

Constantino, Mike

From: Lawler, Daniel [daniel.lawler@klgates.com]
Sent: Thursday, September 29, 2011 12:03 PM
To: Urso, Frank
Cc: Avery, Courtney; Constantino, Mike; Andrea R. Rozran [arozran@diversifiedhealth.net]; Streng Hadley (HStreng@centegra.com)
Subject: Project 10-090, Centegra Hospital - Huntley: Documentation of Technical Assistance on 9/23/11
Attachments: Ltr.pdf

Frank,

Attached is the applicants' documentation of our technical assistance conference on September 23, 2011 at your offices with Juan Morado regarding Project No. 10-090, Centegra Hospital-Huntley. Thank you for making yourselves available for the conference.

Dan

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September 29, 2011

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Mr. Frank Urso
Deputy Chief Counsel
Illinois Department of Public Health
122 South Michigan Avenue
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Chicago, IL 60605

**Re: Technical Assistance Meeting on September 16, 2011,
 Project No. 10-090 Centegra Hospital-Huntley**

Dear Mr. Urso:

This letter documents our technical assistance meeting at your offices on September 16, 2011 on Project No. 10-090 Centegra Hospital-Huntley. Mr. Juan Morado also attended the meeting.

I sought to confirm with you a number of matters addressed in my previous discussion with Ms. Courtney Avery on August 19, 2011 that were documented in my letter to Ms. Avery dated August 29, 2011. Ms. Avery had advised me that at the direction of Review Board Chairman Dale Galassi, Centegra Hospital-Huntley, Project No. 10-090 would be rescheduled from the October 12, 2011 Review Board meeting to the November 22nd meeting due to the allowance of an opportunity for public hearing on Mercy Crystal Lake Hospital & Medical Center, Project No. 10-089. Following cancellation of the November meeting, the two hospital projects have been tentatively scheduled for the December 6-7, 2011 meeting. You confirmed that the two projects were being scheduled for the same meeting and that the projects would not be subject to comparative review or to batching, which are not allowed under the Review Board's rules. You further advised that it has not yet been determined on what day of the December meeting the projects would be heard.

I discussed with you application of the Review Board rules relating to project deferrals. I noted that the effect of moving the Centegra Hospital-Huntley project off of the October agenda would be that the Centegra applicants would not have the right to defer the project given the limitation that an applicant deferral subsequent to an Intent-to-Deny cannot be to a meeting past six months from the issuance of the Intent-to-Deny and that the loss of their right to defer was not due to any action on the part of the Centegra applicants in connection with the Centegra Hospital-Huntley project. We discussed that the Review

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Board's rules do not limit deferrals by the Review Board. We also discussed the Review Board's procedural rules relating to written comment following an intent-to-deny. Finally, I brought to your attention statements attributed to Ms. Avery in an online TribLocal article dated August 29, 2011.

Thank you for taking time to meet with me to discuss these matters.

Very truly yours,

K&L GATES LLP

A handwritten signature in cursive script, appearing to read "Dan Lawler", written in black ink.

Daniel J. Lawler

DJL:dp