

December 30, 2020

Via electronic delivery and overnight courier

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

Re: OrthoIllinois Opposition – Project No. 20-040

Ms. Avery:

The Illinois Health Facilities and Services Review Board previously granted a permit to Advocate Sherman Surgery Center, LLC to establish a multi-specialty surgery center on the Advocate Sherman hospital campus. That project, which is still in development, was structured to be a joint venture between Advocate Sherman hospital and numerous physicians from many specialties, including orthopedics. Our CON application included physician referral letters pledging a certain number of cases for the new facility. A review of the OrthoIllinois application referenced above shows that project relies on referrals that have already been pledged for our surgery center project.

Under your Board's rules, applications for ambulatory surgery centers require surgeons note their current outpatient surgical volumes, where those volumes are currently being performed and how many procedures the surgeon expects to be performed at the proposed center. The Board's rules require physical referral letters to verify "that the patient referrals have not been used to support another pending or approved CON application for the subject services." It appears that two physicians in the OrthoIllinois application have already pledged their referrals to the Advocate Sherman Surgery Center. Copies of both their Advocate Sherman Surgery Center Referral Letters are attached. Their OrthoIllinois referrals are at pages 208-212 and 222- 224 in the CON Application.

Drs. Scott Mox and Jeff Kazaglis both submitted physician referral letters in the Sherman application. Dr. Mox pledged 116 patients to the Advocate Sherman Ambulatory Surgery Center, and Dr. Kazaglis pledged 157 patients. Together, they are pledging 467 referrals to the new Ortho Illinois Center. At the reported average of 1.78 hours per procedure, this means that the total hours drop 831 hours, from a total of 4,867 hours to 4,036. These new hours only justify 2.69 operating rooms, not the four rooms requested in the application.

Pledging patients to multiple projects represents a clear violation of the Board's rules, and, therefore, I'm asking that this be noted in State Agency Report and that the pledged cases for these two surgeons be omitted. Thank you for you and your staff's attention to detail throughout the application process.

Sincerely,



Damon Havill

Attachments

**AOS ASSOCIATES IN
ORTHOPAEDIC SURGERY**

1425 N. Randall Rd., Elgin, IL 60123
847.888.0750
www.bonedoctors.com

August 25, 2016

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

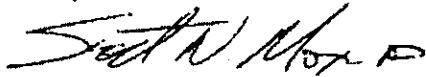
Dear Ms. Olson,

I am a physician specializing in Orthopedics. I am writing in support of the establishment of the proposed ambulatory surgery treatment center (ASTC) on Randall Road on the campus of Advocate Sherman Hospital in Elgin, IL. The table attached to this letter shows the outpatient surgical procedures I have performed in the recent 12 months at Advocate Sherman Hospital by the zip codes of origin of the patients. I performed 143 outpatient surgical procedures during this time. Of those, 97.8% were from within the geographic service area.

I expect to refer at least 116 patients to the proposed ASTC within twelve months after project completion, all from my volume of work currently referred to Advocate Sherman Hospital. I will continue to do procedures at other facilities where I have medical staff privileges, as referrals or managed care contracts dictate.

I certify these referrals have not been used to support another pending or approved certificate of need application. The information provided in this letter is true and correct to the best of my knowledge.

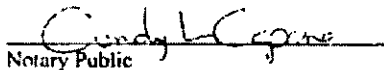
Sincerely,



Scott W. Mox, M.D.

Associates in Orthopaedic Surgery
1425 N. Randall Rd.
Elgin, IL 60123

Subscribed and sworn before me this 25 day of August, 2016


Notary Public



CON Application for proposed Ambulatory Surgery Treatment Center in Elgin, IL

Referring Physician: Dr. Scott W. Mox

Outpatient surgical patients seen at Advocate Sherman Hospital in recent 12 month period are show in the table below

Patients from within the Geographic Service Area of the proposed ASTC

Zip Code Origin of Patients	City Linked to Zip Code	Percent of OP Cases in reporting period
60010	HANOVER PARK	0.7%
60014	LAFOX	2.2%
60098	VILLA PARK	0.7%
60102	HOFFMAN ESTATES	8.8%
60103	WASCO	2.2%
60107	WAYNE	0.7%
60108	MCHENRY	0.7%
60109	PALATINE	0.7%
60110	SOUTH ELGIN	4.4%
60118	DUNDEE	6.6%
60120	STREAMWOOD	11.8%
60123	ELGIN	16.2%
60124	ALGONQUIN	8.1%
60140	BARTLETT	8.8%
60142	SAINT CHARLES	6.6%
60145	KINGSTON	0.7%
60152	RINGWOOD	2.2%
60156	HAMPSHIRE	1.5%
60169	SCHAUMBURG	1.5%
60175	BARRINGTON	1.5%
60177	LAKE IN THE HILLS	6.6%
60178	MONTGOMERY	0.7%
60181	VILLA PARK	0.7%
60192	HUNTLEY	1.5%
60194	BLOOMINGDALE	0.7%
60563	NAPERVILLE	0.7%
Total in GSA		97.8%

Patients from outside the Geographic Service Area of the proposed ASTC

48188	CANTON	0.7%
61065	POPLAR GROVE	0.7%
62298	WATERLOO	0.7%
Total outside GSA		2.2%

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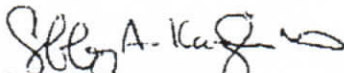
Dear Ms. Olson,

I am a physician specializing in Orthopedics. I am writing in support of the establishment of the proposed ambulatory surgery treatment center (ASTC) on Randall Road on the campus of Advocate Sherman Hospital in Elgin, IL. The table attached to this letter shows the outpatient surgical procedures I have performed in the recent 12 months at Advocate Sherman Hospital by the zip codes of origin of the patients. I performed 189 outpatient surgical procedures during this time. Of those, 97.3% were from within the geographic service area.

I expect to refer at least 157 patients to the proposed ASTC within twelve months after project completion, all from my volume of work currently referred to Advocate Sherman Hospital. I will continue to do procedures at other facilities where I have medical staff privileges, as referrals or managed care contracts dictate.

I certify these referrals have not been used to support another pending or approved certificate of need application. The information provided in this letter is true and correct to the best of my knowledge.

Sincerely,


Jeffrey A. Kazaglis, M.D.

Associates in Orthopaedic Surgery
1425 N. Randall Rd.
Elgin, IL 60123

Subscribed and sworn before me this 30 day of August, 2016


Notary Public



CON Application for proposed Ambulatory Surgery Treatment Center in Elgin, IL

Referring Physician: Dr. Jeffrey A. Kazaglis

Outpatient surgical patients seen at Advocate Sherman Hospital in recent 12 month period are show in the table below

Patients from within the Geographic Service Area of the proposed ASTC

Zip Code Origin of Patients	City Linked to Zip Code	Percent of OP Cases in reporting period
60010	HANOVER PARK	2.2%
60014	LAFOX	2.2%
60047	ROUND LAKE	0.5%
60050	FRANKLIN PARK	1.1%
60067	WINFIELD	0.5%
60068	PARK RIDGE	0.5%
60102	HOFFMAN ESTATES	4.9%
60103	WASCO	1.1%
60110	SOUTH ELGIN	9.2%
60118	DUNDEE	4.3%
60120	STREAMWOOD	12.4%
60123	ELGIN	18.9%
60124	ALGONQUIN	7.6%
60133	GENEVA	0.5%
60134	LAKE ZURICH	1.1%
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60156	HAMPSHIRE	3.8%
60174	BURLINGTON	0.5%
60175	BARRINGTON	1.1%
60177	LAKE IN THE HILLS	4.9%
60178	MONTGOMERY	0.5%
60180	GLENDALE HEIGHTS	0.5%
60185	MOOSEHEART	0.5%
60187	ELMHURST	0.5%
60194	BLOOMINGDALE	0.5%
60505	AURORA	1.1%
60510	EOLA	1.1%