



FOLEY & LARDNER LLP

June 7, 2016

VIA EMAIL & FEDERAL EXPRESS

Ms. Courtney Avery
Administrator
Illinois Health Facilities and Services Review Board
525 West Jefferson Street, 2nd Floor
Springfield, Illinois 62761

Re: Request for Expedited Review for CON Application
Silver Cross Ambulatory Surgery Center, Project No. 16-021

Dear Ms. Avery:

We are counsel to Silver Cross Ambulatory Surgery Center LLC ("SCASC") and Silver Cross Hospital and Medical Centers ("Silver Cross Hospital," and collectively with SCASC, the "Applicants") and are hereby requesting an expedited review of the Certificate of Need Application (the "CON Application") that we filed with the Illinois Health Facilities & Services Review Board (the "Board") on behalf of the Applicants to establish a multi-specialty ambulatory surgical treatment center (the "Surgery Center") on the Silver Cross Hospital campus, near the southwest corner of Route 6 and Silver Cross Boulevard in New Lenox, Illinois (the "Project"), in order to reduce the high utilization and projected demand for outpatient surgical services at Silver Cross Hospital.

More specifically, the eleven operating rooms at Silver Cross Hospital had a utilization rate of 119.3% in 2014. In 2015, the utilization rate increased to 129.7%. 2016 is even busier, with the eleven operating rooms on pace to hit a utilization rate of 138.5%. The surgical projections for 2017, 2018 and 2019 are just as daunting and show that Silver Cross Hospital will need nineteen operating rooms by 2019. Thus, Silver Cross Hospital is under enormous pressure to add additional surgical capacity on its campus immediately.

To that end, Silver Cross Hospital seriously considered constructing a stand-alone, hospital based outpatient department on the Silver Cross Hospital Campus (the "HOPD"). The HOPD would remain under the general acute care hospital license of Silver Cross Hospital and would operate under Silver Cross Hospital's Medicare provider number. As you know, this option would **NOT** require Board approval – and would, thus, take less time.

Nevertheless, the Applicants filed the CON Application with the expectation that the Applicants could complete the Project by March 31, 2018. That March 31, 2018 completion date assumed no delays of any sort. Having reviewed the construction schedule for the Project in detail with the Applicants' general contractor, who raised the prospect of possible weather

ATTORNEYS AT LAW
321 NORTH CLARK STREET, SUITE 2800
CHICAGO, IL 60610-4764
312.832.4500 TEL
312.832.4700 FAX
www.foley.com

WRITER'S DIRECT LINE
312.832.4375
egreen@foley.com EMAIL

CLIENT/MATTER NUMBER
0264141-0101

RECEIVED

JUN 08 2016

**HEALTH FACILITIES &
SERVICES REVIEW BOARD**

BOSTON
BRUSSELS
CHICAGO
DETROIT
JACKSONVILLE

LOS ANGELES
MADISON
MILWAUKEE
NEW YORK
ORLANDO

SACRAMENTO
SAN DIEGO
SAN DIEGO/DEL MAR
SAN FRANCISCO
SILICON VALLEY

TALLAHASSEE
TAMPA
TOKYO
WASHINGTON, D.C.

4819-7249-1314.1



FOLEY & LARDNER LLP

Ms. Courtney Avery

Silver Cross Ambulatory Surgery Center, Project No. 16-021

June 7, 2016

Page 2

related and possible Board delays, the Applicants are very concerned that any delays in the start of the Project will push the Project completion date into late 2018 or even 2019. Given the high utilization of the operating rooms at Silver Cross Hospital, any such delays would seriously and negatively impact patient care at Silver Cross Hospital. For those reasons, we are requesting an expedited review of the CON Application in order to begin construction on the Surgery Center no later than August 31, 2016. Thus, we are requesting to be heard at the Board's hearing on August 2, 2016 in Chicago, Illinois.

Because all of the committed surgical cases for the Surgery Center will be shifted from Silver Cross Hospital to the Surgery Center, there will be **NO** impact on the other hospitals or ambulatory surgery centers in the Surgery Center's service area. Thus, this Request will not prejudice any other hospitals or ambulatory surgery centers in the Surgery Center's service area.

Thank you for your consideration of this request and please feel free to contact me if you have any questions.

Sincerely,

A handwritten signature in black ink that reads 'Edward J. Green'.

Edward J. Green

EJG:src
Enclosures