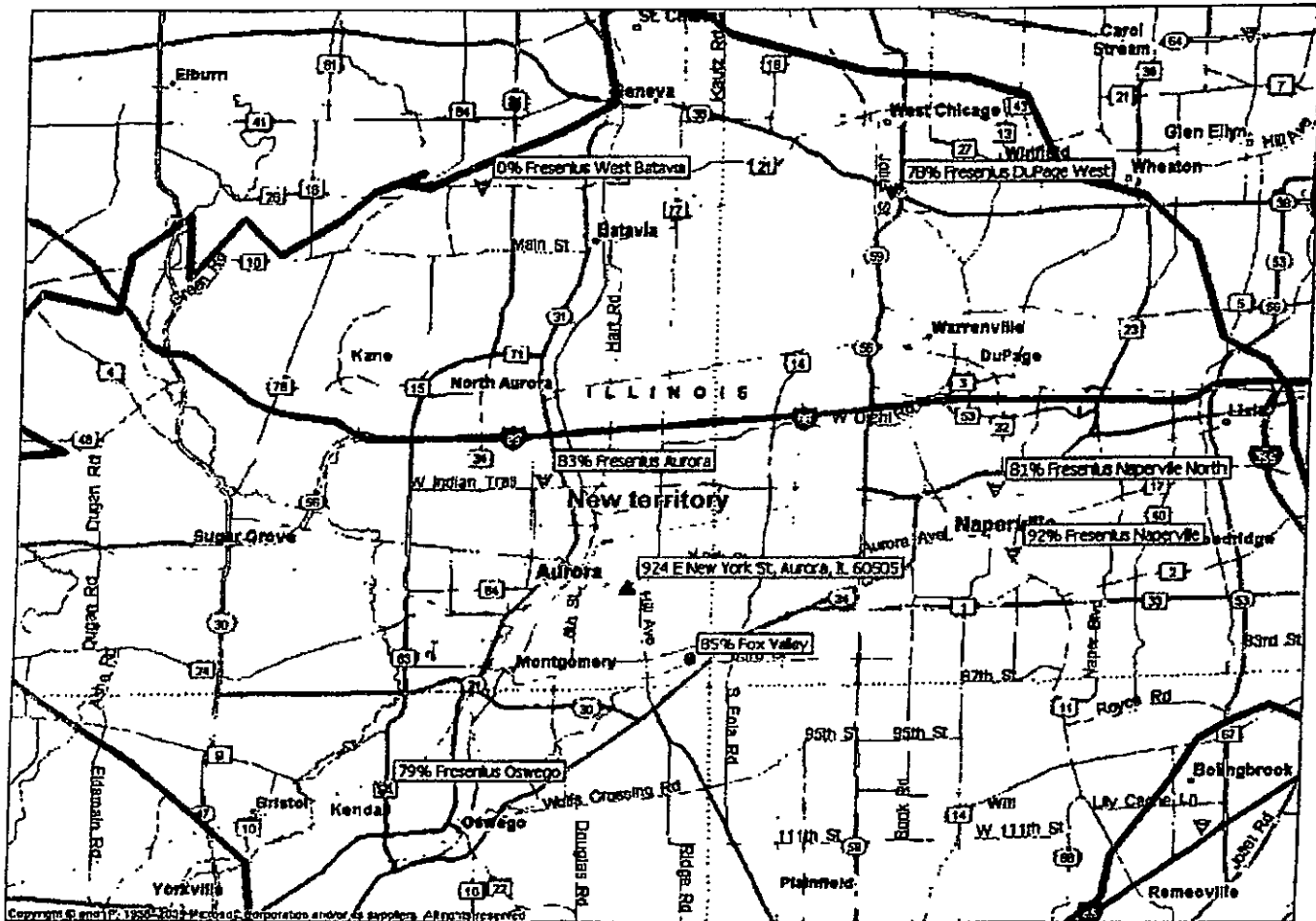
**FACILITIES WITHIN 30 MINUTES TRAVEL TIME OF FRESENIUS EAST AURORA**

Name	Address	City	ZIP Code	MapQuest Miles	MapQuest Time	MapQuest Adjusted Time	Travel Study Time*	Stations	UJI 09/30	Fresenius 12/10 UJI
Fox Valley Dialysis	1300 Waterford Dr	Aurora	60504	2.78	6	7	N/A	26	85%	N/A
Fresenius Aurora	455 Mercy Ln	Aurora	60506	3.51	10	12	N/A	24	74%	83%
Fresenius Naperville North	514 W 5th Ave	Naperville	60563	8.31	16	18	N/A	14	72%	81%
Fresenius Naperville	100 Spaulding Dr	Naperville	60540	7.85	16	18	N/A	15	89%	92%
Fresenius Oswego	1051 Station Dr	Oswego	60543	10.18	16	18	22.8	11	71%	79%
Fresenius DuPage West	450 E Roosevelt Rd	West Chicago	60185	12.13	20	23	26.7	16	78%	78%
Fresenius West Batavia	2580 W. Fabyan Pky	Batavia	60185	10.6	22	25	29.2	12	0%	0%

Facilities Below were determined to be over 30 Minutes according to MapQuest adjusted or independent travel study.

Yorkville Dialysis	1400 Beecher Road	Yorkville	60560	14.67	24	28	31.3	8
Tri Cities Dialysis	306 Randall Rd	Geneva	60134	11.28	22	25	31.5	18
Fresenius West Chicago	1859 N Neilnor Blvd	West Chicago	60185	15.37	24	28	33.5	12
Fresenius Bolingbrook	329 Remington Blvd	Bolingbrook	60440	16.37	27	31	N/A	24
Fresenius Downers Grove	3825 Highland Ave	Downers Grove	60515	19.34	29	33	N/A	19

\*An independent travel study, per 1100.510d, was conducted by a Professional Traffic Operations Engineer. Certified copy of the study is at the end of this attachment.



ATTACHMENT 3

FMC - EAST AURORA CON APPLICATION - DR. DODHIA'S & FAKHRUDDIN'S HISTORICAL CASELOAD

	Existing Patients - End of Year 2007					Existing Patients - End of Year 2008					Existing Patients - End of Year 2009					Existing Patients - End of Q3 2010				
	Aurora	Oswego	Sandwich	Fox Valley		Aurora	Oswego	Sandwich	Fox Valley		Aurora	Oswego	Sandwich	Fox Valley		Aurora	Oswego	Sandwich	Fox Valley	
60042						1														
60106	1																			
60115																				
60119						1														
60120						1														
60123	1																			
60134																				
60137																				
60174	1					2														
60177	1					1														
60178	1																			
60185																				
60431																				
60446																				
60503																				
60504	3					1														
60505	27	1				2														
60506	31	3				25														
60510	2					30														
60512						3														
60520																				
60538	3	4				1														
60540						1														
60541						1														
60542	7					6														
60543	2	5				2														
60545		3				8														
60548		4				2														
60551						5														
60552						3														
60554	2	5				9														
60560	1					3														
60563																				
60565																				
60586																				
60605						1														
61378																				
60644																				
62701																				
TOTALS	83	25	0	13		79	42	0	12		72	42	12	9		86	34	20	9	

SOURCE: CON APPLICATION #10-085, Dr. Dodhia's Referral Letter, Pages 50 - 53.

CON 09-067

PRE - ESRD PATIENTS DR. DODHIA EXPECTS TO REFER TO FRESenius  
MEDICAL CARE BATAVIA BY 2 YEARS (24 MONTHS)  
AFTER PROJECT COMPLETION

Zip Code	Patients
60119	6
60134	1
60174	1
60175	3
60510	19
60542	23
60554	24
Total	83

Source: CON Application 09-067, Dr. Dodhia's Patient Referral Letter

# Attachment 5

**Total In-center Hemodialysis Patients Living Within Estimated 30 Minutes Travel Time of Zip Code 60505**  
**Location of FMC - East Aurora**

Zip Code	Town	MapQuest Travel Time in Minutes	2007	2008	2009	2010
60118	Elburn	29	5	4	4	1
60134	Geneva	23	6	7	6	5
60174	St. Charles	26	16	22	25	23
601743313	St. Charles	26	0	0	1	0
60185	West Chicago	25	38	44	30	30
60502	Aurora	10	2	1	3	6
60503	Aurora	9	3	3	2	3
60504	Aurora	8	42	38	36	42
605045555	Aurora	8	0	1	1	1
605046121	Aurora	8	1	1	1	1
60505	Aurora	0	107	113	125	111
605051560	Aurora	0	0	0	1	1
60506	Aurora	10	63	66	80	82
60507	Aurora	5	2	2	0	0
60510	Batavia	18	20	20	14	17
605100102	Batavia	18	1	1	1	1
60511	Big Rock	26	0	0	0	0
60512	Bristol	17	1	2	1	1
60517	Woodridge	24	16	22	23	26
60532	Lisle	25	16	18	21	22
60538	Montgomery	12	26	25	23	29
60539	Mouseheart	17	0	0	0	0
60540	Naperville	17	18	24	26	28
60542	North Aurora	14	24	33	27	25
60542204	North Aurora	14	1	1	0	0
60543	Oswego	12	19	20	24	22
605434037	Oswego	12	0	1	1	1
60544	Plainfield	21	33	34	39	41
60545	Plano	29	5	4	5	10
60554	Sugar Grove	20	6	4	6	5
60555	Warrenville	18	4	4	6	11
60560	Yorkville	23	14	17	21	24
60563	Naperville	17	48	46	43	38
60564	Naperville	15	9	13	14	16
60565	Naperville	21	10	15	11	10
60586	Plainfield	24	2	5	8	19
Total			558	611	629	650

**SOURCES:** Patient data are from The Renal Network.  
 Zip codes are selected based on unadjusted MapQuest travel times.

**NOTES:** The number of hemodialysis patients living within this estimated 30 minutes of Zip Code 60505 increased 16.5% between 2007 and 2010, an average of 6.2% per year.

Zip codes highlighted in yellow are estimated as outside the 30-minute travel time based on the applicant's independent travel study. See CON application #10-086, Pages 65 - 60.

ATTACHMENT 6

**ADMISSIONS OF DR. DODHIA'S PRACTICE FOR THE PREVIOUS  
TWELVE MONTHS - 09/01/2008 THROUGH 08/31/2009**

ZIP CODE	FRESENIUS AURORA	FRESENIUS OSWEGO	FRESENIUS SANDWICH	FOX VALLEY DIALYSIS	TOTAL
60018	1				1
60076		1			1
60119	1				1
60120	1				1
60134		1			1
60174	1				1
60187		1			1
60404		1	1		2
60431		1			1
60435		1			1
60453	1				1
60503		1			1
60504		3		2	5
60505	15	5		1	21
60506	13	4		1	18
60515	1				1
60531		1			1
60538	2	3			5
60542	3	4			7
60543	1	4			5
60545		3	2		5
60548	1	2	7		10
60551			1		1
60552		1	1		2
60554	1			1	2
60560		3		1	4
60586		2			2
60644		1			1
61364		1			1
61378			1		1
<b>TOTAL</b>	<b>42</b>	<b>44</b>	<b>13</b>	<b>6</b>	<b>105</b>

**NEW REFERRALS OF DR. DODHIA'S PRACTICE FOR TIME PERIOD  
10/01/09 THROUGH 09/30/2010**

Fresenius Aurora		Fresenius Oswego		Fresenius Sandwich		Fox Valley Dialysis	
Zip Code	Patients	Zip Code	Patients	Zip Code	Patients	Zip Code	Patients
60181	1	60431	2	60115	1	60504	1
60185	1	60446	1	60520	1	60544	1
60504	2	60505	3	60538	1	<b>Total</b>	<b>2</b>
60505	16	60506	1	60545	2		
60506	17	60538	1	60548	2		
60510	1	60543	2	60551	1		
60515	1	60545	1	60560	2		
60520	1	60552	1	<b>Total</b>	<b>10</b>		
60542	11	60560	5				
60554	1	60565	1				
60560	1	<b>Total</b>	<b>18</b>				
60563	1						
<b>Total</b>	<b>54</b>			<b>Total</b>	<b>84</b>		

**PATIENTS OF DR. DODHIA'S PRACTICE AT YEAR END 2007**

FRESENIUS AURORA		FRESENIUS OSWEGO		FOX VALLEY	
Zip Code	Patients	Zip Code	Patients	Zip Code	Patients
60506	31	60560	5	60543	3
60505	27	60543	5	60548	2
60542	6	60548	4	60505	1
60504	3	60538	4	60560	2
60538	3	60545	3	60504	3
60510	2	60506	3	60554	1
60543	2	60505	1	60506	1
60554	2		<u>25</u>		<u>13</u>
60042	1				
60106	1				
60123	1				
60174	1				
60177	1				
60178	1				
60560	1				
	<u>83</u>				

**Total 2007 - 121**

FOOTNOTE (only)

Methodology for adjusting the patient loss ratio

The adjusted patient loss ratio is obtained by:

- Multiply the average monthly new patient referrals for the period of 9/2008 – 8/2009 of  $8.75 \times 8$  months = 70 patients for the period of 1/2009 – 8/2009
- Add to the 84 new patient referrals for the period of 10/2009 – 9/2010.  
 $70+84=154$  patients.
- Divide by 20 months  $154 \div 20 = 7.7$  patients/month.
- Adjust for the missing month (September 2009) by adding 7.7 to 154 = 161.7, the total new patient referrals for the period of 1/2009 – 9/2010
- Subtract 16 new patients  $161.7 - 16 = 145.7$
- Divide 145.7 by 21 months ( $145.7 \div 21 = 6.94$  patient/month)
- Multiply  $6.94 \times 12 = 83.3$ , the number of new patient referrals required to maintain Dr. Dohdia's practice at 133 patients on an annual basis.
- Divide 83.3 by 133 to obtain the patient loss ratio of 62.6%

**FMC – EAST AURORA DIALYSIS**

**CON Application #10-086**

**NEW PATIENT REFERRALS REQUIRED PER YEAR**

	2011	2012	2013	2014	2015
<b>NEW PATIENTS</b>					
FMC-Aurora 10-054 - 4 Stations	9.6	9.6			
FMC-Batavia 09-067 – 12 stations		28.8	28.8		
FMC-East Aurora 10-086 – 12 stations			28.8	28.8	
<b>PATIENT REFERRALS DUE TO LOSS RATIO (62.6%)</b>					
Current Practice Base	83.3	83.3	83.3	83.3	83.3
FMC-Aurora – 4 stations		6.0	12	12	12
FMC-Batavia – 12 stations			18	36	36
FMC-East Aurora – 12 stations				18	36
<b>NEW PATIENTS REQUIRED EACH YEAR</b>	92.9	127.7	170.9	178.1	167.3

SOURCE: Renaissance Management

NOTES: These projections assume the following:

- Projects will be completed within 2 years of State Board approval, with the exception of CON #10-054 which as of this date is complete.
- Projects will achieve 80% utilization by the end of second year of operation, a CON standard.
- One-half (50%) of the target patient growth will be achieved in year 1 and 50% by the end of year 2.
- The referring physician’s experienced patient loss ratio of 62.2% remains unchanged.

Data from The Renal Network indicate that this model provides a much more accurate and realistic understanding of the number of new patient referrals required to maintain current practice volume and achieve 80% utilization of each expansion project. The Renal Network data indicate that the in-center hemodialysis population living within an estimated 30 minutes of Aurora’s Zip Code 60505, FMC- East Aurora’s location, increased 16.5% between 2007 and 2010, from 558 patients to 650 patients, an annual increase of 5.2% (refer back to Attachment 5.)

We believe that this model demonstrates that the referring physician’s practice cannot support doubling new patients in three years, and therefore cannot support this project. We believe that these projections provide a much clearer understanding of the true community need for dialysis services and the need for new dialysis stations.



February 24, 2011

Public Hearing Comments

#10-086, Fresenius Medical Care East Aurora



My name is Bill Gazda. I serve as the Director of Market Development at Fresenius Medical Care. My responsibilities in this role include but are not limited to...New site development, Implementation of initiatives focused on patient care and education, and serving as a liaison to nephrologists, hospitals and community physicians. I've worked in the healthcare industry for over 16 years and have come to recognize the difference that organizations can make in improving patient outcomes. I've also seen the circumstances where selfish motivations made patient care secondary.

The proposed site in East Aurora will be a shining example of what can be accomplished when patient care/outcomes are at the forefront of the decision making process. At Fresenius Medical Care our goal is to deliver healthier patients to our dialysis clinics so that our ESRD population can continue to have all the same opportunities that were afforded to them prior to being diagnosed with this condition.

Building a dialysis facility in a community is just one step in the process of impacting ESRD patient's lives. There are a number of considerations that are taken into account when making this decision:

- 1) Is there a need in the community?
- 2) Is the ESRD population growing?
- 3) Is there availability and flexibility at the sites in the surrounding area?
- 4) Do we have a physician partner that shares our vision to supplying the highest quality of dialysis services for **ALL** patients not just those with the right insurance?

In the case of the East Aurora site the answers to each of these questions helped us determine there was a pressing need for greater availability of dialysis services in this community. As the states second largest city, Aurora has experienced growth of 38.4% since the year 2000. The ESRD patient growth within Aurora zip codes has grown by 9% year over year and growth within the Dialysis facilities within a 10 mile radius of the East Aurora site

*Bill G. arda  
JGJ*

has been at 6 percent. In the 60505 zip code (where the proposed site would be built) there are well over 100 ESRD patients alone and the nearby facilities that serve this patient population are operating at or near capacity. As these growth trends continue moving forward there will not be sufficient availability or flexibility to serve this growing number of ESRD patients suitably.

At Fresenius Medical Care choosing the right physician partner is just as important as finding the right site location. Our commitment to the ESRD population is not just having a facility they can access. We're committed to delivering healthier patients to dialysis and focused on limiting the complications that can inhibit patients from living full lives while managing Chronic Kidney Disease. This commitment is shared by Dr. Dodhia and one of many reasons he's seen as one of top nephrologists in this area. Our collaborative work in educating all patients on their treatment options, increasing the number of patients with permanent access versus catheters, and educating the referring physician base (Internal Medicine and Primary Care) about the importance of an early/smooth transition to a Nephrologists care have been instrumental in meeting our goal of delivering healthier patients to dialysis.

Lastly, having family in the Aurora area I have recognized the diversity within the community and have witnessed the disparity of services available to its membership. Our proposed site in East Aurora will open its doors and array of services to ALL of the area's residents.

End Stage Renal Disease can have life-changing effects on patients and their families. The hope of all patients/families is that their dialysis therapy will give them a chance to live their lives with the same opportunities and conveniences that many of us take for granted. The convenience of the East Aurora location along with the array of services provided by Fresenius & Dr. Dodhia will give Aurora's ESRD patients the opportunity they seek and deserve!

Thank you for granting us this opportunity to share our thoughts.

February 24, 2011

Mr. Dale Galassie  
Chairman  
Illinois Health Facilities and Services Review Board  
525 W. Jefferson Street, 2<sup>nd</sup> Floor  
Springfield, Illinois 62761

RE: Fresenius Medical Care (FMC) – East Aurora  
IHSRB #10-086  
Public Testimony in Opposition

Dear Mr. Galassie:

The undersigned are nephrologists serving the needs of the dialysis community in Aurora, the proposed service area of the Fresenius Medical Care's project in East Aurora. The area has underused dialysis stations located less than 30 minutes from the proposed project. Therefore, the proposed project by Fresenius Medical Care in East Aurora wastes precious health care resources.

The applicant attempts to justify the need for the project with 71 pre-renal patient referrals from Dr. Dodhia (which they discount 20% to 57 pre-renal patients) and four (4) patient transfers from FMC-Aurora. However, information from The Renal Network indicates that FMC-Aurora does not have an extra four (4) patients to transfer without negatively impacting its own utilization. While the CON application does not state the number of patients FMC-Aurora had on 12/31/10, the applicant states it's utilization is 83%, which computes to 120 patients. If that were correct, that occupancy level would allow for the transfer of four (4) patients while permitting FMC-Aurora to maintain the required 80% utilization. However, it is not correct. The Renal Network data indicates that FMC-Aurora is not at 80% occupancy, but rather it posted only 110 hemodialysis patients and 10 home patients on 12/31/10. Therefore these four (4) transfers, which FMC East Aurora relies upon to support its East Aurora application, will negatively impact FMC-Aurora's utilization.

As the Illinois Health Facilities and Services Review Board's Need Determination, dated as of January 18<sup>th</sup>, 2011, shows numerous excess stations in Planning Area 8, the applicant needs to find current patients to justify the establishment of yet another new 12-station facility in the area. In its attempt to justify the need for the project the applicant provided the following other travel time and utilization data, which, however, is not accurate.

Travel Time Data

The applicant has a new, nearby facility not yet opened. This facility, FMC-West Batavia Dialysis, is only 20 minutes directly north of the proposed project (see attachment 1). Even adjusting for heavier traffic and increasing the travel time by 1.15, as permitted by the State Board, the trip is not nearly 30 minutes. And therefore, we request that the Review Board also include FMC – West Batavia as a possible alternative to the project and consider its underutilization when assessing the project.

The Review Board should advise the applicant to wait at least until the nearby FMC-West Batavia facility is 80% occupied before it approves another facility in the community. FMC-West Batavia is a plausible alternative due both to its proximity and lack of patients. FMC-West Batavia should be 80% occupied before establishing another facility in the area.

Occupancy Data

Another four (4) of the applicant's nearby facilities are underutilized. Each of these facilities is within the 30 minutes required travel time.

UNDERUTILIZED  
FRESENIUS FACILITIES WITHIN 30 MINUTES TRAVEL TIME OF  
FMC – EAST AURORA

<u>Facility</u>	<u>Distance</u>	<u>MapQuest Travel Time</u>	<u>The Renal Network</u>		<u>CON Application</u>
			<u>12/31/2010</u>	<u>12/31/2010</u>	<u>Utilization Rate</u>
			<u>Patients</u>	<u>Utilization</u>	
FMC-Aurora 455 Mercy Lane Aurora, IL. (60506)	3.52 miles	12 minutes	110	76%	83%
FMC-Naperville No. 516 W. 5 <sup>th</sup> Ave. Naperville, IL. (60563)	8.3 miles	18 minutes	63	75%	81%
FMC-Du Page West 450 E. Roosevelt Rd. West Chicago, IL (60185)	12.1 miles	23 minutes	66	69%	78%
FMC-Plainfield 2300 Michas Drive Plainfield, IL 60586	16.02 miles	28 minutes	53	74%	Omitted From CON

Patient data are from The Renal Network, 2010, 4<sup>th</sup> quarter data.  
Travel times are from MapQuest with a 1.15% permitted adjustment.

The applicant does not explain these utilization discrepancies. Perhaps the applicant revised its utilization with The Renal Network after the data were first released. It is curious that all the errors are in their favor.

Again, we suggest that the Review Board should wait until FMC-West Batavia opens and is 80% utilized since the opening of FMC-West Batavia will affect FMC-Aurora's utilization. Of FMC-Aurora's 110 hemodialysis patients, 29 patients are Dr. Dodhia's patients from North Aurora (60542) (CON #09-067, Page 59 - see attachment 2). Many of these patients will probably transfer to the new, closer FMC-West Batavia when it opens. At least some of these patients were probably the pre-renal patients pledged by

Dr. Dodhia in establishing FMC-West Batavia last year as Dr. Dodhia only had eight (8) patients from North Aurora in FMC-Aurora in 2009 For documentation that Dr. Dodhia served only 8 patients from North Aurora in 2009 (see attachment 2A).

FMC-Aurora has another 27 patients of Dr. Dodhia's from West Chicago (60185.) These 27 patients live much closer to its FMC-West Chicago facility which is only 26% utilized. A question arises as to why none of these 27 patients were served by FMC-Aurora until this year.

Beyond this concern, the applicant submitted an independent travel study showing that these following three (3) underutilized facilities may be over 30 minutes travel time (Yorkville Dialysis; Tri-Cities Dialysis; and FMC-West Chicago), as follows:

<u>Facility</u>	<u>Distance</u>	<u>MapQuest Travel Time</u>	<u>Stations</u>	<u>12/31/2010 Patients</u>	<u>12/31/2010 Occupancy</u>
FMC-West Chicago	15.4 miles	28 minutes	12	19	26%
Tri-Cities	11.3 miles	25 minutes	18	70	65%
Yorkville	14.7 miles	28 minutes	8	12	25%

We will conduct our own independent travel study to either corroborate or dispute these travel times and supplement this letter accordingly.

It is, in our opinion, demonstrably clear, that our service area and its nearby communities have more than an adequate number of available stations! These facilities can easily serve the project's proposed 61 pre-renal patients, and if four (4) of FMC-Aurora's patients wish to transfer to another facility; they have numerous facilities from which to choose.

We see no need to add stations in an area that is already sufficiently well served.

Thank you for your consideration of our comments.

Sincerely,



Harry Rubinstein, M.D.  
President  
Fox Valley Medical Associates, Ltd

Sincerely,



Pardeep Sood, M.D.  
Vice President  
Fox Valley Medical Associates, Ltd












Notes  
Attachment 1

**Trip to 1998 W Fabyan Pkwy**

Batavia, IL 60510-1215  
9.78 miles - about 20 minutes

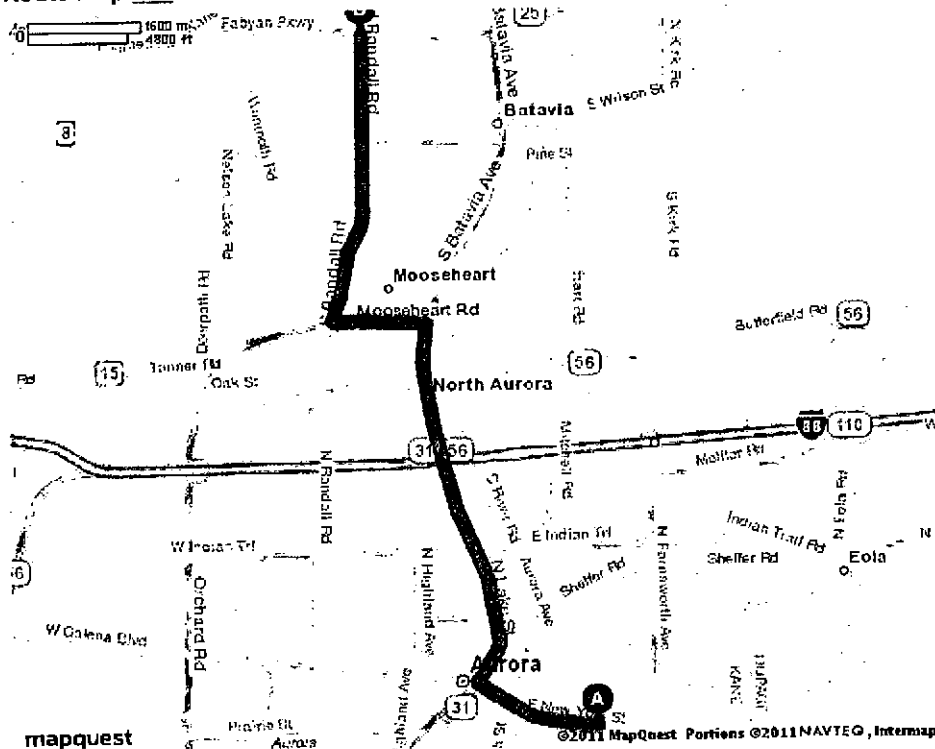
**★ 924 E New York St, Aurora, IL 60505-3724**

-  1. Start out going **NORTHWEST** on **E NEW YORK ST** toward **N SMITH ST.** go 1.4 mi
-   2. Turn **RIGHT** onto **N LAKE ST / IL-31.** Continue to follow **IL-31.** go 4.2 mi
-  3. Turn **LEFT** onto **MOOSEHEART RD / CR-71.** go 1.0 mi
-  4. Turn **SLIGHT RIGHT** onto **S RANDALL RD / CR-34 N.** [Map](#) go 3.3 mi
-  5. Turn **RIGHT** onto **W FABYAN PKWY / CR-8 E.** go 0.0 mi
-  6. **1998 W FABYAN PKWY** is on the **RIGHT.** go 0.0 mi

**★ 1998 W Fabyan Pkwy, Batavia, IL 60510-1215**

Total Travel Estimate : 9.78 miles - about 20 minutes

**Route Map [Hide](#)**



All rights reserved. Use subject to License/Copyright | [Map Legend](#)

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**PRE - ESRD PATIENTS DR. DODHIA EXPECTS TO REFER TO FRESenius**  
**MEDICAL CARE BATAVIA BY 2 YEARS (24 MONTHS)**  
**AFTER PROJECT COMPLETION**

Zip Code	Patients
60119	6
60134	1
60174	1
60175	3
60510	10
60542	29
60554	24
Total	83

Source: CON Application 09-067, Dr. Dodhia's Patient Referral Letter

ATTACHMENT 2A

FMC - EAST AURORA CON APPLICATION - DR. DODHIA'S & FAKHRUDDIN'S HISTORICAL CASELOAD

Existing Patients - End of Year 2007				Existing Patients - End of Year 2008				Existing Patients - End of Year 2009				Existing Patients - End of Q3 2010			
Aurora	Oswego	Sandwich	Fox Valley	Aurora	Oswego	Sandwich	Fox Valley	Aurora	Oswego	Sandwich	Fox Valley	Aurora	Oswego	Sandwich	Fox Valley
60042			60042	1			60042								60042
60106	1		60106				60106								60106
60115			60115				60115								60115
60119			60119	1			60119					2		1	60119
60120			60120	1			60120					2			60120
60123	1		60123				60123					2			60123
60134			60134				60134						1		60134
60137			60137				60137					11			60137
60174	1		60174	2			60174					1			60174
60177	1		60177	1			60177					1			60177
60178	1		60178				60178					1			60178
60431			60431				60431					27			60431
60446			60446				60446/60647					1			60446
60503			60503	1	1		60503					1			60503
60504	3		60504	1	2		60504				3	2			60504
60505	27	1	60505	25	3		60505				1	7			60505
60506	31	3	60506	30	3		60506				1	3			60506
60510	2		60510	3			60510				1	1			60510
60512			60512		1		60512					1			60512
60520			60520		4		60520					1		1	60520
60538	3	4	60538	1	4		60538					3	7	1	60538
60540			60540	1			60540								60540
60541			60541				60541								60541
60542	7		60542	6	2		60542			1		29			60542
60543	2		60543	2	8		60543			3					60543
60545			60545		2		60545			6				4	60545
60548			60548		5		60548			2		2		7	60548
60551			60551				60551			1				2	60551
60552			60552				60552								60552
60554	2		60554	3	9		60554					1			60554
60560	1	5	60560				60560			11				2	60560
60563			60563				60563								60563
60565			60565				60565								60565
60586			60586		1		60586								60586
60605			60605	1			60605								60605
61378			61378				61378							1	61378
60644			60644		1		60644			1					60644
62701			62701				62701								62701
TOTALS	83	25	13	79	42	0	12	71	42	12	9	85	34	20	9





# Healthcare Management and Marketing

February 24, 2011

Mr. Dale Galassie  
Chairman  
Illinois Health Facilities and Services Review Board  
525 W. Jefferson Street, 2<sup>nd</sup> Floor  
Springfield, Illinois 62761

RE: Fresenius Medical Care (FMC) – East Aurora  
IHSRB #10-086

### Public Testimony

We urge the Health Facilities and Services Review Board (State Board) to deny this project as the data indicate that Fresenius Medical Care of East Aurora is not needed at this time. The applicant has unused and underused dialysis stations located less than 30 minutes from the proposed project. By its own admission, its new facility in West Batavia, Illinois, which is not yet operating, will have 12 stations located within the required 30 minutes travel time. Additional information in the application provided by the referring physicians indicates their practice does not have sufficient growth to support this project without significant impact on these and other facilities serving these communities.

### Excess Stations in the Planning Area and Available Stations in Nearby Facilities

The new facility in East Aurora is located in Kane County in Planning Area 8. The State Board's most recent Need Determination calculates that the area has 35 excess stations. Utilization of nearby facilities in the area support this determination. Fresenius alone has five (5) unused or underused facilities within 30 minutes of the new site, as follows:

### FRESENIUS FACILITIES WITHIN 30 MINUTES TRAVEL TIME OF FMC – EAST AURORA Fresenius Facilities Operating Below the Target Utilization Rate of 80%

<u>Facility</u>	<u>Distance</u>	<u>Adjusted MapQuest Travel Time (2)</u>	<u>Stations (3)</u>	<u>The Renal Network(1) 12/31/2010</u>	
				<u>Patients</u>	<u>Utilization</u>
FMC-Aurora	3.5 miles	12 minutes	24	110	76%
FMC-Naperville No.	8.3 miles	18 minutes	14	63	75%
FMC-West Batavia	9.8 miles	23 minutes	12	0	0%
FMC-Du Page West	12.1 miles	23 minutes	16	66	69%
FMC-Plainfield	16.0 miles	28 minutes	12	53	74%

SOURCES: (1) Patient data are from The Renal Network, 2010, 4<sup>th</sup> quarter data.  
(2) Travel times are from MapQuest with a 1.15% permitted adjustment.  
(3) Stations are from the most recent State Board inventory.

As the planning area has excess stations based on the State Board's Need Determination, the application should demonstrate that current patients have problems accessing dialysis services. Therefore, the application states that four (4) current patients at FMC-Aurora will transfer to the new facility. However, the transfer of these four (4) patients from FMC-Aurora further reduces its utilization below 80%. Additionally, these four (4) patients can be easily accommodated in available stations in the area. These data dispute the claim that there are access problems in the community.

#### Insufficient Physician Patient Referrals and Practice Data

The applicant further supports the project with 57 pre-renal referrals from Drs. Dodhia and Fakhruddin. Within the last year, these physicians supported two other recent dialysis expansions in Aurora:

FMC-West Batavia's 12 stations (CON#09-067 granted March 2, 2010) and  
FMC – Aurora's 4 additional stations (CON#10-054 granted October 26, 2010.)

Analysis of the data provided in the CON application indicates that the physicians' practice has insufficient growth to support this project without impacting other facilities. Please refer to Attachment 1, Page 1 for a summary of the physician's historical caseload since 2007. Their practice added only 16 patients between 2008 and 2010, 3<sup>rd</sup> quarter, increasing from 133 to 149 patients. As the physicians referred 189 new patients between September 2008 and September 2010, the practice needed 173 new patients to maintain status quo in this 2-year period (Attachment 1, Pages 2 & 3.) Annually, the practice needed 86.5 patients each year in this period just to replace lost patients (173 patients ÷ 2 years = 86.5 patients lost each year.)

The loss of 86.5 patients per year represents an annual patient loss rate over 60%: 86.5 patients lost ÷ 133 beginning patients = 65%. Attachment 2 adjusts the patient loss rate to 62.6% to account for the shorter time period for the practice size data of 21 months. The experienced patient loss ratio of about 60% is three times higher than the CON application's stated 20% patient discount which reduced physician pre-renal referrals from 71 to 57 patients.

With a an experienced patient loss ratio over 60% Dr. Dodhia will need to double the number of new patient referrals, from 84 patients new patients in the 12-month period ending September 2010 to 170 new patients in 2013 and 178 patients in 2014. He will need this dramatic increase in patients in order to both maintain his current practice and achieve 80% utilization of the three (3) expansion projects. See Attachment 3 for a summary of the new patient referrals required annually for each of the above three expansion projects.

Additionally, data from The Renal Network indicate that the in-center hemodialysis population living within an estimated 30 minutes of Aurora's Zip Code 60505, FMC- East Aurora's location, does not historically support the doubling of new patients in three years. In-center hemodialysis patients living within an estimated 30 minutes of the area increased 16.5% between 2007 and 2010, from 558 to 650 patients, an annual increase of only 5.2% (see Attachment 4.)

Patient origin data in the physician's referral letter raise other serious questions regarding the need for the project. The data from the referring physician, Dr. Dodhia, on his recent practice at FMC-Aurora show significant, sudden and confounding changes in his patient origin which, if accurate, indicate FMC-Aurora's utilization may be impacted by FMC-West Batavia, FMC-West Chicago, and FMC-East Aurora.

Referring back to Attachment 1 indicates that in 2010 (3<sup>rd</sup> quarter) Dr. Dodhia served 27 new patients from Zip Code 60185, West Chicago which is almost 30 minutes away. These patients may be patient transfers into FMC-Aurora as The Renal Network (TRN) shows no increase in total patients from this zip code, 30 patients in both 2009 and 2010. (Refer back to Attachment 4 for Renal Network data). This abrupt transfer of patients to FMC-Aurora merits the Board's closer examination. Without the utilization of these 27, first-time patients from West Chicago, FMC-Aurora would be seriously underutilized at 58%. Furthermore, as FMC-West Chicago is much closer for these 27 patients, and only 26% utilized, it seems likely that many of these patients may request transfers. See Attachment 5 on travel time and occupancy data for FMC-West Chicago.

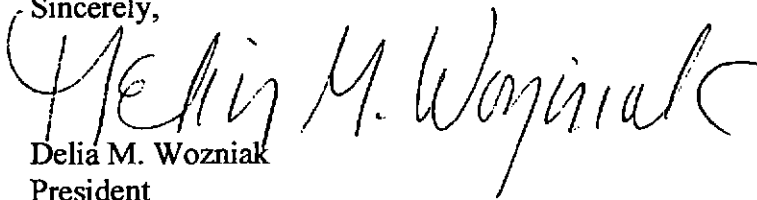
Similarly, data in Attachment 1 indicate that Dr. Dodhia served 29 patients from Zip Code 60542 in North Aurora at FMC-Aurora in 2010 (3<sup>rd</sup> quarter) but only eight (8) patients in 2009. Therefore, 21 of these patients are new patients. As Dr. Dodhia pledged 29 pre-renal patients from Zip Code 60542 to support the FMC-West Batavia CON#09-067, approved March 2, 2010, we suggest the State Agency ensure there is no overlap in these two patient populations. (See Attachment 6 for Dr. Dodhia's pledge of 29 pre-renal referrals for CON Permit #09-067, FMC-West Batavia.) Again, Renal Network data show no major changes in patients from this zip code, 27 patients in 2009 and 25 patients in 2010 (refer back to Attachment 4.)

Finally, the data in Attachment 1 show that Dr. Dodhia lost virtually his entire Aurora-based practice at FMC-Aurora by 2010 (3<sup>rd</sup> quarter). In 2009 he served 51 patients in Aurora's two Zip Codes 60505 and 60506. In 2009 he only served two (2) patients in these two Aurora zip codes. However, of Dr. Dodhia's 71 identified pre-renal referrals, 59 emanate from these two Aurora zip codes. Therefore, we ask the State Agency to ensure there is no overlap in these two patient populations. (See Attachment 7 for these pre-renal referrals to FMC-East Aurora.)

The CON application to establish FMC-East Aurora does not demonstrate that the community has a problem accessing needed in-center hemodialysis services. Additionally, the data appear to indicate that the project will adversely impact existing facilities.

I strongly support the State Board's mandate to promote the reasonable development of health care facilities. However, I believe this project is premature at best. I ask the State Board to consider this evidence and deny the project.

Sincerely,



Delia M. Wozniak  
President

CC: Ms. Courtney, Avery  
Administrator, HFSRB



**NEW REFERRALS OF DR. DODHIA'S PRACTICE FOR TIME PERIOD  
10/01/09 THROUGH 09/30/2010**

Fresenius Aurora		Fresenius Oswego		Fresenius Sandwich		Fox Valley Dialysis	
Zip Code	Patients	Zip Code	Patients	Zip Code	Patients	Zip Code	Patients
60181	1	60431	2	60115	1	60504	1
60185	1	60446	1	60520	1	60544	1
60504	2	60505	3	60538	1	<b>Total</b>	<b>2</b>
60505	16	60506	1	60545	2		
60506	17	60538	1	60548	2		
60510	1	60543	2	60551	1		
60515	1	60545	1	60560	2		
60520	1	60552	1	<b>Total</b>	<b>10</b>		
60542	11	60560	5				
60554	1	60565	1				
60560	1	<b>Total</b>	<b>18</b>				
60563	1						
<b>Total</b>	<b>54</b>						

<b>Total</b>	<b>84</b>
--------------	-----------

**PATIENTS OF DR. DODHIA'S PRACTICE AT YEAR END 2007**

FRESENIUS AURORA		FRESENIUS OSWEGO		FOX VALLEY	
Zip Code	Patients	Zip Code	Patients	Zip Code	Patients
60506	31	60560	5	60543	3
60505	27	60543	5	60548	2
60542	6	60548	4	60505	1
60504	3	60538	4	60560	2
60538	3	60545	3	60504	3
60510	2	60506	3	60554	1
60543	2	60505	1	60506	1
60554	2		<b>25</b>		<b>13</b>
60042	1				
60106	1				
60123	1				
60174	1				
60177	1				
60178	1				
60560	1				
	<b>83</b>				

**Total 2007 - 121**

**SOURCE: CON application FMC-East Aurora, #10-086, Page 50.**

**ADMISSIONS OF DR. DODHIA'S PRACTICE FOR THE PREVIOUS  
TWELVE MONTHS - 09/01/2008 THROUGH 08/31/2009**

ZIP CODE	FRESENIUS AURORA	FRESENIUS OSWEGO	FRESENIUS SANDWICH	FOX VALLEY DIALYSIS	TOTAL
60018	1				1
60076		1			1
60119	1				1
60120	1				1
60134		1			1
60174	1				1
60187		1			1
60404		1	1		2
60431		1			1
60435		1			1
60453	1				1
60503		1			1
60504		3		2	5
60505	15	5		1	21
60506	13	4		1	18
60515	1				1
60531		1			1
60538	2	3			5
60542	3	4			7
60543	1	4			5
60545		3	2		5
60548	1	2	7		10
60551			1		1
60552		1	1		2
60554	1			1	2
60560		3		1	4
60586		2			2
60644		1			1
61364		1			1
61378			1		1
<b>TOTAL</b>	<b>42</b>	<b>44</b>	<b>13</b>	<b>6</b>	<b>105</b>

SOURCE: CON application FMC-West Batavia, #09-067, Page 60.

## ATTACHMENT 2

### FMC-EAST AURORA CON APPLICATION #10-086 PATIENT REPLACEMENT RATE

#### Methodology for adjusting the patient loss ratio

The adjusted patient loss ratio is obtained by:

- Multiply the average monthly new patient referrals for the period of 9/2008 – 8/2009 of 8.75 x 8 months = 70 patients for the period of 1/2009 – 8/2009
- Add to the 84 new patient referrals for the period of 10/2009 – 9/2010.  
 $70+84=154$  patients.
- Divide by 20 months  $154 \div 20 = 7.7$  patients/month.
- Adjust for the missing month (September 2009) by adding 7.7 to 154 = 161.7, the total new patient referrals for the period of 1/2009 – 9/2010
- Subtract 16 new patients  $161.7 - 16 = 145.7$
- Divide 145.7 by 21 months ( $145.7 \div 21 = 6.94$  patient/month)
- Multiply  $6.94 \times 12 = 83.3$ , the number of new patient referrals required to maintain Dr. Dohdia's practice at 133 patients on an annual basis.
- Divide 83.3 by 133 to obtain the patient loss ratio of 62.6%

## FMC – EAST AURORA DIALYSIS

## CON Application #10-086

## NEW PATIENT REFERRALS REQUIRED PER YEAR

	2011	2012	2013	2014	2015
<b>NEW PATIENTS</b>					
FMC-Aurora 10-054 - 4 Stations	9.6	9.6			
FMC-Batavia 09-067 – 12 stations		28.8	28.8		
FMC-East Aurora 10-086 – 12 stations			28.8	28.8	
<b>PATIENT REFERRALS DUE TO LOSS RATIO (62.6%)</b>					
Current Practice Base	83.3	83.3	83.3	83.3	83.3
FMC-Aurora – 4 stations		6.0	12	12	12
FMC-Batavia – 12 stations			18	36	36
FMC-East Aurora – 12 stations				18	36
<b>GRAND TOTAL</b>	<b>92.2</b>	<b>127.7</b>	<b>170.9</b>	<b>178.1</b>	<b>167.3</b>

SOURCE: Renaissance Management

NOTES: These projections assume the following:

- Projects will be completed within 2 years of State Board approval, with the exception of CON #10-054 which as of this date is complete.
- Projects will achieve 80% utilization by the end of second year of operation, a CON standard.
- One-half (50%) of the target patient growth will be achieved in year 1 and 50% by the end of year 2.
- The referring physician's experienced patient loss ratio of 62.6% remains unchanged.

Data from The Renal Network indicate that this model provides a much more accurate and realistic understanding of the number of new patient referrals required to maintain current practice volume and achieve 80% utilization of each expansion project. The Renal Network data indicate that the in-center hemodialysis population living within an estimated 30 minutes of Aurora's Zip Code 60505, FMC- East Aurora's location, increased 16.5% between 2007 and 2010, from 558 to 650 patients, an annual increase of only 5.2% (see Attachment 4.)

We believe that this model demonstrates that the referring physician's practice cannot support doubling new patients in three years, and therefore cannot support this project. We believe that these projections provide a much clearer understanding of the true community need for dialysis services and the need for new dialysis stations.


















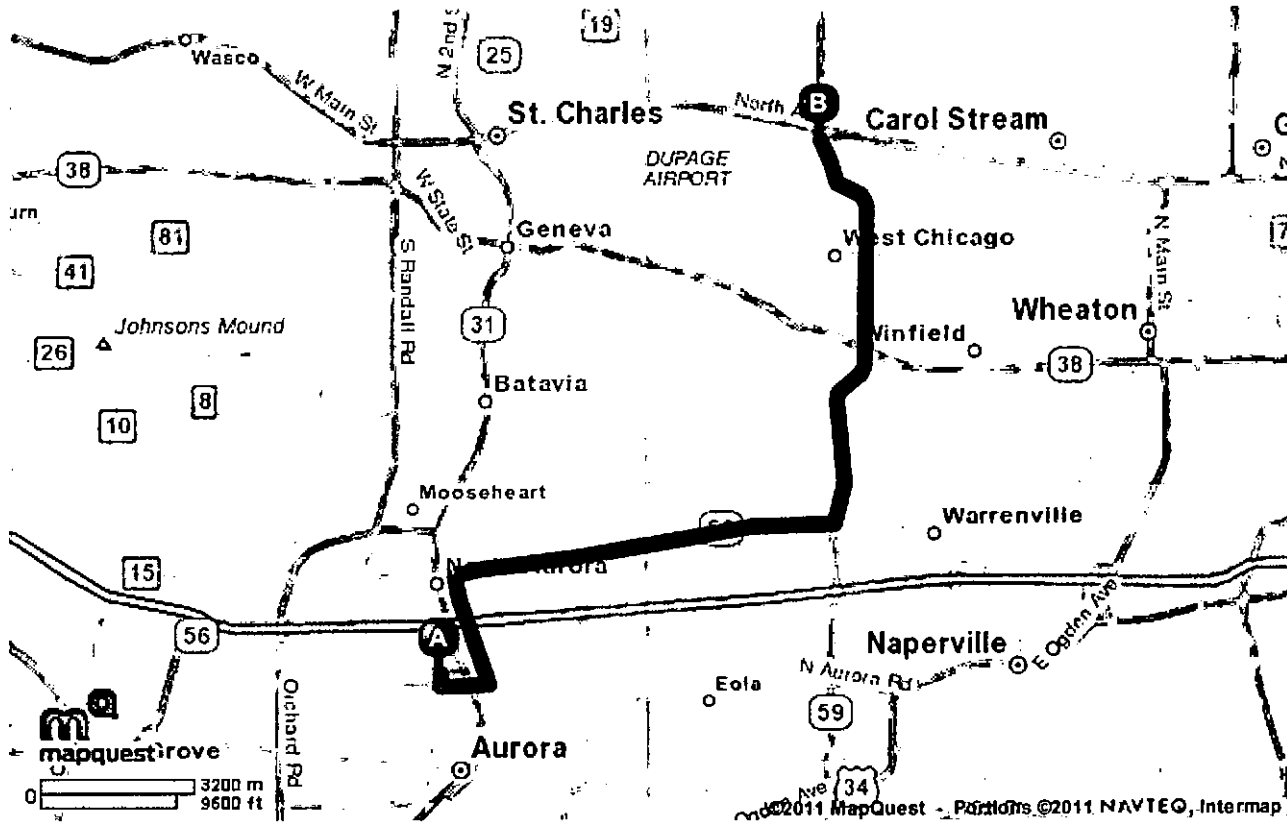
Notes

FMC-Aurora to FMC-West Chicago

**Trip to:**  
**1855 N Neltnor Blvd**  
**West Chicago, IL 60185-5900**  
**15.98 miles**  
**25 minutes**

	<b>455 Mercy Ln</b> Aurora, IL 60506-2462	<b>Miles Per Section</b>	<b>Miles Driven</b>
	1. Start out going SOUTH on MERCY LN toward W NEW INDIAN TRAIL CT.	<b>Go 0.2 Mi</b>	0.2 mi
	2. Turn LEFT onto W INDIAN TRL.	<b>Go 0.8 Mi</b>	1.0 mi
 	3. Turn LEFT onto AURORA AVE / IL-25. Continue to follow IL-25. <i>IL-25 is 0.3 miles past N LAKE ST</i>	<b>Go 1.9 Mi</b>	2.9 mi
 	4. Turn RIGHT onto BUTTERFIELD RD / IL-56. <i>BUTTERFIELD RD is 0.1 miles past E STATE ST</i>	<b>Go 6.2 Mi</b>	9.0 mi
 	5. Turn LEFT onto IL-59. <i>IL-59 is just past BUTTERFIELD RD</i>	<b>Go 6.9 Mi</b>	16.0 mi
	6. 1855 N NELTNOR BLVD. <i>Your destination is 0.1 miles past HERITAGE WOODS DR</i>		16.0 mi
	<b>1855 N Neltnor Blvd</b> West Chicago, IL 60185-5900	<b>16.0 mi</b>	<b>16.0 mi</b>

Total Travel Estimate: 15.98 miles - about 25 minutes



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Region	Provider #	Facility Name	Hemo Stations	MWF Shifts	TTS Shifts	In-Center Hemo Patients	Home Hemo Patients	CAPD Patients	CCPD
	142714	ROBINSON DIALYSIS	8	1	0	15	0	0	0
	140074	ROBINSON DIALYSIS	8	1	0	1	0	0	0
IL-6	140018	MT SINAI HOSP MED CTR RENAL UNIT	11	4	3	68	0	0	0
IL-6	14003F	JESSE BROWN VA MEDICAL CENTER-WESTSIDE	8	2	2	47	0	0	0
IL-6	140088	UNIVERSITY OF CHICAGO - WOODLAWN	19	4	4	137	0	0	0
IL-6	140117	RESURRECTION MEDICAL CENTER	14	3	3	56	0	0	0
IL-6	140119	RUSH-UNIVERSITY-ST LUKES MED CTR	5	2	2	10	0	0	0
IL-6	140124	JOHN H. STROGER JR.HOSPITAL OF COOK COUNTY	6	3	3	101	0	0	0
IL-6	140150	UNIVERSITY OF ILLINOIS HOSPITAL - DIALYSIS	26	3	3	130	5	4	17
IL-6	142501	FMC - NEOMEDICA - NORTH KILPATRICK	20	3	3	114	0	0	0
IL-6	142502	FMC - NEOMEDICA - LOOP	24	2	2	102	30	11	4
IL-6	142505	DSI - LOOP RENAL CENTER	28	2	2	72	0	6	1
IL-6	142506	FMC - CHICAGO DIALYSIS CENTER	33	3	2	68	0	0	0
IL-6	142508	FMC - SOUTHSIDE DIALYSIS CENTER	39	3	3	191	0	0	0
IL-6	142516	FMC - JACKSON PARK DIALYSIS CENTER	24	3	3	117	0	0	0
IL-6	142519	FMC - NEOMEDICA - SOUTH	36	3	3	173	0	0	0
IL-6	142522	FMC - ROGERS PARK	20	3	2	79	0	0	0
IL-6	142523	FMC - NEOMEDICA - WEST BELMONT	10	3	3	39	1	0	0
IL-6	142524	FMC - BRIDGEPORT	27	3	3	114	0	1	0
IL-6	142528	DAVITA - LINCOLN PARK NEPHROLOGY ASSN, SC	22	3	3	105	0	0	0
IL-6	142529	EMERALO DIALYSIS	24	3	3	128	0	0	5
IL-6	142531	FMC - NORTHCENTER DIALYSIS	12	3	3	69	1	0	0
IL-6	142534	DAVITA - LOGAN SQUARE DIALYSIS SVCS INC	20	3	3	109	0	0	0
IL-6	142536	FMC - WEST METRO DIALYSIS	30	3	3	168	4	6	15
IL-6	142540	CIRCLE MEDICAL MANAGEMENT	26	3	2	119	6	6	8
IL-6	142555	FMC - GARFIELD	22	3	2	103	0	6	2
IL-6	142560	DAVITA - SKYLINE HOME DIALYSIS	0	0	0	2	0	6	15
IL-6	142566	FMC - NEOMEDICA - MARQUETTE PARK	14	3	3	79	0	0	0
IL-6	142569	FMC - PRAIRIE	27	3	2	89	0	0	0
IL-6	142572	FMC - NEOMEDICA - SOUTH SHORE	16	3	3	80	1	0	0
IL-6	142597	FMC - NORTHWESTERN	44	3	3	194	0	3	20
IL-6	142600	NEPHRON DIALYSIS CENTER LTO	12	3	3	74	0	0	0
IL-6	142601	FMC - GREENWOOD AVENUE DIALYSIS CENTER	28	2	2	156	0	5	0
IL-6	142604	CHILORENS DIALYSIS CENTER	6	2	2	18	0	0	0
IL-6	142607	FMC - NEOMEDICA - HAZELCREST	16	3	2	70	0	0	0
IL-6	142618	FMC - SKOKIE DIALYSIS	14	3	2	60	3	3	15
IL-6	142621	FMC - MIDAMERICA EVANSTON	20	3	2	66	0	0	0
IL-6	142622	DSI - HAZELCREST	16	4	3	83	0	0	0
IL-6	142626	NORTHWEST P. D. KARE	0	0	0	0	0	1	9
IL-6	142628	DSI - ARLINGTON HEIGHTS	18	3	2	55	2	0	0
IL-6	142630	FMC - ALSIP DIALYSIS CENTER	16	3	1	64	0	0	0
IL-6	142631	FMC - DIALYSIS SERVICES OF CONGRESS PARKWAY	30	3	2	108	0	0	0
IL-6	142635	DAVITA - CHICAGO HEIGHTS DIALYSIS	16	4	3	79	0	0	1
IL-6	142638	BEVERLY DIALYSIS	10	3	3	52	0	0	0
IL-6	142641	FMC-DIALYSIS SERVICES OF BURBANK	22	3	3	115	0	0	0
IL-6	142644	MAPLE AVENUE KIDNEY CENTER	12	3	3	65	0	6	11
IL-6	142646	GARFIELD KIDNEY CENTER	16	3	3	92	0	0	0
IL-6	142649	MONTCLEARE DIALYSIS	16	3	3	75	0	0	0
IL-6	142653	FMC - AUSTIN COMMUNITY KIDNEY CENTER	16	1	3	50	0	0	0
IL-6	142654	DSI- SCHAUMBURG	14	3	3	69	0	0	0
IL-6	142655	DIRECT DIALYSIS	6	3	3	63	4	0	0
IL-6	142659	SUMMIT MEDICAL CARE	0	0	0	1	0	12	0
IL-6	142660	DAVITA DIALYSIS MT GREENWOOD	16	3	3	77	4	3	3
IL-6	142661	STONY CREEK DIALYSIS	12	1	3	63	0	0	0
IL-6	142663	CENTER FOR RENAL REPLACEMENT, LLC	16	3	3	66	0	0	2
IL-6	142667	FMC - MERRIONETTE PARK	16	3	3	88	0	5	4
IL-6	142668	DAVITA - LITTLE VILLAGE DIALYSIS	16	3	3	84	0	0	0
IL-6	142670	FMC - ROSS DIALYSIS - ENGLEWOOD	20	3	2	86	2	0	0
IL-6	142676	AFFILIATED DIALYSIS CENTERS	0	0	0	5	397	0	0
IL-6	142679	FMC-NA LAKEVIEW DIALYSIS	10	3	3	59	0	0	1
IL-6	142681	FMC - CHICAGO WESTSIDE DIALYSIS	31	1	0	62	0	0	0
IL-6	142684	PRS, LLC	1	0	0	13	50	0	0
IL-6	142687	WELLBOUND OF EVANSTON	0	1	1	3	8	3	25
IL-6	142690	FMC - ROSELAND DIALYSIS	12	1	0	59	0	0	0
IL-6	142691	KENNEDY HOME DIALYSIS	5	1	0	0	6	0	0
IL-6	142692	FMCNA - UPTOWN	12	2	1	41	0	0	0
IL-6	142698	COMMUNITY DIALYSIS OF HARVEY	16	3	2	71	0	0	0
IL-6	142713	FMC - MIDWAY DIALYSIS	12	1	0	14	0	0	0
IL-6	143523	DAVITA - LAKE PARK DIALYSIS	19	3	3	121	0	0	1
IL-6	143524	DAVITA - WOODLAWN HOME DIALYSIS	5	4	4	5	4	0	33
IL-6	143527	DAVITA - STONEY ISLAND DIALYSIS	24	4	4	132	0	0	0
IL-7	14007F	VA MEDICAL CENTER - HINES	17	2	2	51	0	5	0
IL-7	140276	FOSTER MCGAW HOSPITAL OF LOYOLA	30	3	3	149	0	11	9
IL-7	142503	FMC - DOWNERS GROVE DIALYSIS CENTER	19	3	3	100	0	0	0
IL-7	142504	FMC - OAK PARK DIALYSIS UNIT	32	3	3	130	1	2	1
IL-7	142507	FMC - ELK GROVE DIALYSIS CTR	28	3	3	142	0	0	0
IL-7	142509	FMC - OF DUPAGE WEST	16	3	2	66	0	5	10
IL-7	142511	DSI - EVANSTON RENAL CENTER	18	3	2	52	0	0	0
IL-7	142515	FMC - AURORA DIALYSIS CENTER	14	4	4	110	1	7	2
IL-7	142517	FMC - SOUTH SUBURBAN	27	3	3	142	0	4	12
IL-7	142518	DSI - SCOTTSDALE	32	3	3	154	2	11	2
IL-7	142520	FMC OF WESTCHESTER	24	3	2	91	0	0	0
IL-7	142521	FMC - NORRIDGE	18	3	2	56	0	0	0

★  
★

CON 09-067

**PRE - ESRD PATIENTS DR. DODHIA EXPECTS TO REFER TO FRESenius  
MEDICAL CARE BATAVIA BY 2 YEARS (24 MONTHS)  
AFTER PROJECT COMPLETION**

Zip Code	Patients
60119	6
60134	1
60174	1
60175	3
60510	19
60542	29
60554	24
Total	83

SOURCE: CON Application FMC-West Batavia, #09-067, Page 59  
CON permit granted 3/2/10.

**PATIENTS OF DR. DODHIA'S PRACTICE 3rd QUARTER 2010**

Fresenius Aurora		Fresenius Oswego		Fresenius Sandwich		Fox Valley Dialysis	
Zip Code	Patients	Zip Code	Patients	Zip Code	Patients	Zip Code	Patients
60119	2	60134	1	60115	1	60543	2
60123	2	60431	1	60506	1	60560	1
60137	11	60446	1	60520	1	60504	5
60174	1	60503	1	60538	1	60505	1
60177	1	60505	7	60545	4	<b>Total</b>	<b>9</b>
60185	27	60506	3	60548	7		
60503	1	60538	7	60551	2		
60504	2	60543	7	60560	2		
60505	1	60545	2	61378	1		
60506	1	60552	1	<b>Total</b>	<b>20</b>		
60510	1	60560	1				
60520	1	60565	1				
60538	3	60644	1				
60542	29	<b>Total</b>	<b>34</b>				
60554	1						
60560	1						
60563	1						
<b>Total</b>	<b>86</b>			<b>Total</b>	<b>149</b>		

**PRE-ESRD PATIENTS DR. DODHIA EXPECTS TO REFER TO FRESENIUS MEDICAL CARE EAST AURORA IN THE FIRST TWO YEARS OF OPERATION**

**Pre-ESRD**

Zip Code	Patients
60502	4
60503	2
60504	4
60505	26
60506	33
60507	2
<b>Total</b>	<b>71</b>

**Transfers**

Zip Code	Patients
60505	4

SOURCE: CON Application FMC-East Aurora, #10-086, Page 53.

*West Aurora*  
1870 West Galena Boulevard  
Aurora , Illinois 60506

February 24, 2011

**Public Hearing Comments**

**#10-086, Fresenius Medical Care East Aurora**

Good morning Ladies & Gentlemen, Members of the Illinois Health Facilities & Services Review Board.

My name is Navinchandra Dodhia, and I am a nephrologist practicing in the Aurora area for almost 20 years. I am the Medical Director of the Fresenius Aurora and Oswego dialysis centers. I have also lived in the Far East side of Aurora ever since I started practicing here.

I am employed by the Dreyer Medical Clinic which is a multispecialty clinic with 160 physicians, including about 50 primary care physicians, over 500,000 outpatient visits, 125,000 active patients and multiple sites. My practice partner is Dr. Atif Fakhruddin, and we are in the process of incorporating Dr. Bina Mirza to our practice. All three of us are on staff at Rush-Copley and Provena Mercy Medical Center.

I have been very active in the healthcare community in Aurora. Every year I have volunteered at the African-American health fair. At this event members of the public are screened for high blood pressure and chronic kidney disease. Early detection and treatment will lead to prevention of complications, dialysis and transplant.

For many years I volunteered at the Aurora Wellness Clinic which was set up to serve anyone who had no insurance. There was no charge for the services. Unfortunately the Wellness Clinic was closed.

At Provena Mercy Medical Center I have been on various committees over the years. Currently I am the Vice Chief of Staff.

**Network data will show that the Aurora dialysis facility has operated above capacity for many years. This resulted in many patients dialyzing to almost midnight. This caused conflict with transportation options, family obligations or work schedules. In the last year the facility has been expanded by 10 stations allowing it to operate a normal 3-shift-a-day schedule.**



A new Aurora facility in the city is needed to accommodate the 71 pre-ESRD patients I have from the East Aurora area who will utilize the new facility. This number does not account for those patients I see the first time who come to the emergency room in kidney failure or those patients I will continue to refer to the current Aurora facility.

In the 20 years that I have been in the Aurora area, I have witnessed a continual growth of end-stage renal disease. This is partly due to the rapid population growth of the region in recent years. According to the 2010 census, Aurora is the fastest growing city in the state and has grown 38% in the last 10 years. The city demographics have also changed with the percent of Hispanic-Americans now at 41% and African-Americans at 10%. I have seen this increase reflected among the patients I treat as well.

I have great concern for these patients because of their higher vulnerability to the two leading causes of kidney failure, diabetes and high blood pressure. Nearly 15% of African-Americans have diabetes and one-third go undiagnosed and untreated causing kidney damage. Also 40% have high blood pressure which is the second leading cause of kidney failure and one-third of these cases are also undiagnosed.

The fastest growing population in Aurora, Hispanic-Americans, are also disproportionately at risk for kidney disease. 11% of this population is diabetic with one-third of these going undiagnosed and untreated. These two population groups are twice as likely to develop diabetes and high blood pressure leading to kidney failure.

I have seen evidence of this in my practice over the years. The number of patients with kidney disease from these two groups has increased exponentially with 50% of the current Aurora Dialysis patients representing these demographics.

In order to reduce the health disparities in this community, my practice along with Fresenius Medical Care reaches out quarterly to those in the early stages of kidney disease to educate them on their disease and ways to prolong kidney health to hold off dialysis as long as possible. These patients are also educated on the different treatment choices of in-center hemodialysis, home hemodialysis, peritoneal dialysis and transplantation. I am a fervent supporter of transplantation. Network data will show that the Aurora Dialysis Center has had transplants every year. I have many patients who have had a transplant before starting dialysis. Within the last six months we have had four transplants and one is scheduled for tomorrow and another on February 28.

I have also seen over the years my patients' economic status and insurability decrease. Some of my patients are indigent, uninsured or are dependent on Medicaid. Many of these patients are undocumented and cannot qualify for Medicare, which covers end-stage renal disease. These patients are admitted to the Fresenius Medical Care facilities regardless of their ability to pay.

If patients are unable to be accommodated at a local dialysis facility due to space constraints or time, then they would need to seek care at a facility where we may not be

on staff. This disrupts the patient-physician relationship. Oftentimes patients are admitted to the hospital after an evaluation or change in condition at dialysis.

Once at a dialysis facility outside the home area, you end up in a hospital which is also not your usual local hospital. This results in a whole new set of physicians taking care of you and they may not be the same ones every time. Thus we end up with fragmented care.

Considering the evidenced growth of end-stage renal disease, population of the City of Aurora, the Hispanic-American and African-American populations, and the utilization of the facilities in Aurora, I respectfully urge the Board members to approve the East Aurora facility to provide continued dialysis access to this disadvantaged and continually growing patient population residing in the City of Aurora.

I hope this application will be approved.

Thank you for your time and consideration.

Navinchandra Dodhia, M.D.



2000 Ogden Avenue, Aurora, IL 60504

February 24, 2011

Dale Galassie
Chairman
Health Facilities and Services Review Board
525 West Jefferson Street, 2nd Floor
Springfield, Illinois 62761

Dear Mr. Galassie:

RE: FMC – East Aurora
HFSRB #10-086
Public Hearing Testimony in Opposition

Rush-Copley Medical Center opposes the request for a Certificate of Need (CON) permit filed by Fresenius Medical Care Sandwich LLC to establish a 12-station in-center hemodialysis facility at 924 East New York Street in Aurora, Illinois (60505.) We ask the Health Facilities and Services Review Board to deny this application. We are convinced by the evidence that this project is premature and will have a negative impact on other hemodialysis facilities already approved to operate in this community.

Our community has the following available or approved in-center hemodialysis facilities which are easily accessible to the proposed population to be served by the new facility:

Table with 7 columns: Facility, Distance, MapQuest\* Travel Time, 12/31/2010 Stations, 12/31/2010 Patients, Occupancy. Rows include FMC-Aurora, FMC-Naperville No., FMC-West Batavia, Tri-Cities, FMC-DuPage West, Yorkville, FMC-West Chicago, and FMC-Plainfield.

SOURCE: The Renal Network, 2010, 4th quarter data.

- NOTES: \* MapQuest travel time is adjusted 1.15% as allowed by HFSRB rules.
\*\* FMC-Aurora utilization includes 29 patients who may transfer to the new FMC-West Batavia facility when it opens (see Attachment 1.)
The occupancy of FMC-Aurora decreases to 56% without these patients.

The applicant submitted an independent travel study showing that three (3) of the above facilities may be over 30 minutes travel time (Yorkville Dialysis; Tri-Cities Dialysis; and FMC-West Chicago.) Other travel studies may be conducted to dispute or corroborate this study. However, these data indicate that the applicant has five (5) underutilized facilities within 30 minutes of the project.

Conveniently located, quality dialysis services are readily accessible to the patients served by Rush-Copley Medical Center and the physicians on its Medical Staff. We experience no difficulty finding available dialysis services for our patients.

We support the reasonable and timely development of health care facilities in the greater Aurora area. We respectfully ask the Health Facilities and Services Review Board to consider the impact on existing, approved facilities. We urge the State Board to deny this CON application at this time.

Thank you for your consideration of our comments on this important matter.

Respectfully,



Gail Bumgarner  
Senior Vice President  
Rush-Copley Medical Center

Attachments

CC: Ms. Courtney Avery

FMC - EAST AURORA CON APPLICATION - DR. DODHIA'S & FAHRUDDIN'S HISTORICAL CASELOAD

Existing Patients - End of Year 2007						Existing Patients - End of Year 2008						Existing Patients - End of Year 2009						Existing Patients - End of Q3 2010					
Aurora	Oswego	Sandwich	Fox Valley	Aurora	Oswego	Sandwich	Fox Valley	Aurora	Oswego	Sandwich	Fox Valley	Aurora	Oswego	Sandwich	Fox Valley	Aurora	Oswego	Sandwich	Fox Valley				
60042				1																			
60106																							
60115																							
60119				1																			
60120				1																			
60123																							
60134																							
60137																							
60174				2																			
60177				1																			
60178																							
60185																							
60431																							
60446																							
60503					1																		
60504			3																				
60505			1	25	3																		
60506			1	30	3																		
60510				3																			
60512					1																		
60520																							
60538				1	4																		
60540				1																			
60541				6	2																		
60542				2	8																		
60543			3																				
60545				2	2																		
60548			2		5																		
60551																							
60552				3	9																		
60554			1																				
60560			2																				
60563																							
60565					1																		
60586																							
60605				1																			
61378																							
60644																							
62701					1																		
62710																							
62701																							
TOTALS	83	25	0	13	79	42	133	72	42	135	9	85	34	20	149	9							

SOURCE: CON APPLICATION #10-086, Dr. Dodhia's Referral Letter, Pages 50 - 53.

CON 09-067

PRE - ESRD PATIENTS DR. DODHIA EXPECTS TO REFER TO FRESenius  
MEDICAL CARE BATAVIA BY 2 YEARS (24 MONTHS)  
AFTER PROJECT COMPLETION

Zip Code	Patients
60119	6
60134	1
60174	1
60175	3
60510	19
60542	29
60554	24
Total	83

Source: CON Application 09-067, Dr. Dodhia's Patient Referral Letter

CON 10-086

**PATIENTS OF DR. DODHIA'S PRACTICE 3rd QUARTER 2010**

Fresenius Aurora		Fresenius Oswego		Fresenius Sandwich		Fox Valley Dialysis	
Zip Code	Patients	Zip Code	Patients	Zip Code	Patients	Zip Code	Patients
60119	2	60134	1	60115	1	60543	2
60123	2	60431	1	60506	1	60560	1
60137	11	60446	1	60520	1	60504	5
60174	1	60503	1	60538	1	60505	1
60177	1	60505	7	60545	4	<b>Total</b>	<b>9</b>
60185	27	60506	3	60548	7		
60503	1	60536	7	60551	2		
60504	2	60543	7	60560	2		
60505	1	60545	2	61378	1		
60506	1	60552	1	<b>Total</b>	<b>20</b>		
60510	1	60560	1				
60520	1	60565	1				
60536	3	60644	1				
60542	26	<b>Total</b>	<b>34</b>				
60554	1						
60560	1						
60563	1						
<b>Total</b>	<b>86</b>			<b>Total</b>	<b>149</b>		

**PRE-ESRD PATIENTS DR. DODHIA EXPECTS TO REFER TO FREENIUS MEDICAL CARE EAST AURORA IN THE FIRST TWO YEARS OF OPERATION**

Pre-ESRD

Zip Code	Patients
60502	4
60503	2
60504	4
60505	28
60506	33
60507	2
<b>Total</b>	<b>71</b>

Transfers

Zip Code	Patients
60505	4

Source: CON Application 10-086, Dr. Dodhia's Patient Referral Letter

**February 24, 2011**

**Public Hearing Comments**

**#10-086, Fresenius Medical Care East Aurora**

WJ2

My name is Jenny Lowe and I am the Area Manager with Fresenius Medical Care covering the far west suburbs including the current Aurora Dialysis Center. I also cover the Fresenius Oswego, Sandwich and the new West Batavia dialysis facilities. I have lived in Aurora for the last 18 years and have been associated with the Aurora Dialysis Center for almost as long formerly working one on one with the patients there as a Registered Dietitian.

I have seen this facility grow from 6 stations with less than 50 patients to 24 stations and nearly 120 patients. In just the last year we have added ten of these stations placing the facility at its physical capacity. With the continual increase in patient referrals to this facility, it is still operating close to 80% utilization. From my experience I believe Aurora will need another facility in the near future, due to this growth.

Living in the Aurora community, I have also witnessed the excessive population growth and the changing demographics of the city. I am aware that Aurora is now the 2<sup>nd</sup> largest city in Illinois behind Chicago. With this growth the city has seen an increase in the Hispanic population to 41% and the African American population to 10%. The Aurora dialysis facility represents this too with 59% of the patients coming from Hispanic and African American backgrounds.

This being said, this patient population has a 2 times higher risk of developing diabetes and hypertension, which are the two leading causes of kidney failure. This accounts for the continual rise in end stage renal disease cases in the city of Aurora. For this reason, we need to be prepared to serve this community's needs with access to treatment in the community where these patients live.

Dialysis patients come to the facility 3 times a week for usually over 4 hours. Transportation for these patients can be very difficult. Some patients rely on family, friends, church members, public transportation, and medical vans. Having a dialysis center in their neighborhood makes it so much easier and convenient for dialysis patients. The hardship of obtaining transportation is one burden we can help alleviate for these patients when they are trying to cope with a chronic illness.

Transportation is also an issue for many of these patients from East Aurora because this is a disadvantaged population. As I mentioned earlier this is a minority population and many of these patients are underinsured or have no insurance coverage at all. Those that are undocumented cannot obtain any transportation coverage. Along with this is the economic disadvantage these



patients experience making travel outside of their neighborhood an even greater hurdle.

I also know that many of Dr. Dodhia's patients who are insured are managed by Dreyer Managed Care. These patients can only dialyze where their managed care organization has contracted with. The Fresenius Aurora facility is currently in their network and so will the East Aurora facility, and they can only dialyze at these facilities.

I strongly support the need for another dialysis center in downtown Aurora to meet the constantly growing needs of this diverse community. Thank you for your time and attention to this matter.

*Jenny Lowe*

*2/7/2*



## Fresenius Medical Care

**February 24, 2011**

### **Public Hearing Comments**

#### **#10-086, Fresenius Medical Care East Aurora**

My name is Lori Wright and I am the CON Specialist for Fresenius Medical Care. I compiled the application for the East Aurora dialysis facility. Our operations and marketing team along with physicians input determine where a new facility may be needed. Once I begin to work on the application, I research for myself such things as community characteristics, patient demographics, population and ESRD growth and other facility options for future patients. The more research I did on the East Aurora facility, the more profound the evidence appeared of just how great the need here is. I would have to admit, the evidence found, as you will see here today, is not always this compelling.

I have to question the motives of Renaissance Management for opposing the establishment of this facility since they also opposed the recent 4-station expansion of the current Fresenius Aurora facility despite the fact that the facility remains at 80% post expansion. In fact, this facility added 10 stations in the past year in an effort to reduce the utilization rate without success, attesting to ESRD growth and the need for more stations in downtown Aurora.

The East Aurora project will meet all of the State Board criteria except the need & maldistribution criteria. While all facilities within 30 minutes travel time of Fresenius East Aurora are near or above 80% utilization, there is only one facility that essentially keeps this application from meeting this criteria. It is the Fresenius West Batavia clinic which is right at 30 minutes away and is not yet in operation. Dr. Dodhia's practice will be supporting that facility. It was established to alleviate the Aurora area by providing access to treatment to residents of Batavia and North Aurora and to eliminate long drive times experienced by these residents having to drive into downtown Aurora for treatment. It will not serve the residents who live in East Aurora or the patients identified in the application. The West Batavia facility is much closer to Renaissance's Tri-Cities Dialysis than the East Aurora facility, yet Renaissance did not oppose that application.

Outside of the 30-minute travel area for East Aurora, Renaissance Management operates the 18-station Tri-Cities Dialysis Center in Geneva and the 8 station Yorkville Dialysis Center, which are 12 & 15 miles away respectively and again, over thirty minutes from the proposed East Aurora site and therefore are not considered options for these patients.

**Fresenius Medical Services ♦ Dialysis Services**

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Although both facilities are underutilized, their distance and excessive drive time do not make these facilities treatment alternatives for the patients residing in downtown Aurora. The Fresenius East Aurora facility will therefore have no impact on either of these clinics.

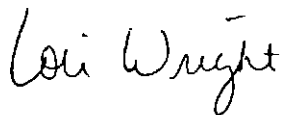
The only other facility currently serving Aurora, besides Fresenius Aurora, is the 26-station Fox Valley Dialysis Center which is supported by the physicians from Renaissance Management. However, due to the fact that this facility has been operating between 85% and 92% utilization for the past seven years it is apparent that the East Aurora facility could not possibly have an adverse effect on that facility. Dr. Dodhia does refer some patients to this facility, but it clearly cannot accommodate the growth of ESRD patients seen in Aurora.

As some of you may have heard in the news lately, Aurora has grown tremendously in the past ten years. 38% to be exact and with that the growth of the minority population here has increased to 41% Hispanic and 10% African American. The East Aurora community itself has an even higher percent of these two ethnic backgrounds residing within its borders. These groups are disproportionately affected by diabetes and hypertension, which are the leading causes of kidney failure. This trend is causing the continual rise in dialysis patients seen in larger cities such as Aurora. It is for this disadvantaged patient population that Fresenius Medical Care is preparing to serve.

Aside from the health risks experienced by this patient population, these patients are at an economic disadvantage as well. Many of these patients are undocumented and do not have insurance coverage. Fresenius Medical Care would like to offer these patients access to treatment in their community.

In sum, it is clear that due to neighborhood/patient demographics, current clinic utilizations, growth of the general population, minority growth, growth of ESRD patients and the excessive distance to any other facility with excess capacity, that additional access to dialysis services is needed to serve the residents of the City of Aurora.

I want to thank the Board for their time and attention to this matter.



Lori Wright  
CON Specialist  
Fresenius Medical Care

**Clinic Utilization Within 30-Minute Travel Zone of Fresenius Medical Care East Aurora**

Name	Address	City	ZIP Code	MapQuest		MapQuest Adjusted Time	Travel Study Time*	Stations	Patients 12/31/10	Util 12/31/10
				Miles	Time					
Fox Valley Dialysis	1300 Waterford Dr	Aurora	60504	2.78	6	7	N/A	26	135	87%
Fresenius Aurora	455 Mercy Ln	Aurora	60506	3.51	10	12	N/A	24	114	79%
Fresenius Naperville North	514 W 5th Ave	Naperville	60563	8.31	16	18	N/A	14	67	80%
Fresenius Naperville	100 Spaulding Dr	Naperville	60540	7.85	16	18	N/A	15	75	83%
Fresenius Oswego	1051 Station Dr	Oswego	60543	10.18	16	18	22.8	11	53	80%
Fresenius DuPage West	450 E Roosevelt Rd	West Chicago	60185	12.13	20	23	26.7	16	73	76%
Fresenius West Batavia	Fabyan Pkwy & Branson Dr*	Batavia	60510	10.6	22	25	29.2	12	0	0%

**FACILITIES BELOW WERE FOUND TO BE OVER 30-MINUTES ACCORDING TO MAPQUEST ADJUSTED AND/OR INDEPENDENT TRAVEL STUDY**

Yorkville Dialysis	1400 Beecher Road	Yorkville	60560	14.67	24	28	31.3	8	12	25%
Tri Cities Dialysis	306 Randall Rd	Geneva	60134	11.28	22	25	31.5	18	70	65%
Fresenius West Chicago	1859 N Neltnor Blvd	West Chicago	60185	15.37	24	28	33.5	12	31	43%
Fresenius Bolingbrook	329 Remington Blvd	Bolingbrook	60440	16.37	27	31	N/A	24	115	80%
Fresenius Downers Grove	3825 Highland Ave	Downers Grove	60515	19.34	29	33	N/A	19	100	88%

\*An independent travel study, per 1100.510d, was conducted by a Professional Traffic Operations Engineer. Certified copy of the study is in the original CON application.