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MAR 01 2011

To: Mr. Mike Constantino, Health Facilities

Date: 2-28-11

cc: and Services Review Board.

From: Joli Koch HEALTH FACILITIES & SERVICES REVIEW BOARD

Fax: (217) 785-4111

of pages including cover sheet: 8

- Urgent
- For Review
- Please Comment
- Please Reply
- Original To Be Mailed

Message:

Re: Project: 10-032 Warriors Gateway

Thank you.

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February 28, 2011

**Illinois Health Facilities and Services Review Board
525 West Jefferson Street, 2nd Floor
Springfield, IL 62761**

Attention: Mr. Mike Constantino, Supervisor, Projects Review Section

Project: CON Application for Warrior's Gateway- Project 10-032

Dear Health Facilities and Services Review Board:

Please accept this correspondence as expression of opposition to Partners for Caring Development Inc.'s second application to construct Warrior's Gateway, a 120 bed skilled nursing facility to be located in Rockford, Il., Winnebago County. Based upon Partners for Caring Development's CON application, it seeks to construct a 120 bed long term care nursing facility targeted to those between 21 and 64 years of age.

As I am sure you will find through other correspondence and data from other concerned area providers, the average utilization rate for 2008 does not meet the Board's 90% target occupancy rate to support the proposed project. In fact, it comes nowhere even close.

The facilities used a reference for the proposed new facility are all located within a thirty minute travel time from the proposed new site. A review of the Long Term Care Facility Questionnaire for 2008 indicated an average utilization rate within the thirty minute drive time to the new site at 77.83%. Of the 21 facilities located within the 30 minute drive time to the proposed new site, only four facilities met the 90% occupancy rule with only two other facilities showing average utilization at 89.4% and 89.8%. The other 15 facilities all showed average occupancy percentages well below the 90% targeted rate, including Rosewood Care Center of Rockford.

The current CON seeks to construct an additional 120 bed skilled nursing facility of all private rooms that is certified for Medicare and Medicaid as well as VA contracts. The need for the facility was based upon the targeted population of returning veterans and the local population requiring unmet special programs and services to address:

- Traumatic Brain Injury (TBI)
- Spinal Cord Injury
- Poly Traumatic Injuries (PTI) and,
- Post Traumatic Stress Disorder (PTSD)

Although the targeted clients include "disabled veterans primarily from the Iraq and Afghanistan wars who have suffered multiple injuries both on and off the battlefield, a previous letter from the Department of Veteran Affairs did not reflect the need of the 120

bed skilled facility to treat returning veterans needing residential polytrauma and/or TBI services. The letter dated June 14, 2010 mentioned:

1. Although there are no specific demand projections for Veterans needing residential polytrauma and/or TBI services, it is expected to continue to be a very small number.
2. VISN 12 had planned construction of a 10 bed extended care facility using THE GREENHOUSE ® concept targeting younger Veterans. The facility will be located at the North Chicago VAMC and will be the primary location for placement of younger Veterans in need of residential polytrauma and/or TBI services for the entire VISN 12 service area.

The Department of Veterans Affairs letter further stated that it "appears unlikely that there would be adequate Veteran demand to support the proposed 120 bed facility in the Rockford area." Further contradicting Veteran demand to support the proposed facility is the availability of beds at Stephenson County Nursing Center, which currently maintains a VA contract and an average occupancy of 70.4%.

The second application for Warrior's Gateway further indicated the age of the targeted market to need the proposed services and included those in the general community. These individuals were identified as between 21-64 years of age. The CON application further noted that "*the project will not serve residents over the age of 65 years old.*" However, this remains inconsistent with Warrior Gateway's intent to seek reimbursement through Medicaid and Medicare in addition to VA contracts for its provision of care and services as a long term care facility. It further creates an access issue for its targeted market.

For example, in Illinois, in order to qualify for Medicaid coverage in a long term care facility, an individual must:

- **Demonstrate an authorized need for nursing home services as determined by the physician and/or other referring agency.**
- **Reside in Illinois and be 65 years of age or older. Residents younger than 65 years of age must be classified as blind or disabled for at least 12 months in order to qualify for nursing home services under the Medicaid program.**
- **Be a United States citizen or legal resident alien for a period of at least five years.**

Additionally, for both individual and married Medicaid recipients seeking coverage for placement in a long term care facility, strict asset and income requirements apply that require a substantial depletion of financial resources resulting in medical indigence.

While Medicaid coverage may potentially exist for an individual afflicted with TBI or a related injury under the age of 65, the individual must be disabled for at least one year to qualify for any long term care coverage in a skilled facility in Illinois.

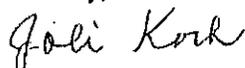
The verification of Medicaid coverage for the disability would also only be determined following an in-depth client assessment process. The availability of Medicaid coverage for the targeted population of ages 21-64 for Warrior's Gateway would therefore be limited to those individuals who clearly demonstrate a long term disability of at least one year. Warrior Gateway's market feasibility analysis includes no data to support any number of cases that would meet Medicaid's eligibility criteria for long term care coverage.

Those individuals seeking Medicare Part A coverage in a skilled nursing facility also must be eligible and entitled for benefits. Again, a key factor is age. The individual must be 65 years of age to qualify for benefits among other criteria. An individual seeking Medicare disability under age 65 generally makes application after two years of ongoing long term disability. Because Warrior Gateway's targeted market is limited to those age 21 to 64, it cannot be determined from any portion of the demand analysis what estimate of the PMA population would be eligible and require skilled long term care services under Medicare or Medicaid.

The CON application also suggests the lack of facilities and programs in the Rockford area to address the needs of TBI cases. However, there is no data to support this conclusion. In an area with average yearly occupancy levels at 77.83% or lower, a majority of the skilled nursing facilities, including Rosewood Care Center, remain more than adequately equipped with the necessary services and programs to effectively treat TBI cases while enabling those of all ages to access the appropriate means of financial coverage. In particular, Rosewood Care Center has been successful in the follow-up treatment and care of TBI cases after completion of intensive rehabilitation programs at Van Matre HealthSouth Rehabilitation Hospital that also specializes in brain and spinal cord injuries. Van Matre HealthSouth Rehabilitation Hospital remains conveniently located at 950 S. Mulford in Rockford, IL and part of the Rockford Health System.

In conclusion, Partners for Caring Development Inc.'s proposed project to construct the 120 bed skilled nursing facility clearly does not meet the required criterion and does not consider Medicaid/Medicare access issues for its targeted market, which are only those individuals who are 21 to 64 years of age. For these very valid reasons, the certificate of need application for Warrior's Gateway is not adequately supported and should be denied.

Sincerely,



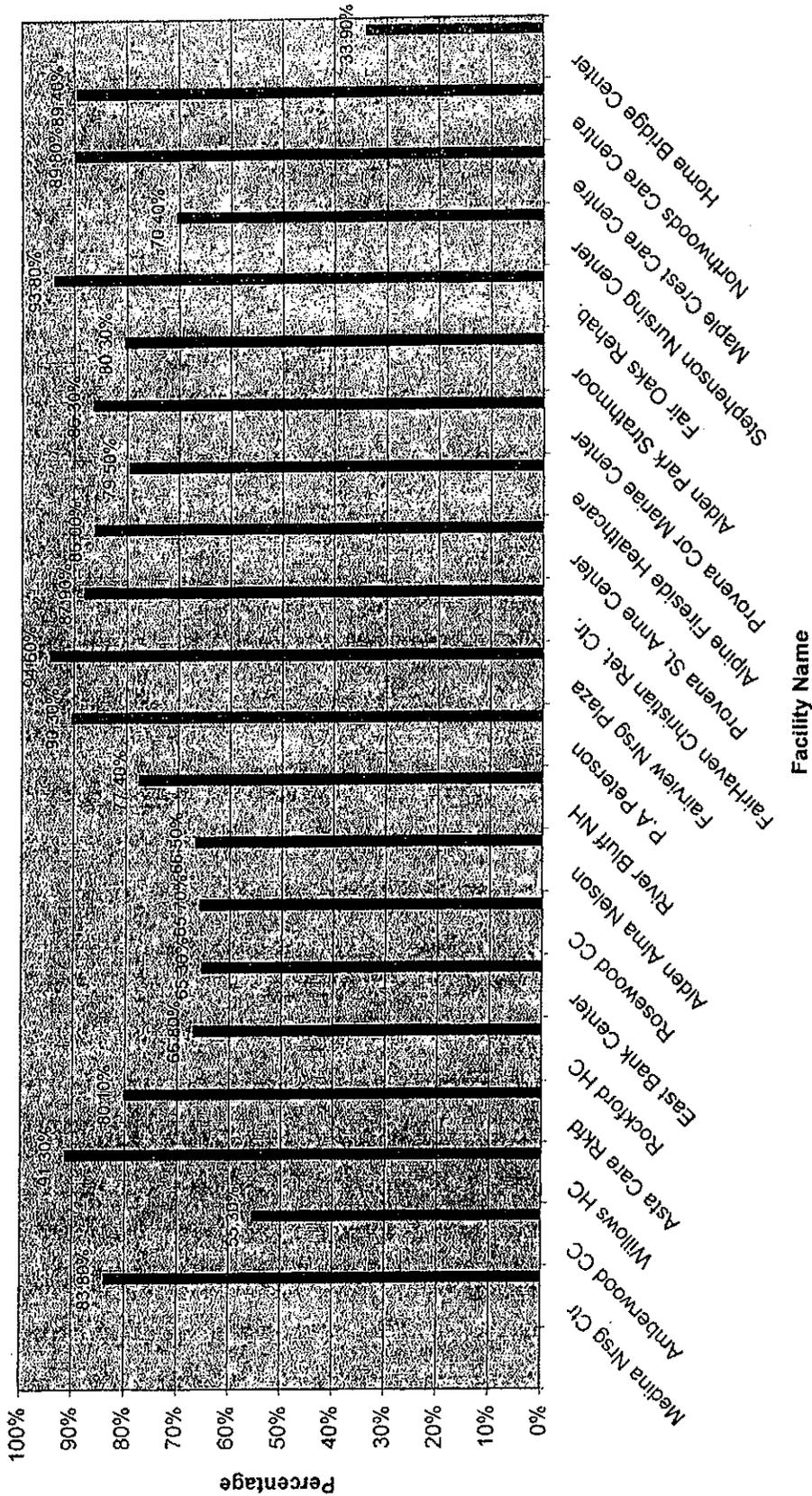
Joli Koch, Regional Operations Manager
Rosewood Care Centers

Approved Health Care Facilities within a 30 minute drive time to Warrior's Gateway

Facility	County	Licensed Beds	Distance	Total Patient Days	Occupancy %	Peak Beds Occ %
Medina Nrsng Ctr	Winnebago	89	18.14 mi	27,287	83.80%	85.70%
Amberwood CC	Winnebago	162	3.79 mi	32,768	55.30%	62.60%
Willows HC	Winnebago	91	5.35 mi	30,407	91.30%	91.30%
Asta Care Rkfd	Winnebago	130	6.00 mi	38,121	80.10%	82.70%
Rockford HC	Winnebago	97	4.38 mi	23,725	66.80%	66.80%
East Bank Center	Winnebago	54	6.52 mi	12,907	65.30%	84.00%
Rosewood CC	Winnebago	120	12.69 mi	28,875	65.70%	65.70%
Alden Alma Nelson	Winnebago	268	13.53 mi	65,256	66.50%	66.50%
River Bluff NH	Winnebago	304	7.56 mi	86,146	77.40%	79.50%
P.A. Peterson	Winnebago	127	5.74 mi	48,172	90.30%	90.30%
Fairview Nrsng Plaza	Winnebago	213	13.44 mi	73,747	94.60%	94.60%
FairHaven Christian Ret. Ctr.	Winnebago	96	8.78 mi	59,721	87.90%	92.70%
Provena St. Anne Center	Winnebago	179	7.58 mi	56,317	86.00%	86.00%
Alpine Fireside Healthcare	Winnebago	66	7.95 mi	30,063	79.50%	79.50%
Provena Cor Mariae Center	Winnebago	73	8.05 mi	40,624	86.30%	86.30%
Fair Park Strathmoor	Winnebago	189	14.70 mi	55,568	80.30%	86.80%
Fair Oaks Rehab.	Winnebago	78	17.76 mi	26,775	93.80%	93.80%
Stephenson Nursing Center	Stephenson	162	26.20 mi	41,725	70.40%	70.40%
Maple Crest Care Centre	Boone	86	23.35 mi	28,268	89.80%	89.80%
Northwoods Care Centre	Boone	113	19.94 mi	36,965	89.40%	89.40%
Home Bridge Center	Boone	80	20.11 mi	9,917	33.90%	33.90%
Totals		2777		853,344	77.83%	79.92%

Note: Total Occupancy Percent within the 30 minute drive time was 84.18% for 2008.

**Approved Health Care Facilities within a 30 minute drive time to
Warrior's Gateway
Occupancy Percentages in 2008**



10-032

DEPARTMENT OF VETERANS AFFAIRS
VA Great Lakes Health Care System
Veterans Integrated Service Network 12
5000 South 5th Avenue, Building 18
Hines, IL 60141-3030



June 14, 2010

Illinois Health Facilities and Services Review Board
525 West Jefferson Street, 2nd Floor
Springfield, Illinois 62761

Dear Executive Secretary:

VA Great Lakes Health Care System, Veterans Integrated Service Network 12 (VISN 12) would like to comment on the Warrior's Gateway project application for a new facility in Rockford, IL. In May 2010, Partner's for Caring Development Inc., in collaboration with Revere Healthcare and Transitional Living Services submitted a proposal for a 120 bed facility specializing in Traumatic Brain Injury and Polytrauma services. The primary focus of the facility would be for Veterans returning from Iraq or Afghanistan. VISN 12 would like to provide information on services currently available for this population and potential demand in the targeted area.

VISN 12 is one of 21 service networks administered by the Department of Veterans Affairs through the Veterans Health Administration. VISN 12 is responsible for providing health care services to Veterans in northern Illinois, Wisconsin and the upper peninsula of Michigan. These services are provided through 7 medical centers and 32 community outpatient clinics. A large multispecialty outpatient clinic has been administered by the VA in Rockford, IL for over 25 years.

Hines VA Hospital is the designated Polytrauma Network Site for VISN 12. Polytrauma Network Sites provide specialized, post-acute rehabilitation in consultation with VA's Regional Rehabilitation Centers in a setting appropriate to the needs of Veterans, service members, and families. These Network Sites provide proactive case management for existing and emerging conditions and identify local resources for VA and non-VA care. Hines is currently treating 67 polytrauma Veterans as outpatients and historically has had limited need (less than 10 Veterans) for a transitional residential facility. Also, Hines has screened 382 Veterans with positive evaluations for Traumatic Brain Injury (TBI) and 93 of these patients are actively being followed. The majority of patients have mild TBI's that can be effectively treated in home and community based settings, with less than 12 patients in the moderate to severe category that may require more intensive therapy.

The proposed Warrior Gateway facility identifies Winnebago County as the primary service area with two thirds of the residents coming from this county. Currently,

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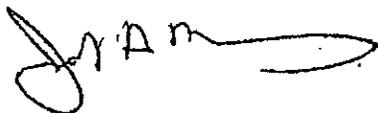
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22% of the 22,569 Veterans residing in Winnebago County are under 45 years old and are in the age cohort identified in the proposal. There are 612 Veterans from the Iraq and Afghanistan conflicts that have enrolled with the VA for care from Winnebago, Boone and Stephenson Counties. Although there are no specific demand projections for returning Veterans needing residential polytrauma and/or TBI services, it is expected to continue to be a very small number. VISN 12 has planned construction of a 10 bed extended care facility using the THE GREEN HOUSE® concept targeting younger Veterans. This facility will be located at the North Chicago VAMC and will be the primary location for placement of younger Veterans in need of residential polytrauma and/or TBI services for the entire VISN 12 service area. It appears unlikely that there would be adequate Veteran demand to support the proposed 120 bed facility in the Rockford area.

VISN 12 planning and clinical representatives will continue to work with the Warrior Gateway sponsors and other community partners to identify and implement the best care options for Veterans. Thank you for the opportunity to provide information on this endeavor for your consideration and planning.

Sincerely yours,



Jeffrey A. Murawsky, M.D.
Network Director