



STATE OF ILLINOIS

HEALTH FACILITIES AND SERVICES REVIEW BOARD

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

July 26, 2018

Lori Wright, Senior CON Specialist
Fresenius Kidney Care
3500 Lacey Road, Suite 900
Downers Grove, IL 60515

RE: Illinois Health Facilities Planning Act 20 ILCS 3960

PROJECT: # 18-006 Fresenius Kidney Care Madison County, Granite City

APPLICANT(S): Fresenius Medical Care Holdings, Inc.,
Fresenius Medical Care of Illinois, LLC

Dear Ms. Wright:

On July 24, 2018, 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 you decide to appeal the State Board's action you must adhere to the requirements of 77 IAC 1130.670 (b), (c), and (d), effective October 14, 2016 as follows:

- b) Applicant's Response
The applicant shall notify HFSRB in writing within 14 calendar days after the Intent to Deny to indicate whether the applicant intends to appear before HFSRB and/or submit additional information. The applicant is responsible for assuring that HFSRB receives the response within 14 days of the Intent to Deny.
- c) Action Following Notice of Intent to Deny
 - 1) If the applicant waives the right to appear before HFSRB or if a written response is not received within 14 days after the Intent to Deny, then the application shall be considered withdrawn.
 - 2) If the applicant indicates that no additional information will be submitted, HFSRB shall take action on the application at its next meeting.
 - 3) If the applicant indicates that additional information will be submitted, the applicant shall be afforded 60 days from the date of the Intent to Deny to submit the material. Upon receipt of additional information, HFSRB staff shall commence a review and submit its findings to HFSRB in accordance with the provisions of

this Subpart. HFSRB staff shall be allowed up to 60 days following the receipt of all material to review the material and issue a supplemental report.

d) Deferrals by Applicant

A project that has received an Intent to Deny and has been scheduled for HFSRB consideration can be deferred by the applicant. A notice of deferral may be provided in writing prior to the scheduled HFSRB meeting or be provided verbally at the HFSRB meeting. An applicant may not defer HFSRB consideration beyond an HFSRB meeting date that is more than 12 months from the date of the Intent to Deny.

Should you have any questions or concerns, please contact Mike Constantino or George Roate of my staff at Mike.Constantino@illinois.gov or George.Roate@illinois.gov or 217.782.3516.

Sincerely,



Courtney Avery, Administrator
Illinois Health Facilities and Services Review Board