

September 17, 2023

Certificate of Need Board, IDPH,

I am writing in opposition to the sale of the DCRNC. Each of you, as board members, are well aware of the deficiencies in the character of the potential buyers. We have given you chapter and verse of the problems of the many nursing homes currently owned by the potential buyers. You have access to the quality of their current nursing homes, to the long history of horrendous conditions in their facilities, and to the greed of Mr. Blonder and Mr. Singer, who line their pockets at the expense of the people who live with too little staff, budgets that do not allow the administration of their nursing homes to buy enough washcloths and replacement bedding, wound care that has been ignored, and fines and penalties that are consistently levied because of the poor quality of the nursing homes they own but are never improved. Problems can happen in any facility. The issue is are the problems corrected and the star rating goes back up or are the problems corrected because the IDPH forced them to be corrected but the fixes are only temporary and it is business as usual. Would you put your mother, spouse, or child in one of these institutions. Would you want to live out the end of your life with these people as owners controlling your environment and care?

We have been shown that DCRNC is capable of being viable, with continued good management. Both Bart Becker, DCRNC administrator, and Andrew Cutler, the management consultant with Jordan Consulting, have assured the DeKalb County Board and the County Administrator that the best possible place for the DCCRNC is to continue under the auspices of the DeKalb County Government. The County administrator, the DCRNC administrator and Jordan Consulting's representative have been able to develop a business plan that will continue to keep the institution viable. The Board is elected to represent the people of the county, who have demonstrated by the number of petitions in opposition to the sale that we want our nursing home, which has served the county for 167 years, to continue as a resource, not a funding source for owners who clearly do not care about their residents.

In many ways, I blame you, the IDPH Certification of Need Board, for the cavalier attitude of the potential owners, who did not have enough respect for you to even show up on July 27. As Suzanne Willis, the Chairman of the DeKalb County Board stated clearly at the September 11 Health and Human Services Committee meeting, "We were told that the IDPH Certification of Need Board has never turned down a sale." Clearly this was supposed to be a done deal from the very beginning. I, too, have heard that you never turn down a sale, and I believe it. The fact is that you keep allowing these potential owners of primarily 1-star and 2-star facilities that never improve to continue to add nursing homes to their portfolios with your support. IF THIS WAS A DONE-DEAL FROM THE VERY BEGINNING, WHY HAVE YOU CONTINUED TO ALLOW US TO PRESENT TO YOU FACTS AND PETITIONS SO YOU KNOW WHAT IS HAPPENING IN DEKALB COUNTY AND TO SAVE OUR NURSING HOME. IF YOU DON'T CARE ABOUT THE QUALIFICATIONS OF NEW OWNERS TO RUN A NURSING HOME, WHY DIDN'T YOU JUST GIVE IT AWAY IMMEDIATELY?

IT IS TIME FOR YOU TO DO THE RIGHT THING. The DCRNC is a fine nursing and rehab facility. The staff have done everything they could to compensate for the lack of oversight by the DeKalb County Board and their Finance Committee, who had no idea that the management company they were using was not billing residents, was not making sure Medicare and Medicaid paperwork was being filled out and filed,

was not going after residents who were seriously in arrears or who had not paid their bill at all, month after month for years. If we do what you ask and work together, Board, staff, families, and residents of DeKalb County, the DCRNC can continue to be a quality nursing and rehab facility that will serve the needs of the county instead of the desire of the potential buyers to get even richer at the expense of people who can not care for themselves and want a quality home that provides the rehab and nursing support that they need.

Please, do not sell the DeKalb County Rehab and Nursing Center to Mr. Blonder, Mr. Singer, and Mr. Zuckerman so that they can destroy the skilled nursing home (and potential home for additional residents in the future) of the residents of DeKalb County just so they have one more facility to bleed dry.

Thank you,

The family of a much-loved resident of DeKalb County Rehab and Nursing Center

From: [Julie Cutshaw](#)
To: [Constantino, Mike](#)
Subject: [External] Dekalb County Nursing Home
Date: Monday, September 18, 2023 7:44:13 PM

I am asking that the sale of the Dekalb County Nursing Home to be denied. I am a resident of Dekalb County and I personally feel that this sale would be disastrous to the wellbeing and care of its current and future residents. Please reconsider! Thank you!

Sent from my iPhone

From: [Linda Fay](#)
To: [Constantino, Mike](#)
Subject: [External] Dekalb County Nursing home sale
Date: Monday, September 18, 2023 5:58:19 PM

I am a resident of Dekalb County & asking the review board to DENY the sale of Dekalb County Nursing home; The residents of the home currently & going forward deserve the best of care & not to a company that is rated 1 & not care about the residents when only having a rating of 1. That is not good at all.

Thank you
Linda Fay

Sent from my iPhone

From: [Donald Gates](#)
To: [Constantino, Mike](#)
Subject: [External] Selling of Dekalb County home
Date: Monday, September 18, 2023 4:49:07 PM

Dear Mr. Constantino,

Please forward this to your board review,

1. I am against the sale of Dekalb county nursing home.
2. I said in your information hearing in Dekalb Police station. With the buyer's charges of abuse I could not understand how in good conscience to give this company a permit.
3. Also why isnt the other homes they own the permit revoked?
4. My family has had members in this home before the new one was built. The care has always been at high standards.
5. My mother is 87 and with Parkinson Disease, and has been a resident for five years.
6. She lived with me for five years before I had to put her in a home because physically I could not handle her needs.
7. The staff will call on anything anytime.
8. I believe she is getting the best care possible.

I find it hard to believe any one of your members would like their relatives or parents in the buyers Homes!

Sincerely,

Donald Gates
{815} 593-0427
315 West Fayette St
Sandwich IL 60546
email: donaldgates315gmail.com

**ANNA M. WILHELMI
LAW OFFICES, P.C.**

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September 18, 2023

*Hon. Debra Savage, Chair and Members of the
Illinois Health Facilities Services Review Board*
525 W Jefferson St. 2nd Floor
Springfield, IL 62761
Via: Mike.Constantino@illinois.gov

RE: DeKalb County Rehab and Nursing Center
H-02, Project No. 23-24

Dear Chair Savage and Members of the Review Board:

I want to be clear that I oppose the sale of the DeKalb County Rehab and Nursing Center (Nursing Home). On October 3, 2023, there is a meeting scheduled in which the Board will make a decision as to whether the application for Certificate of Need will be granted to DeKalb Healthcare Holdings LLC, the proposed Buyer in the Asset Purchase Agreement of the DeKalb County Rehab and Nursing Center (Nursing Home). The Sale of the Nursing Home is contingent upon whether the Certificate of Need is granted. I encourage the Board to deny the Certificate of Need of the applicant.

1. **The HSFRB Staff Report made findings** that the project does not appear to meet the required criteria of the Act in 77ILAC 1110.230(a), which requires that the Applicant have the qualifications, background, and character, to adequately provide a proper standard of long term care service for the community. See Executive Summary Report Page 2.

There could be no evaluation of the DeKalb Health Care Holdings LLC, as it is a newly formed Delaware corporation as of October 27, 2022, hence we must look at the ownership holders. Seven of the ten facilities that have ownership held by Messrs. Blonder and Singer are one star facilities. Seven of the ten facilities that have ownership held by Messrs. Blonder and Singer were subject to adverse action by the State. This is not acceptable for those cherished in our community who require at minimum the most basic standard of care, and is unacceptable for their family members and loved ones to suffer in anguish at this prospect. These one star facilities of the ownership holders have had numerous health care violations documented by the State of Illinois many of which have resulted in hefty fines, according to the report.

The purpose of the project criterion 1110.23 was that this proposal of sale to these holders is the only option. This is not the sole option, and the County Board could choose another path, as they have an obligation to the constituents of Dekalb County. This will be addressed below.

The alternative to the proposed project criterion 1110.23 was not met. The applicant considered one alternative option and that is closure of the nursing home. The County Board has an obligation to consider other options than a buyer who can only average a 1.17 star facility. Closing the home IS NOT an option, not in our community, where the tax revenue is doing so well that the residents may get a reduction in property taxes. Since this mismanagement of funds at the nursing home, a management company has been hired to manage the billing. According to Jordan Healthcare Billing Andrew Cutler and the Administrator Bart Beckers testimony at the Health and Human Services hearing, the Billing Manager Mr. Cutler and Mr. Becker were told by the County Administrator that they could not get contracts executed for the supplement insurance. Hence, the Nursing home was losing admissions, and have lost upwards of 144 admissions since the new administrator took office due to the inability to contract with the insurance companies, based upon what they were told. The reasoning apparently was that the new buyer would object to the signing of the contracts with say Aetna and United Health Care as that would change the financial position

of the nursing home prior to sale, and that the County would need the buyers approval to sign the contracts, yet no approval was sought. Since that hearing, the contracts are now in process. It is not clear what changed and that now the Administrator and Billing Manager are permitted and can begin the contractual process with the supplemental insurance companies. This denial of insurance was of significant detriment to the Nursing Home, as they had to turn away so many people who wanted their care. Further, the Nursing Home had a significant Agency payout, and that has been reduced from around \$400,000 per month to around \$165,000 in a five month period due to the hiring of staff CNAs and nurses. At the latest HHS meeting, Mr. Cutler indicated not only is the nursing home viable, but after new laws kick in the County ownership may be the ONLY viable option. Further, the newly built wing has 18 private rooms completely finished except furniture is missing and door labels are missing. This I was told would estimate around \$300,000.00, which in the scheme of things is minimal to obtain 18 highly desired brand new private rooms for care, all of which are sitting empty.

Selling to a one star holder is not the only option, and neither is closure, as DeKalb County Board can opt to take several steps as noted above to make the nursing home viable and maintain it as a safe place for our elderly in our community.

2. **The application submitted by the applicant is questionable as Resolution was to sell specifically to Illuminate HC, and there are two executed contracts with two different buyers and Operations Managers, neither of which sell to Illuminate, HC.**

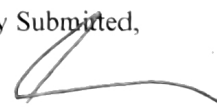
The Resolution that was voted upon by the Board on October 19, 2022 was specifically to sell the Nursing Home to Illuminate HC. See attached Exhibit 1. However, the signed and fully executed Asset Purchase Agreement that is attached as a pdf to the Resolution displayed on the DeKalb County Board website is to DeKalb SNF Realty, LLC as the Buyer and DeKalb SNF Operations LLC as the new operator. This document is signed by the then Chair Frieders and Avi Zuckerman of DeKalb Healthcare holdings, LLC, a Delaware limited Liability Company. There is no effective date on this contract however it is in fact signed and it is still posted on the October 19, 2022 Agenda. When prompted as a question from the Chair of the HHS Committee in an open meeting, the States attorney indicated that this is in fact the Executed Contract that is posted on that website. One can view it at <https://dekalbcounty.org/wp-content/uploads/2022/10/agenda-cb-10192022.pdf>

The application submitted to the Illinois Health Facilities Services Review Board (the Review Board), however, has a fully signed and executed Asset Purchase Agreement with the Buyer listed as DeKalb Healthcare Holdings, LLC, a Delaware Limited Liability Company effective date November 17, 2022, and with the new Operator being DeKalb HealthCare Holdings LLC. This contract is nowhere to be found on the DeKalb County Board website. Although the Buyers and Operations Managers in the Asset Purchase agreement and Operations agreement changed, the Signature pages are in fact identical in both publicly displayed contracts. There seems to be no resolution or vote pertaining to a new buyer on or before November 17, 2022. See link to Minutes of November 16, 2022 meeting. <https://dekalbcounty.org/wp-content/uploads/2022/11/minutes-cb-11162022.pdf> Further, the Entity DeKalb Healthcare holding was not in existence until after the October 19, 2022 contract was executed. See attached Exhibit 2 from Delaware's website. and therefore DeKalb Healthcare Holdings LLC had no authority to sign the Contract signed on October 19, 2023.

I ask that you follow your findings in your Report, and consider these other factors listed in making your determination, and humbly request that you DENY the application for the Certificate of Need.

If you have any questions or concerns, please contact me at the above number.

Respectfully Submitted,



Anna M. Wilhelmi
Attorney at Law

**RESOLUTION
R2022-225**

A Resolution Authorizing the County Board Chair to Execute an Asset Purchase Agreement and Operational Transfer Agreement between the DeKalb County Government and Illuminate HC regarding the Sale of the DeKalb County Rehab and Nursing Center

Be it resolved by the County Board of the County of DeKalb, Illinois as follows;

WHEREAS, the DeKalb County Board entered into a Letter of Intent to sell the DeKalb County Rehab and Nursing Center (DCRNC) to Illuminate HC; and

WHEREAS, the attached Asset Purchase Agreement (“Exhibit A”) and Operational Transfer Agreement (“Exhibit B”) outline the terms of the sale;


NOW, THEREFORE, BE IT RESOLVED that in recognition of these factors, the DeKalb County Board hereby authorizes the County Board Chair the authority to execute the Asset Purchase and Operational Transfer Agreements.

PASSED THIS 19TH DAY OF OCTOBER 2022 AT SYCAMORE, ILLINOIS

ATTEST:

SIGNED:


Douglas J. Johnson
DeKalb County Clerk




John Frieders, Chairman
DeKalb County Board

Department of State: Division of Corporations

[Allowable Characters](#)

[HOME](#)

Entity Details

THIS IS NOT A STATEMENT OF GOOD STANDING

File Number: 7109178 Incorporation Date / 10/27/2022
Formation Date: (mm/dd/yyyy)

Entity Name: DEKALB HEALTHCARE HOLDINGS LLC

Entity Kind: Limited Liability Company Entity Type: General

Residency: Domestic State: DELAWARE

REGISTERED AGENT INFORMATION

Name: PLATINUM FILINGS LLC

Address: 555 E. LOCKERMAN STREET, SUITE 320

City: DOVER County: Kent

State: DE Postal Code: 19901

Phone: 302-541-2065

Additional Information is available for a fee. You can retrieve Status for a fee of \$10.00 or more detailed information including current franchise tax assessment, current filing history and more for a fee of \$20.00.

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Exh 2