



**PINNACLE
FERTILITY**

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Via Federal Express and Email

Ms. Courtney Avery

Administrator

Illinois Health Facilities and Services Review Board

525 West Jefferson Street, 2nd Floor

Springfield Illinois 62761

Courtney.avery@illinois.gov

Re: Surgical Center for Human Reproduction- Request for Expedited Review

Dear Ms. Avery:

We appreciate the Illinois Health Facilities and Services Review Board's ("State Board") prompt attention to the CON permit application submitted by Surgical Center for Human Reproduction ("Surgical Center") (the "CON Application"). We understand that the CON Application was deemed complete on Friday, June 24, 2022. At this time, we respectfully request the State Board staff grant expedited review of the CON Application and consider it at the September 13, 2022, State Board meeting. This project proposes the establishment of an ambulatory surgical treatment center ("ASTC") focused on family building through Assisted Reproductive Technology to be located at 680 N. Lakeshore Drive. Due to real estate issues as described below, it is critical the CON Application be heard at the September 13, 2022, meeting.

The commercial real estate market in the City of Chicago is extremely competitive with little availability. Suitable space is even more limited for ASTCs due to City of Chicago code requirements that effectively mandate that new ASTCs developed in Chicago be located on the ground floor. Ground floor space is at a higher premium than any other building location and offers less availability in the current market. Accordingly, the options to build the proposed ASTC are extremely limited.

The Surgical Center has spent over six (6) months searching for appropriate space to house the proposed ASTC and was only able to locate three (3) potential sites. Two of the three potential spaces could not accommodate the square footage, technical, structural, and/or parking needs of the Surgical Center. The chosen site, 680 Lakeshore Drive, is the location identified in the CON Application.

As more specifically set forth in the CON Application, the proposed ASTC will be a full gut/rehab of former retail space, the goal of which is to build state-of-the-art ASTC with complementary adjacent clinic and laboratory spaces to allow for the improvement of outcomes, increase in quality of care, and greater access to fertility treatments to patients in the Chicago metropolitan area and beyond. The landlord has agreed to hold the space through September 2022, and we have just begun to incur the expense and effort of creating the initial architectural renderings. If the Surgical Center loses this site, its

real estate broker estimates the project will be delayed for at least a year as they search for a new site in the City of Chicago.

Further, due to manufacturing delays of vital equipment caused by the pandemic, it is necessary to order such equipment eight (8) to twelve (12) months in advance of opening. Accordingly, it is critical that the CON is reviewed expeditiously to allow for the appropriate lead time in ordering this equipment.

Assuming there is no request for a public hearing and the State Board staff has the capability from a workload perspective, we believe, based on the State Board's rules that this application could be heard at the September 13, 2022, State Board meeting. Further, to our knowledge, there are no other CON applications pending in the City of Chicago that are similar to this project, and thus, there is no competitive advantage vis-à-vis another applicant that would restrain the State Board from expediting its consideration of the CON Application.

Thank you for your time and consideration of the Surgical Center's request for expedited review of its CON Application. If you have any questions or need any additional information, please feel free to contact me.

Sincerely,

A handwritten signature in blue ink, appearing to read 'K. Andrews', with a long horizontal flourish extending to the right.

Kelly Z. Andrews