



June 22, 2020

Courtney Avery, Administrator
Illinois Health Facilities and Service Review Board
525 West Jefferson Street, 2nd Floor
Springfield, IL 62761

Dear Ms. Avery,

Please accept this letter in response to the State Board report for the June 30, 2020 hearing date for Project #19-031. The Applicant note the following in response to the State Board report:

1. The State Board report used the wrong figures in finding non-compliance with the 77 ILAC 1120.140(c). The applicant submitted revised application materials on February 11, 2020, with a \$1,004,761.20 in Movable or Other Equipment. The Board staff used the previous figure from the original filing of \$1,599,602.00 in this report (correct figure noted on Page 9 of the report). Using the correct figure from the amended filing brings the applicants into compliance. The Applicants request this finding be removed and corrected from the State Board report on pages 4, 5, and 31 of the report.
2. The State Board staff appeared to not address the applicant's compliance with 77 ILAC 1110.225(b) on page 15 and 16 of the report. As noted in the applicants' filing in Attachment 22, the applicants meet the requirements of 77 ILAC 1110.225(b)(2) to have referred in excess of 400 cases annually over the most recent three years. The Applicants request the State Board staff address this error in the report and with the Board.
3. The State Board staff noted non-compliance with 77 ILAC 1110.225(c) on page 16 of the Board report, despite noting the applicants are in compliance with the only concrete standard to not cause any other laboratory to drop below 200 procedures. The only other requirement under 1110.225(c) is or notify other facilities of the project. The State staff appeared to note non-compliance based on the project having an impact on OSF Healthcare Little Company of Mary Medical Center. Having an impact is not the regulatory standard, which is the 200-procedure threshold. Based on the State's analysis and the regulatory requirements, we ask the Board report be corrected on pages 3, 16, and 17 to note the Applicants compliance with 77 ILAC 1110.225(c).

Thank you for your attention to this matter. Please do not hesitate to contact me if you have any questions regarding the proposed ASTC project.

Sincerely,
Bryan Niehaus
Bryan Niehaus, JD
Vice President
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