

Saturday, May 20, 2023

RECEIVED

MAY 20 2023

**HEALTH FACILITIES &
SERVICES REVIEW BOARD**

Dear Illinois HFSRB,

I am requesting a public hearing in regards to the "Change of Ownership" exemption of Vista East Medical Center with Projects E-017-23 and the freestanding Lindenhurst, Illinois Emergency Center (Project E-018-23). Only recently have you actually placed the announcement on your website regarding the "Change of Ownership" in which you received the application on May 5, 2023. On May 9, 2023, I performed a screenshot of your website for Vista Medical East under all the Year 2023 exemptions on "applications deemed complete" and "applications acted on" and there was no listing of the Vista East projects. When I typed "Vista East" in the text search box for your agency website, I was able to find the announcement. However, the announcement was clearly not listed upfront in the list under projects for exemptions either "deemed complete" or "acted on". Was this intentional so that I would not notice the process deadlines of this project? Nevertheless, I have timely requested a public hearing for the two aforementioned projects. I will e-mail this document (allowed by Illinois State Law) via e-mail to Mr. Constatino, Mr. Kniery, and Mr. Dorando as well as transmit via UPS Courier today for overnight delivery. I believe Saturday, May 20, 2023 your Illinois administrative agency is closed and as per Illinois law:

(5 ILCS 70/1.11) (from Ch. 1, par. 1012)

Sec. 1.11. The time within which any act provided by law is to be done shall be computed by excluding the first day and including the last, unless the last day is Saturday or Sunday or is a holiday as defined or fixed in any statute now or hereafter in force in this State, and then it shall also be excluded. If the day succeeding such Saturday, Sunday or holiday is also a

holiday or a Saturday or Sunday then such succeeding day shall also be excluded.

(Source: Laws 1968, p. 155.)

Three days will be added as the standard mailbox rule in regards to the document transmitted by courier and service of this document will be complete today. Service by e-mail should be allowed as per Illinois state law.

Rule 12 - Proof of Service in the Trial and Reviewing Courts; Effective Date of

Service(a)Filing. When service of a document is required, proof of service shall be filed with the clerk.(b)Manner of Proof. Service is proved:(1) in the case of electronic service through the court electronic filing manager or an approved electronic filing service provider, by an automated verification of electronic service, specifying the time of transmission and e-mail address of each recipient;(2) in the case of service by e-mail, by certification under section 1-109 of the Code of Civil Procedure of the person who initiated the transmission, stating the date of transmission and the e-mail address of each recipient;(3) by written acknowledgment from the person served;(4) in case of service by personal, office, or residential delivery, by certification under section 1-109 of the Code of Civil Procedure of the person who made delivery, stating the time and place of delivery;(5) in case of service by mail or by delivery to a third-party commercial carrier, by certification under section 1-109 of the Code of Civil Procedure of the person who deposited the document in the mail or delivered the document to a third-party commercial carrier or courier, stating the time and place of mailing or delivery, the complete address that appeared on the envelope or package, and the fact that proper postage or the delivery charge was prepaid;(6) in case of service by mail by a self-represented litigant residing

in a correctional facility, by certification under section 1-109 of the Code of Civil Procedure of the person who deposited the document in the institutional mail, stating the time and place of deposit and the complete address to which the document was to be delivered;(c)*Effective Date of Service. Service by electronic means or by personal, office, or residential delivery is complete on the day of transmission. Service by delivery to a third-party commercial carrier or courier is complete on the third court day after delivery of the package to the third-party carrier. Service by U.S. mail is complete four days after mailing.*

Ill. Sup. Ct. R. 12

Amended effective 7/1/1971, and 7/1/1975; amended October 30, 1992, effective 11/15/1992; amended December 29, 2009, effective immediately; amended Dec. 21, 2012, eff. 1/1/2013; amended Jan. 4, 2013, eff. immediately; amended September 19, 2014, eff. immediately; amended Dec. 9, 2015, eff. 1/1/2016; amended Oct. 6, 2016, eff. 11/1/2016; amended June 22, 2017, eff. 7/1/2017.

Committee Comments

(December 29, 2009)

The rules on service and filing have been revised to provide for sending documents via third-party commercial carrier. Under these rules, the term "delivery" refers to all the carrier's standard pick-up methods, such as dropping a package in a UPS or FedEx box or with a UPS or FedEx contractor.

Service on the director or agency head, in his or her official capacity, shall be deemed service on the administrative agency, board, committee, or government entity. No action for administrative review shall be dismissed for lack of jurisdiction based upon

the failure to serve summons on an administrative agency, board, committee, or government entity, acting, where the director or agency head, in his or her official capacity, has been served as provided in this Section. Service on the administrative agency shall be made by the clerk of the court by sending a copy of the summons addressed to the agency at its main office in the State.

I will transmit the document with an attendant Certificate of Service via e-mail today. Please do not hesitate to contact me via e-mail or phone in regards to any issues or questions. Please get back to me on Monday, May 22, 2023 in regards to scheduling the public hearing for these two aforementioned projects. Thank you.

Sincerely,

/s/ Rajeev Varma, M.D.

Rajeev Varma, M.D.

13382 Forest Ridge Drive

Palos Heights, Illinois 60463

e-mail: rajvarmamd@outlook.com

Mobile Phone: (815) 260-7801