



STATE OF ILLINOIS

HEALTH FACILITIES AND SERVICES REVIEW BOARD

525 WEST JEFFERSON ST, SPRINGFIELD, ILLINOIS 62761 • (217) 782-3516 FAX: (217) 785-4111

TRANSMITTED ELECTRONICALLY

October 25, 2023

Joe Ourth, Partner
Saul Ewing LLP
161N. Clark Street, Suite 4200
Chicago, Illinois
Joe.ourth@saule.com

RE: Change of Ownership Exemption, Health Facilities Planning Act--Part 1130 Exemption.
Exemption #: E-036-23 – Rush Oak Brook Surgery Center (Real Estate Only)
Exemption Holders: Oak Brook 2011 MP RK6, LLC., KAREP VI REOC, LLC., Rush
Oak Brook Orthopaedic Center, LLC., Rush System for Health

Dear Mr. Ourth:

On October 24, 2023, the Chairwoman of the Illinois Health Facilities and Services Review Board acting on behalf of the State Board under 77 ILAC 1130 approved your request for a change of ownership exemption. The approval was based upon the application's compliance with applicable provisions of 77 ILAC 1130. The exemption is for Rush Oak Brook Surgery Center, 2011 York Road, Oak Brook, Illinois (real estate only). The entity to be licensed is Rush Oak Brook Surgery Center, LLC and the owner of the site is Oak Brook 2011 MP RK6, LLC.

The exemption involves the sale or transfer of the physical plant and related assets of a health care facility not resulting in a change in the current licensee.

You are reminded that this exemption for a change of ownership of a health care facility shall be invalid if the exemption holder fails to submit a statement to the Board within 90 days after the closing date of the transaction, or such longer period as provided by the Board, certifying that the change of ownership has been completed in accordance with the key terms contained in the application. If such key terms of the transaction change, a new application is required. [20 ILCS 3960/8.5(a)] Failure to provide the required notification shall subject the exemption holder to the sanctions provided under Section 14 of the Illinois Health Facilities Planning Act. The exemption holder is also reminded that 77 IAC 1130.140 defines transactions that constitute a change of ownership of a health care facility. You should become familiar with those definitions.

The State Board's approval does not exempt the transaction from any other regulatory, certification or licensure requirements that may be applicable prior to acquisition. The exemption will be invalid should the facility for which the change of ownership was granted cease to be an existing health care facility as defined in 77 IAC 1130.140.

Sincerely,

A handwritten signature in blue ink, appearing to read "John P. Kniery". The signature is fluid and cursive, with the first name "John" being the most prominent part.

John P. Kniery
Administrator
Illinois Health Facilities and Services Review Board