

Constantino, Mike

From: Anne Cooper <ACooper@Polsinelli.com>
Sent: Friday, June 26, 2020 10:34 AM
To: Constantino, Mike
Cc: Chuck Sheets
Subject: [External] RE: Hope

Mike,

As a follow up to our discussion, I confirmed Infinity Healthcare ("Infinity") was named in the Rock Island County Board (the "County Board") resolution because it is a recognized health care consulting firm that shares common ownership with the buyer. The County Board resolution was drafted well in advance of the meeting, prior to the formation of the property owner entity, and at the time the resolution was considered, the County Board recognized Infinity was a placeholder for the property owner as the resolution permit the sale of the Hope Creek Care Center to Infinity or its permitted assignee.

Based on our analysis of the Health Facilities and Services Review Board rules regarding necessary parties to a certificate of need application, we do not believe Infinity, which may provide consulting services to Hope Creek Nursing and Rehabilitation Center, LLC (the "Licensee"), should not be a party to the certificate of need application.

- Hope Creek Nursing and Rehabilitation, LLC will hold the license for the skilled nursing facility.
- As a consultant, Infinity will not have final control of Hope Creek Nursing and Rehabilitation, LLC
- This project will be funded entirely with cash, so there will be no debt to guarantee
- Infinity may provide consulting services, but control of the day-to-day operations and provision of care will reside with Hope Creek Nursing and Rehabilitation, LLC and 4343 Kennedy Drive, LLC (the property owner) will maintain control of the equipment and other capital assets.

Finally, I checked the HFSRB website, and it appears no public hearing was requested for Hope Creek. Can you confirm?

Please let me know if you have any questions or need any additional information regarding the transaction.

Thanks

Anne

Anne M. Cooper

Attorney

acooper@polsinelli.com

312.873.3606

150 N. Riverside Plaza, Suite 3000
Chicago, IL 60606

From: Constantino, Mike <Mike.Constantino@Illinois.gov>
Sent: Thursday, June 25, 2020 3:05 PM
To: Anne Cooper <ACooper@Polsinelli.com>
Cc: Chuck Sheets <CSheets@Polsinelli.com>
Subject: RE: Hope

Anne thanks . to date we have not received a request for a public hearing.

From: Anne Cooper <ACooper@Polsinelli.com>
Sent: Thursday, June 25, 2020 2:49 PM
To: Constantino, Mike <Mike.Constantino@Illinois.gov>
Cc: Chuck Sheets <CSheets@Polsinelli.com>
Subject: [External] RE: Hope

Mike,

We are working to get everything to you as soon as practicable. Please see my comments below.

Anne M. Cooper

Attorney

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150 N. Riverside Plaza, Suite 3000
Chicago, IL 60606

From: Constantino, Mike <Mike.Constantino@Illinois.gov>
Sent: Thursday, June 25, 2020 7:27 AM
To: Anne Cooper <ACooper@Polsinelli.com>
Subject: Hope

Anne:

I do not know if you are working on this application but we need additional information.

1. The Board resolution for the sale of this facility is to Infinity Healthcare Care, Inc (see attached) Infinity will need to be an applicant on this application for permit. I will need a page one, certificate of good standing, and a signed certification page.
2. A listing of all nursing homes owned by Infinity Health Care, Inc. in Illinois.
3. We need the percentage of ownership of the members of Hope Creek Nursing and Rehabilitation Center, LLC.
4. We are going to need the final signed documents. – Fully executed purchase agreement and Operational Transfer Agreement attached.
5. We do not know what or who East Moline Nursing and Rehabilitation Center, LLC is. – East Moline Nursing and Rehabilitation Center, LLC was to be the operating entity, but was changed to Hope Creek Nursing and Rehabilitation Center, LLC. Please note, the executed Operations Transfer Agreement reflects this change.

6. A listing of all public hearings that were conducted in regards to the sale of Hope. Include date of hearing and attendance.

The following dates the County Board had agenda items related to the sale of HCCC:

- September 17, 2019 - Consideration of Marcus & Millichap brokerage services to sell HCCC. (approved)

- October 15, 2019 - Consideration of amended agreement with Marcus & Millichap for brokerage services to sell HCCC. (approved)
- February 25, 2020 – Consider Resolution authoring the sale of HCCC to Aperion Care, LLC. (approved)
- May 21, 2020 – Consideration of Amendment to the Aperion Care, LLC. APA. (rejected and APA terminated)
- June 16, 2020 - Consider Resolution authoring the sale of HCCC to Infinity Health Care, LLC. (approved)

The meeting minutes are located online at www.rockislandcounty.org under the Agenda & Minutes link.

7. We need to know the number of beds to be certified for Medicare and Medicaid.
245 Dually certified beds

Thanks Anne

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