



STATE OF ILLINOIS
HEALTH FACILITIES AND SERVICES REVIEW BOARD

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

January 24, 2012

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Lori Wright, Senior CON Specialist
Fresenius Medical Care
One Westbrook Corporate Center, Tower One, Suite 1000
Westchester, IL 60154

RE: PERMIT: #11-079 Fresenius Medical Care Niles

Dear Ms. Wright:

On January 10, 2012, the Illinois Health Facilities and Services Review Board (HFSRB) approved the application for permit for the referenced project based upon the project's substantial conformance with the applicable standards and criteria of Part 1110 and 1120. In arriving at a decision, HFSRB considered the findings contained in the State Agency Report, application material, and public hearing and public participation testimony.

- **PROJECT: #11-079 – Fresenius Medical Care Niles** – The permit holders are approved to transfer ownership of a 32 station end stage renal dialysis facility located at 9371 Milwaukee Avenue, Niles, Illinois, to Fresenius Medical Care Holdings, Inc., and Fresenius Medical Care Chicagoland, LLC.
- **PERMIT HOLDERS**: Neomedica, Fresenius Medical Care Holdings, Inc., and Fresenius Medical Care Chicagoland, LLC
- **CONDITIONS AND STIPULATIONS**: Permit holder in accordance with the facility operating agreement must continue to serve all patients regardless of their ability to pay. The permit holder must report their compliance with this condition to HFSRB by submitting a semi-annual report beginning June 2012 ending December 2015. Reports are due in the HFSRB office on or before June 15th and December 15th or the first business day thereafter. In addition, the reports must be certified by clinic managers and investing physicians verifying compliance.
- **PERMIT AMOUNT**: \$0
- **PROJECT OBLIGATED BY**: January 10, 2013
- **PROJECT COMPLETION DATE**: May 31, 2013

This permit is valid only for the defined construction or modification, site, amount and the named permit holder and is not transferable or assignable. In accordance with the Planning Act, the permit is valid until such time as the project has been completed, provided that all post permit requirements have been fulfilled, pursuant to the requirements of 77 Ill. Adm. Code 1130.

Permit Letter

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The permit holder is responsible for complying with the following requirements in order to maintain a valid permit. Failure to comply with the requirements may result in expiration of the permit or in State Board action to revoke the permit.

1. OBLIGATION-PART 1130.720

The project must be obligated by the **Project Obligation Date**, unless the permit holder obtains an "Extension of the Obligation Period" as provided in 77 Ill. Adm. Code 1130.730. Obligation is to be reported as part of the first annual progress report for permits requiring obligation within 12 months after issuance. For major construction projects which require obligation within 18 months after permit issuance, obligation must be reported as part of the second annual progress report. If project completion is required prior to the respective annual progress report referenced above, obligation must be reported as part of the notice of project completion. The reporting of obligation must reference a date certain when at least 33% of total funds assigned to project cost were expended or committed to be expended by signed contracts or other legal means.

2. ANNUAL PROGRESS REPORT-PART 1130.760

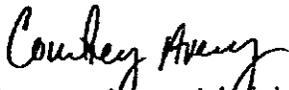
An annual progress report must be submitted to HFSRB every 12-months from the permit issuance date until such time as the project is complete.

3. PROJECT COMPLETION REQUIREMENTS-PART 1130.770

The permit holder must submit a written notice of project completion as defined in Section 1130.140. Each permit holder shall notify HFSRB within 30 days following the project completion date and provide supporting documentation within 90 days following the completion date and must contain the information required by Section 1130.770.

Should you have any questions regarding the permit requirements, please contact Mike Constantino at 217-782-3516.

Sincerely,



Courtney Avery, Administrator
Illinois Health Facilities and Services Review Board

cc: Dale Galassic, Chairman