



STATE OF ILLINOIS
HEALTH FACILITIES AND SERVICES REVIEW BOARD

525 WEST JEFFERSON ST. • SPRINGFIELD, ILLINOIS 62761 • (217) 782-3516 FAX: (217) 785-4111

March 24, 2011

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Kara Friedman, Attorney
Polsinelli Shughart, PC
161 North Clark Street, Suite 4200
Chicago, IL 60601

RE: INTENT TO DENY
Project #10-088 – Hispanic American Endoscopy Center
Permit Holders: Hispanic American Endoscopy Center, LLC

Dear Ms. Friedman:

On March 21, 2011 the Illinois Health Facilities and Services Review Board issued an Intent-to-Deny for the above referenced application for permit. Section 1130 of the Illinois Health Facilities Planning Act provides you an opportunity for a hearing before the State Board to appeal this decision. If it is your decision to appeal the State Board's action you must adhere to the requirements of 77 IAC 1130.670 (b), (c), and (d), effective September 1, 2006, as follows:

- b) The applicant shall notify HFPB in writing and within **14 calendar days** after issuance of the Notice of Intent-to-Deny, whether it intends to: 1) appear before the State Board; and/or 2) submit **supplemental** information. It is the responsibility of the applicant to assure that the HFPB is in receipt of the response within the **14 day** prescribed time frame.
- c) 1 If the applicant waives the right to appear before HFPB or if a written response is not received within **14 calendar days** after issuance of an **Intent to Deny**, then the application shall be considered withdrawn.
- c) 2 If the applicant indicates that no **supplemental** information will be submitted, the HFPB shall take action on the application at its next meeting.
- c) 3 If the applicant indicates that additional documentation shall be submitted, the applicant shall be afforded a period of **30 days** from the issuance of the **Notice of Intent-to-Deny** to submit the material. Upon receipt of the supplemental information, IDPH shall commence a

Intent to Deny

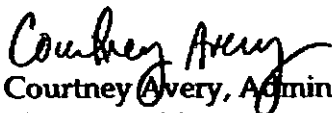
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review and submit its findings to HFPB in accordance with the provisions of this Subpart. IDPH shall be allowed up to 60 days following the receipt of all material to review the material and issue a supplemental report.

- c) 4 Written comments submitted to IDPH from persons other than the applicant regarding a proposed project that has received an Intent to Deny are ex parte and prohibited and shall not be considered. This provision does not apply to public hearing testimony or comments that are received pursuant to a provision in Subpart I (Public Hearing and Comment Procedures) or to comments or testimony that has been submitted in response to requests by HFPB for information to assist in consideration of the application subsequent to the Intent to Deny.
- d) A project that has received a Notice of Intent-to-Deny and has been scheduled for HFPB consideration can be deferred by the applicant. A notice of deferral may be provided in writing prior to the scheduled HFPB meeting or be provided verbally at the HFPB meeting. An applicant may not defer HFPB consideration beyond a HFPB meeting date that is more than six months from the date the applicant received an intent-to-deny.

Should you have any questions, please contact our office at (217) 782-3516 and ask to speak to a staff person about post permit requirements.

Sincerely,



Courtney Avery, Administrator
Illinois Health Facilities and Services Review Board

cc: Dale Galassie, Chairman