



STATE OF ILLINOIS
HEALTH FACILITIES AND SERVICES REVIEW BOARD

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

February 24, 2014

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

David B. Weiss, President
Transitional Care Center of Naperville
1630 Des Peres Road, Ste 310
St. Louis, MO 63131

RE: **DENIAL OF APPLICATION**
Notice of an Opportunity for an Administrative Hearing
Illinois Health Facilities Planning Act
Project: # 13-038 Transitional Care Center of Naperville
APPLICANT: Transitional Care Center of Naperville, LLC – Transitional Care
Management

Dear Mr Weiss:

On February 20, 2014, the Illinois Health Facilities and Services Review Board issued its denial of the application for permit for the above-referenced project. The State Board rendered its decision following consideration of the application, the State Board Staff Report and the testimony of the applicant. The State Board's decision is based upon the applicant's failure to document that a project of the nature and scope as that proposed is appropriate for the reasons stated in the following allegations of non-compliance:

Allegations of Non-Compliance

The applicants did not document conformance with the following review criteria:

- | | |
|---|--|
| ☐ Criterion 1125.530 (a) | Bed Need Determination |
| ☐ Criterion 1125.530 (b) | Service to Planning Area Residents |
| ☐ Criterion 1125.540 | Service Demand Establishment of General Long Term Care |
| ☐ Criterion 1125.570 | Service Accessibility |
| ☐ Criterion 1125.580 | Unnecessary Duplication & Maldistribution |
| ☐ Criterion 1125.800 | Financial Viability |

Section 10 of the Illinois Health Facilities Planning Act (the "Act"), P.A. 78-1156 as amended, [20 ILCS 3960/10] affords you the opportunity for a hearing before a hearing officer appointed by Chairman of the Illinois Health Facilities and Services Review Board (State Board). Such hearing shall be conducted in accordance with the provisions specified in Section 10 of the Act and the implementing rules, 77 IAC Part 1130. If you decide to exercise your right to a hearing,

Denial Letter

Page 2 of 2

you must submit a written notice of a request for such hearing to the Administrator of the State Board, postmarked within 30 days of receipt or delivery of this notice.

Notice to Administrator may be made by forwarding the written request to my attention at the following address: Illinois Health Facilities and Services Review Board, Attention: Courtney R. Avery, Administrator, Division of Health Systems Development, 525 West Jefferson Street (2nd Floor), Springfield, Illinois 62761. Notice to the Administrator constitutes notice to the State Board (77 IAC 1130.1020(b)). Failure to submit your request within this period constitutes a waiver of your right to a hearing.

If you decide to exercise your right to a hearing, the State Board, shall, within 30 days after the receipt of your request, appoint a hearing officer. The hearing will afford you the opportunity to demonstrate that the application is consistent with the criteria upon which the action of the State Board was based. Following its consideration of the report of the hearing, or upon default of the party to the hearing, the State Board shall make its final determination.

Sincerely,

A handwritten signature in black ink that reads "Courtney Avery". The signature is written in a cursive, flowing style.

Courtney R. Avery

Administrator

Illinois Health Facilities and Services Review Board