

April 10, 2017

Ms. Kathryn J. Olson  
Chairperson  
Illinois Health Facilities and Services Review  
Board  
525 West Jefferson Street, 2nd Floor  
Springfield, IL 62761

**RECEIVED**

**APR 14 2017**

**HEALTH FACILITIES &  
SERVICES REVIEW BOARD**

- **Regarding: Dialysis Care Center  
McHenry, IL (Project #16-058)**

Dear Ms. Olson:

I am a nephrologist and medical director of Fresenius' dialysis unit in McHenry, Illinois. I oppose the above-referenced project. There is no need for a new 14-station dialysis facility in McHenry. The project's approval will result in redundancy of medical services and may jeopardize the quality of care currently available within HSA 8. Our unit in McHenry has run at less than 50% capacity for each of the last 3 years. Our facility administrator frequently reduces staff hours due to low census – an aspect that will only be exacerbated by having yet a third unit in McHenry. I also question the data that is being used to support the above request. As a consequence, approval of a third dialysis facility in McHenry is groundless and may actually result in adverse outcomes for the community. I respectfully request that the Illinois Health Facilities and Services Review Board deny Dialysis Care Center McHenry's application for a 14-station dialysis facility.

### **1. Redundancy of Dialysis Services**

The McHenry area is saturated with established dialysis units. Our unit (FMC McHenry) – located less than 3 miles from the proposed unit – is currently running at 43% capacity. The American Renal Associates unit is within walking distance of the proposed unit and is also operating at less than 50% capacity. We are going to great lengths on a weekly basis to provide enough hours for our highly skilled technicians and dialysis nurses. There are 15 dialysis facilities within a 30 minute drive of the proposed facility and only 3 of these units are operating above the Board's utilization standard. There is no justifiable reason for a third dialysis unit to be established in McHenry.

## **2. Physician Support Documents**

A physician referral letter from Dr. Farhan Bangash, D.O. exaggerates the chronic kidney disease (CKD) patient base that will justify the proposed Dialysis Care Center McHenry. In his document, Dr. Bangash states, “[w]e currently have 110 CKD 4 preESRD patients in my practice, this does not include any patients that are CKD 3, the list is provided for these patients as well but have not been accounted for in [*sic*] any calculation purposes.” See Application p 66. Dr. Bangash does not specify the number of CKD stage 4 patients that are seen in/near McHenry, however. His practice extends over a wide geographic area in Northwestern Illinois. Of the 110 CKD stage 4 patients that he claims to treat, how many of them live close enough to the proposed unit that would allow them to utilize it? 37 CKD stage 4 patients are listed by Dr. Bangash. Upon aggregating the three referring physicians’ data, they collectively only have 57 CKD 4 patients. Given historical trends, not all CKD stage 4 patients, with proper management, progress to stage 5 – especially within a 12-24 month time period. Patients with stage 3-5 CKD eventually progress to ESRD in 14-16% of cases (Sud, Naimark Univ of Toronto). 50% of CKD stage 4 patients, based upon the same Sud and Naimark study, will never require renal replacement therapy. An annual events rate of 9.6% conversion to ESRD status from CKD stage 4 patients was noted in a study by Landray, et. al. (American Journal of Kidney Disease). The data provided does not support the applicant’s projected census of 77 patients by the second year of operation.

## **3. Integrity of Supporting Physicians**

As the medical director of Fresenius McHenry I have had interactions with Dr. Bangash on numerous occasions. Unfortunately, he has been reprimanded on several occasions for failure to complete necessary chart work on his patients who have dialyzed at our facility. As of the date of this letter, he has outstanding signatures that are approaching 3 years old (unsigned orders dating to 5/19/2014). Non-compliance with completing these nationally required documents serves no constructive purpose.

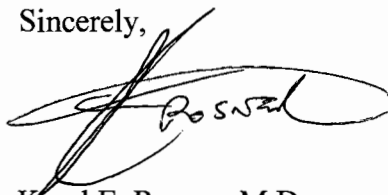
Additionally, Dr. Bangash and his associates have failed to use our McHenry Fresenius dialysis facility for the past 2 years. They have no active patients at our facility. Dr. Bangash has contacted our unit’s secretary on several occasions over the past 2 years to inquire about chair availability, but has placed no one at the McHenry Fresenius unit. Again, it seems odd that he will have 77 patients available to fill his proposed unit within the next 2 years, but has no one to occupy the chairs that are currently available.

Furthermore, I have assumed care for several of Dr. Bangash’s dialysis patients. One patient transitioned to my care because he was being badgered by Dr. Bangash. The patient informed me that, on a near daily basis, he was being asked to transfer to Dr. Bangash’s home based dialysis program versus remaining on outpatient hemodialysis. The patient carries the diagnosis of Asperger Syndrome – a form of autism. Yet another patient transferred to my service after having a verbal falling out with Dr. Bangash. The patient was peritoneal dialysis dependent for over 2 years. The patient’s dialysis was held in the inpatient setting and revealed that he had a

glomerular filtration rate of nearly 40 (most dialysis patients have a GFR <10; GFR >60 is considered normal renal function)! This would place this patient into CKD stage 3. The patient informed me that he was told by Dr Bangash that if he started peritoneal dialysis that he would qualify for medicare coverage. This type of care is implorable and points to economic incentives as priority vs. maintaining professional integrity.

I oppose Dialysis Care Center McHenry's proposed project to establish a 14-station dialysis facility in McHenry, Illinois. A new facility in McHenry is not warranted at this time. I respectfully request that the State Board deny this project

Sincerely,

A handwritten signature in black ink, appearing to read "Rosner", with a large, sweeping flourish above it.

Karol E. Rosner, M.D.  
Medical Director, Fresenius McHenry  
Board Certified Nephrologist