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HEALTH FACILITIES &
SERVICES REVIEW BOARD

**DEPARTMENT OF PUBLIC HEALTH
STATE OF ILLINOIS**

**IN RE:
PUBLIC HEARING REQUEST
HEALTH FACILITIES PLANNING ACT
PROJECT: 12-050 REHAB AND CARE CENTER – JACKSON COUNTY
APPLICANT(S): JACKSON COUNTY BOARD**

HEARING

JUNE 28, 2012

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DEPARTMENT OF PUBLIC HEALTH

STATE OF ILLINOIS

IN RE:

Public Hearing Request

Health Facilities Planning Act

PROJECT: 12-050 Rehab and Care Center -

Jackson County

APPLICANT(S): Jackson County Board

HEARING HELD AT

MURPHYSBORO CITY HALL

202 NORTH 11th STREET

MURPHYSBORO, ILLINOIS 62966

JUNE 28, 2012

(Starting time of the hearing: 11:09 a.m.)

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A P P E A R A N C E S

ILLINOIS HEALTH FACILITIES AND SERVICES

REVIEW BOARD:

Courtney Avery, Administrator

Mike Constantino, Supervisor

525 West Jefferson Street

Floor 2

Springfield, Illinois 62702

(217) 782-3516

Court Reporter:

Joanna Charlton, RPR, CCR(MO), CSR(IL)

Midwest Litigation Services

711 North 11th Street

St. Louis, Missouri 63101

(314) 644-2191

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1 TRANSCRIPT OF PROCEEDINGS

2 *****

3 MR. CONSTANTINO: I just want to introduce
4 ourselves. My name is Mike Constantino. This is Rod
5 Hildabrink. He's a board member and Courtney Avery
6 the administrator to the state board. We're here to
7 conduct a public hearing for Project 12-050, the
8 closure of Jackson County Nursing Home. As per the
9 rules of the Illinois Health Facilities Planning
10 Board, I would like to read the legal notice into the
11 record. Notice is given of a receipt for the
12 application for permit to discontinue a 178 bed
13 skilled nursing facility Project Number 12-050 Rehab
14 and Care Center - Jackson County, Murphysboro,
15 Illinois. The applicant is the Jackson County Board
16 and a proposal to discontinue this facility. There
17 is no cost to this project. Consideration by the
18 state board has been tentatively scheduled for
19 September 11, 2012 state board meeting. Any person
20 wanting to submit written comments regarding this
21 project may do so by submitting their comments by
22 August 22, 2012 to Courtney Avery, Administrator,
23 Illinois Health Facilities and Services Review Board,
24 525 West Jefferson, 2nd Floor, Springfield, Illinois.

1 The state board will post its findings in a state
2 board staff report, and the report will be available
3 via the internet on August 28, 2012. The public may
4 submit written responses to add to the state board
5 staff report to the state board. The public will
6 have until 9 a.m. September 4, 2012 to submit these
7 comments. You can also provide public comment orally
8 the day of the meeting. The internet address used to
9 access this staff report is www.hfsrb.illinois.gov.
10 To ensure that the Illinois Health Facilities and
11 Services Review Board public hearings protect the
12 privacy and maintain the confidentiality of an
13 individual's health information, covered entities as
14 defined by the Health Insurance Portability Act of
15 1996 such as facilities, hospital providers, health
16 plans, and health care clearinghouses submitting oral
17 or written testimony that discloses protected health
18 information of individuals shall have a valid written
19 authorization from that individual. The
20 authorization shall allow the covered entity to share
21 the individual's protected health information at this
22 hearing. Those of you who came prepared with
23 prepared text for your presentation may choose to
24 submit that text without giving oral testimony;

1 however, if you are giving oral testimony, please be
2 as brief as possible. I'm going to limit each oral
3 presentation to three minutes. Should anyone want to
4 speak for more than that, they may do so after
5 everyone has an opportunity to speak. As per the
6 legal notice, I would appreciate two copies of your
7 testimony. You may make your presentation. Give the
8 court reporter the spelling of your complete name.
9 If there is a chief spokesman for the applicant for
10 the Jackson County, would you like that individual to
11 make the first presentation? Is there anyone here
12 from Jackson County?

13 MR. EVANS: Yes, sir.

14 MR. CONSTANTINO: Okay. Please hold your
15 questions till all the testimony is presented, and
16 then we will ask if there is anyone else that
17 needs -- would like to provide oral testimony. Sir,
18 you can start.

19 MR. EVANS: Yes.

20 MR. CONSTANTINO: Please give your name for
21 the court reporter.

22 MR. EVANS: My name is John Evans, J-O-H-N
23 E-V-A-N-S, Jackson County Board Chairman, Health
24 Facilities and Service Review Board. Hello, I am

1 John Evans. As chairman of the Jackson County Board,
2 I am thankful for the opportunity to speak as it is
3 important to the County Board for our constituents to
4 understand the reasons behind the exhaustive process
5 taken in proceeding with the discontinuation of
6 services offered at the Rehab and Care Center of
7 Jackson County. This matter to be heard before the
8 Illinois Health Facilities and Services Review Board
9 today has already underwent extensive and transparent
10 board deliberations enabling the public to
11 participate throughout the process. Simply put, the
12 Jackson -- the County can no longer financially
13 support the nursing home. Providing long-term care
14 for the residents of Jackson County is important to
15 the board members, but it is a service that the
16 County is not mandated to provide. The financial
17 drain on the County has become insurmountable
18 eliminating the ability to continue to operate the
19 nursing home to the point services the County is
20 mandated to provide are becoming endangered.
21 Realizing the County is not able to continue
22 operating the nursing home in the current regulatory
23 and physical environment, the board has taken the
24 responsible and proactive approach with a plan that

1 secures a future of long-term care services that will
2 continue in a manner that most closely resembles
3 those which are currently provided at the Rehab and
4 Care Center of Jackson County.

5 MR. CONSTANTINO: Thank you, sir. Paulette
6 Moore.

7 MS. MOORE: Yes. I don't have a written --
8 my voice hasn't been written down.

9 MR. CONSTANTINO: Okay. Would you like to
10 give oral testimony?

11 MS. MOORE: Yes.

12 MR. CONSTANTINO: Okay. Please step
13 forward.

14 MS. MOORE: My name is Paulette Moore. I
15 oppose the facility leaving Murphysboro. I don't
16 believe it has been transparent. It hasn't been
17 brought to the public's knowledge of how it being
18 transferred to Carbondale is going to be better for
19 each citizen, their residents. There hasn't been
20 anything disclosed, and I have went to every board
21 meeting and committee meeting since November. It has
22 not been disclosed how it would be better to move it.
23 I vote that we keep it in Murphysboro at our facility
24 is the best deal. Now, I realize the board can't --

1 the County cannot afford it, but they can afford two
2 years of holding it open until this new facility can
3 be built. Thank you.

4 MR. CONSTANTINO: Shay Wiggs.

5 MR. WIGGS: Yes. My name is Shay Wiggs,
6 S-H-A-Y, W-I-G-G-S, residing at 121 Maple Street in
7 Zeigler, Illinois. As a working health care
8 professional in Jackson County, I would like to voice
9 my support for the decision made by the Jackson
10 County Board for the closure of Rehab and Care Center
11 of Jackson County. Thank you.

12 MR. CONSTANTINO: Is there anyone else here
13 who would like to provide opposition testimony
14 orally? Yes, ma'am. Anyone else provide opposition
15 testimony orally? MaryBeth.

16 MS. BALTZELL: That's me.

17 MR. CONSTANTINO: Will Stephens.

18 MR. STEPHENS: Yes, sir. My name is Will
19 Stephens, W-I-L-L, S-T-E-P-H-E-N-S. I am on the
20 Jackson County Board representing Murphysboro in
21 District III. The units of government are charged
22 with making decisions that will provide for the best
23 possible outcomes for the citizens represented. In
24 the case of the Jackson County Rehab and Care

1 facility, there was several options presented to the
2 Rehab and Care committee and the Jackson County Board
3 as a whole. The offer presented by RFMS provides the
4 best long-term option for Jackson County for two
5 reasons. Reason one is simply that the offer from
6 RFMS provides for the construction of a new building.
7 A new building would be more energy efficient, less
8 susceptible to falling out of cold compliance and
9 integrate with all the latest technologies, which
10 will provide a greater quality of life for residents
11 and employees. Secondly, RFMS as agreed to accept
12 all patients and offer jobs to all current employees.
13 None of the other offers would've provided a new
14 facility and a comparable wage structure as the offer
15 presented by RFMS. Change is difficult, especially
16 when it involves the most venerable members of
17 society, the elderly; however, emotion should not
18 overcome working toward the best solution for the
19 employees and residents of this county. That
20 solution is the proposal presented to the County by
21 RFMS and Associates; therefore, I urge this panel to
22 approve the closure of the Jackson County Rehab and
23 Care facility as it stands today and move forward
24 with the certificate of need transfer. Thank you.

1 MR. CONSTANTINO: Wendy Wells.

2 MS. WELLS: I'll pass on my comments.

3 MR. CONSTANTINO: Thank you. Tina Calhoon.

4 MS. CALHOON: I'll pass on my comments.

5 MR. CONSTANTINO: Dale Blaise.

6 MR. BLAISE: Blaise. My name is Dale
7 Blaise, D-A-L-E, B-L-A-I-S-E. I am the current
8 medical director of Rehab Care Center of Jackson
9 County, have been so for over 20 years. I have a
10 personal stake in the facility. I have a great care
11 of it on an emotional level. I'd love to see it stay
12 open too, but from a standpoint of understanding
13 medical facilities the state of the state regarding
14 payments, medical facilities, and the fact that a
15 facility which is 52 years old hard to keep up with
16 code, hard to provide the type of care that really
17 needs to be done without investing a lot of money in
18 a facility that's going to continue to deteriorate.
19 As this whole process has unfolded over the last
20 couple of years, I've been involved in discussions
21 with lots of different people from the community as
22 well as the County, and it's clear to me that
23 providing care for the elderly is in the best way
24 possible is what's needed. The facility -- the new

1 facility that is proposed would allow for the
2 continuation of assisted living into a nursing home
3 facility. As you probably well know, nowadays
4 there's fewer and fewer people staying in nursing
5 homes for a lifetime. When I started in practice,
6 that seemed to be the case. Now it's more of a
7 short-term program. What would be provided by the
8 new facility, of course, would be new everything. A
9 facility that would be up to code would provide
10 services that in a way I think which would be better
11 than what's being provided now. It's clear to me
12 that there's not much choice. Staying in that
13 facility makes no sense from a financial standpoint,
14 and I would support the concept of moving the
15 facility even though, of course, it does affect
16 Murphysboro. It does affect Jackson County a little
17 bit. It's going to affect the hospital in Jackson
18 County or in Murphysboro a little bit, but there is
19 complete support on the part of the hospital
20 facilities, SIH, who is the governing board of all
21 the facilities in the area. And they have also
22 written supportive letters to your organization.
23 Thank you.

24 MR. CONSTANTINO: Marilyn Falaster.

1 MS. FALASTER: Marilyn Falaster,
2 M-A-R-I-L-Y-N, F-A-L-A-S-T-E-R. I am the nursing
3 director at John A. Logan College, and I am in
4 support of the closure of Jackson County Rehab and
5 Care with the knowledge that the Jackson County Board
6 has considered quality care options for seniors or
7 individuals requiring short- and long-term rehab and
8 allowing them to remain in Jackson County. I know
9 the finances have been critiqued heavily by the
10 Jackson County Board regarding the survival of this
11 facility, and it is with a heavy heart that expenses
12 and building conditions have required the Jackson
13 County Board to make this decision to close. Even
14 experts in the health care operation with the sole
15 focus of nursing home management are having serious
16 challenges keeping their facilities viable in order
17 to have updated equipment, education, and salaries
18 for their employees. Thank you.

19 MR. CONSTANTINO: David Shoemaker.

20 MR. SHOEMAKER: Shoemaker. I have a
21 written one to hand in.

22 MR. CONSTANTINO: Okay. William Alstat.

23 MR. ALSTAT: Alstat spelled W-I-L-L-I-A-M

24 --

1 MR. CONSTANTINO: Could you step up in
2 front please, sir?

3 MR. ALSTAT: Okay.

4 MR. CONSTANTINO: Thank you.

5 MR. ALSTAT: And A-L-S-T-A-T is my last
6 name. I go by Bill, though. Hi, I'm Bill Alstat
7 financial care of Jackson County Board. I am here
8 today to voice my support for the decision to close
9 Rehab and Care Center of Jackson County. Having
10 served on the Jackson County Board for 22 years, I'm
11 uniquely qualified to express the financial hardship
12 the facility and County are facing. The cash flow is
13 just not available to continue to operate the nursing
14 home, period; furthermore, County funds from which
15 the facility has borrowed are also being depleted.
16: Medicaid payments already 90 days late are
17 anticipated to become more delinquent. Late payments
18 from the state coupled with increasing operational
19 expenses and an ageing physical plant have led to an
20 inability of the County to keep the facility open.
21 Over the past five years the nursing home has cost
22 the County millions of dollars. It is a bleak
23 financial reality that prompts my support for this
24 closure of the Rehab and Care Center of Jackson

1 County and the responsible path the Board has chosen
2 to pursue that I support for the current residents,
3 staff, and community. Thank you very much for your
4 letting me speak.

5 MR. CONSTANTINO: Thank you, sir. John
6 Baus [sic]. I think it's B-A-U-S, P-A-U-S, Jackson
7 County Board.

8 MR. EVANS: That was me. I already spoke.

9 MR. CONSTANTINO: Okay. I'm sorry, sir.
10 Frank Puttman.

11 MR. PUTTMAN: Thank you, Mr. Chairman. My
12 name is Frank Puttman, P-U-T-T-M-A-N, F-R-A-N-K. I
13 am a member of the Jackson County Board representing
14 District III, which is Murphysboro. I serve as
15 chairman of the Rehab and Care committee. I'm a
16 lifelong resident of Jackson County and have had a
17 long association with the Rehab and Care Center of
18 Jackson County. For 14 years I was principal of
19 Caruthers Elementary School, which is next door to
20 the center. During that time, I encouraged our
21 teachers to plan programs for the residents of Rehab
22 and to visit on a regular basis. As a result, many
23 of the teachers took classes over to the nursing home
24 to read and have patients read to the children, do

1 art projects, perform music programs, and even our
2 Halloween parade detoured so it could go through the
3 great room at the facility. During my ten years on
4 the County Board and member of the Rehab committee, I
5 have been directly involved with the struggle to keep
6 the facility financially viable. The original
7 building is 52 years old, and the newer addition is
8 40 years old. The building is costly to maintain,
9 and its design makes it difficult to meet new
10 regulations. Over the years when we thought we might
11 have a few dollars to modernize and upgrade the
12 facility, it seems that some new regulation required
13 the use of our money. The County cannot afford to
14 construct a new building, and the expenses of the
15 present building are a drain on the total County
16 budget. Then the state aid payments were delayed.
17 Fortunately, we were able to borrow some \$1.2 million
18 from the solid waste fund to keep the facility
19 afloat. Unfortunately, county general also had to
20 borrow solid waste funds. Needless to say, this fund
21 is all but depleted. We were at least able to avoid
22 borrowing on the open market and having to pay large
23 sums of interest. When our committee recommended
24 that we get out of the nursing home business, we

1 strongly endorsed two considerations: Number one
2 that all patients have an opportunity to stay
3 together and number two that all employees be offered
4 employment. We would be keeping our patients
5 together and the employees with them to continue the
6 tradition of exceptional care that our facility has
7 been noted for. We do not want the patients
8 scattered throughout Southern Illinois thus causing
9 stress, confusion, trauma, and transportation
10 problems for families. We do not want services
11 provided by unfamiliar faces. Our residents deserve
12 security and a place to live and loving caregivers,
13 not monthly uncertainty due to the finances. Thank
14 you very much.

15 MR. CONSTANTINO: Bill Davis -- Bill Daum,
16 I apologize.

17 MR. DAUM: My name is Bill Daum, D-A-U-M.
18 I voice my concern on the status of the Jackson
19 County Rehab Center. I am lifelong resident of
20 Murphysboro. As a family member of a resident who
21 makes their home at this center, I share the same
22 concerns as the resident, family member, and staff.
23 I've been able to attend most of the all of the
24 meetings that the Jackson County Board has had

1 concerning the state of the center. My purpose is to
2 speak for those residents that have no families and
3 who are not -- do not have family living in this
4 area. I have seen the anxiety and concern that they
5 have not knowing where they would live the days
6 ahead. When the Jackson County Board made their
7 decision to accept this proposal, they allowed
8 everyone to move to a new facility. Almost everyone
9 I have spoken to with me agrees with this charge. I[†]
10 would hate to see this issue come back to the
11 residents once again. I feel that the issue has been
12 settled.

13 MR. CONSTANTINO: Nancy Fager.

14 MS. FAGER: My name is Nancy Fager,
15 N-A-N-C-Y, F-A-G-E-R, and I am in support of the
16 closure of Jackson County Rehab. The Board has gone
17 through the last six months trying to decide what to
18 do with the facility and proceed with care for the
19 residents out there, and their main focus was that
20 they would be able to provide continued care and
21 offer the employees an opportunity to stay with the
22 residents for that continued care. The resolution
23 was, as you have heard before by the other members of
24 the Board, for that facility to close, and a new

1 facility would take on the residents. And that is
2 what they struggled for. It went through, and the
3 residents knew that that was going to be the future.
4 There is a future there for them of continued care,
5 and I am a family member of a resident out there.
6 And this has been my compassion. I've been really
7 concerned about her future, and so when the Board
8 decided this, that this was what was going to take
9 place, we were looking forward to that and hope^d that
10 it will continue to proceed. And I thank you for
11 your time.

12 MR. CONSTANTINO: Julie Woolard.

13 MS. WOOLARD: My name is Julie Woolard,
14 J-U-L-I-E, W-O-O-L-A-R-D. I would like to show my
15 support for the Rehab and Care Center of Jackson
16 County closure. My grandmother was a patient at the
17 Rehab and Care Center for three years, and they took
18 excellent care of her, so I hold it very dear to my
19 heart. The condition of the building even eight
20 years ago was badly in need of repair and was a
21 financial drain on the County even then. It is an
22 even worse financial burden today for the County that
23 is why I support the closure of the Rehab and Care
24 Center of Jackson County.

1 MR. CONSTANTINO: Merle Taylor.

2 MR. TAYLOR: Good morning. My name is
3 Merle Taylor, M-E-R-L-E, T-A-Y-L-O-R. I have lived
4 in Jackson County the majority of my life. I am the
5 administrator at the Rehab and Care Center of Jackson
6 County, and the County has employed me for almost 30
7 years, as the administrator since 1999. Our facility
8 is county-owned and was built by the County in
9 1958/1959, and we opened in 1960. Over the years
10 numerous capital projects have been completed in an
11 attempt to keep the facility updated and modern.
12 Rehab and Care is licensed for 178 skilled beds and
13 currently serves approximately 110 residents. We
14 accept pay sources including private pay, Medicare,
15 Medicaid, hospice, and insurance. We're also a
16 contract facility for the Veteran's Administration.
17 Approximately 65 percent of our census are Medicaid
18 residents. The facility employs approximately 120
19 individuals. As county employees, we're eligible for
20 the same excellent benefits as other county
21 employees, retirement and disability through the
22 Illinois Municipal Retirement Fund, health insurance,
23 and a generous policy for vacation, holiday, sick
24 days, and personal days. Our wages are also much

1 higher than what you find in surrounding skilled
2 nursing facilities. Unfortunately, over the past
3 decade the County has struggled with increased
4 mandated costs for personnel, life safety code,
5 capital requirements, as well as reimbursement that
6 does not meet expenses to operate our 52-year-old
7 facility. It's also becoming more difficult and
8 costly to upgrade our old building to meet life
9 safety code requirements due to our construction
10 type. As far back as '97 and '98 the County has
11 periodically explored the possibility of exiting the
12 nursing home business. It was clear even then that
13 the County would not be able to sustain the needs of
14 the facility and provide services mandated in the
15 county. Unfortunately, the nursing home is not a
16 mandated service, and as years have passed, not only
17 have mandates increased and state payments to the
18 facility decreased and slowed the same as occurred
19 with mandates and payments to the county as a whole.
20 Jackson County did hire a management firm effective
21 December 1, 2010 in an attempt to turn our facility
22 around financially; however, with the high personnel
23 cost, the mandated life safety code expenses, and the
24 slowdown in Medicaid payments, the facility has

1 continued to struggle financially and ultimately
2 borrow funds from the County to meet financial
3 obligations in the past year. When the Jackson
4 County Board began exploring exiting the facility in
5 earnest this past fall, there were two issues the
6 County agreed on: Choosing the best option to
7 provide the best care to our residents and attempt to
8 take care of the staff as well as possible. With the
9 options that were before the Board, they chose to
10 review past practices of the organizations that were
11 interested in the facility. The only fair way to do
12 so was to review DPA, public aid cost report data,
13 that was filed with the Department of Health and
14 Human Services. The County was able to review each
15 organization's staff to resident ratios as well as
16 average wages and benefits paid to the staff. This
17 is the information that helped the County to make the
18 decision to accept a proposal that would allow our
19 residents and staff to remain together in a new
20 facility operated by a group with an excellent
21 reputation. In my opinion, the County made a very
22 responsible decision. I know any company interested
23 in our facility can promise the moon, but mandated
24 public information tells them a much more compelling

1 story. I believe the County has chosen an
2 organization that truly cares about their residents
3 and staff. I am excited our community will have the
4 opportunity to offer a health care campus that will
5 include several levels of care including a skilled
6 nursing facility. It's much easier for individuals
7 to relocate from independent living to assisted
8 living to skilled care within the same organization.
9 This will be a unique option for our county
10 residents. This has been a very emotional process
11 for the residents, their families, the staff, and the
12 community as a whole. County board meetings
13 involving the facility have been very well attended,
14 and the media has attempted to provide information to
15 the community that unless you've been directly
16 involved with the facility and the County through the
17 entire process it's been very difficult to follow.
18 I'm asking that you please support the request from
19 the Jackson County Board to close the Rehab and Care
20 Center of Jackson County due to the excellent options
21 the County has chosen. Your consideration is greatly
22 appreciated. I would also like to add one additional
23 comment, that I do believe that in my roughly 30
24 years with the County this is probably -- well, it's

1 been the hardest decision our board has probably ever
2 had to make. They have probably been more
3 transparent with this whole process with this than
4 anything else I have ever seen. Thank you.

5 MR. CONSTANTINO: Thank you. Is there
6 anyone else here who would like to give oral
7 testimony? Anyone else? I see some of you have
8 written comments. Could you please make sure you
9 submit them to me before you leave? Seeing there's
10 no other comments, I would like to remind you we hope
11 that you will provide written comments either in
12 support or opposition to this project, and you can
13 send those comments in care of Courtney Avery,
14 Administrator, Illinois Health Facilities and
15 Services Review Board, 525 West Jefferson, 2nd Floor,
16 Springfield, Illinois 62761. This meeting is
17 adjourned. Thank you very much.

18 (WHEREIN, the hearing was concluded
19 at 11:40 a.m.)

20

21

22

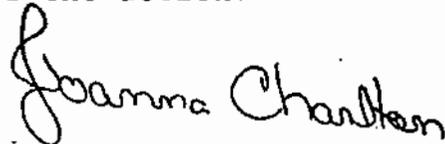
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CERTIFICATE OF REPORTER

I, JOANNA CHARLTON, RPR, CCR(MO), CSR(IL),
the officer before whom the foregoing hearing was
taken, do hereby certify that the testimony that
appears in the foregoing hearing was taken by me to
the best of my ability and thereafter reduced to
typewriting under my direction; that I am neither
counsel for, related to, nor employed by any of the
parties to the action in which this hearing was
taken, and further that I am not a relative or
employee of any attorney or counsel employed by the
parties thereto, nor financially or otherwise
interested in the outcome of the action.



JOANNA CHARLTON,
RPR, CCR(MO), CSR(IL)

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