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**HEALTH FACILITIES &  
SERVICES REVIEW BOARD**

January 10, 2013

Ms. Courtney Avery  
Administrator  
Illinois Health Facilities and Services Review Board  
525 West Jefferson, 2nd Floor  
Springfield, Illinois 62761-1146

Re: Vista Medical Center – Lindenhurst  
Project No. 12-081 (the “Project”)

Dear Ms. Avery:

We know that staff frequently requests additional information from applicants during the review period. By this letter we ask that further information be requested to complete the Vista application referenced above.

In review of the Vista permit application, it appears that there are items for which additional information would be appropriate. These are important items to the application and would provide valuable information to the Board in its evaluation of the Project. These are also issues upon which other facilities would like to address in public comment, but for which comment could be more effective after the information was provided.

In particular, it appears the following additional items should have been included in the Vista application:

1. Vista as Applicant: Vista Health System is not included as an applicant for Vista Medical Center Lindenhurst, but appears to be a “necessary party”.
2. Physician Referral Letters: Projected Referral Letters were not supplied as required by Board Rules.

We believe this information would be very beneficial to the Board and to the staff in the review of this Project and is likely why the current rules seem to require that the information be supplied.

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## A. Vista Appears to Be a Necessary Party to the Application

In reviewing the Vista Lindenhurst Application, we were surprised to see that Vista was not included as an applicant. Vista is officially known as "Waukegan Illinois Hospital Company, LLC" but operates under various d/b/a's, including Vista Medical Center East (hereinafter, "Vista"). Applicants are listed only as "Lindenhurst Illinois Hospital Company, LLC" which is shown as the wholly owned subsidiary of Waukegan Hospital Corp, and Community Health Systems, Inc., the parent of Vista.

Page 40 of the application shows that Waukegan Hospital Corp is the sole parent of Lindenhurst Illinois Hospital Company.

Section §1130.220 of the Board's rules specify that an entity that "controls" another entity is a necessary party to the Application. Under the organizational chart shown on page 40 of the application, Waukegan Hospital Corp owns and controls the applicant Lindenhurst Illinois Hospital Company, LLC (see also, attachments from the Illinois Secretary of State). Similarly, subsection 1130.220(a)(4) states that any person who will be actively involved in the operation and who controls equipment or capital assets such as buildings must be an applicant.

The application makes clear that Vista will play a significant role in the Project. The Project Narrative (p. 7) describes the Lindenhurst Hospital as a "satellite" of Vista Medical Center East. Further, the Project Narrative also makes clear that Vista and runs and operates the Freestanding Emergency Center and ASTC on the site. Vista's status as an applicant takes on great significance because the Application contains important commitments from Vista. For example the Application commits Vista to discontinue the FEC and discontinue beds at Vista East. Clearly, under § 1130.220 Vista, and perhaps other entities, must be an applicant and we would ask that the State Agency request a modification to include necessary parties and a comprehensive organizational chart of the Applicants.

## B. Physician Referral Letters Required

One of the core purposes of the Certificate of Need process is to determine whether there is a "need" for a new project. The Board, through its rules, requires an applicant to prove need in a variety of different ways. In the case of projects to create a new hospital, the Board's rules make a very specific requirement: "if the applicant proposes to establish a new hospital, the applicant shall submit projected referrals." §1100.530(b)(3)."

We acknowledge that there is an exception to the requirement for projected referrals when the proposed area is experiencing "rapid population growth". As defined by Board rules, to qualify this population growth must exceed the average of three to seven immediate preceding annual growth rates by at least 100%. Vista provided no evidence that it met the definition of rapid population growth and our review shows that the growth rate is actually declining.

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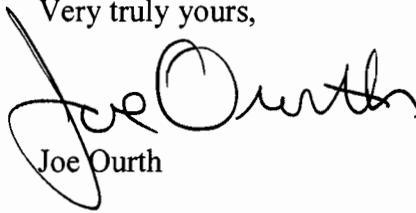
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At present, the Vista application provides no projected referrals. Page 94 of the application openly acknowledges that this Project will lower utilization of existing providers, but fails to provide any detail as to this impact. Projected referrals would provide this information and would not only be very valuable to the Board in its evaluation, but it appears to be required. We would ask that the State Agency request these projected referral letters from the Applicant before the Project is considered.

Very truly yours,



Joe Ourth

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Enclosure

cc: Mike Constantino

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**JESSE WHITE**  
SECRETARY OF STATE



**LLC FILE DETAIL REPORT**

Entity Name	WAUKEGAN ILLINOIS HOSPITAL COMPANY, LLC	File Number	01715232
Status	ACTIVE	On	10/17/2012
Entity Type	LLC	Type of LLC	Domestic
File Date	12/20/2005	Jurisdiction	IL
Agent Name	ILLINOIS CORPORATION SERVICE C	Agent Change Date	10/04/2007
Agent Street Address	801 ADLAI STEVENSON DRIVE	Principal Office	4000 MERIDIAN BLVD. FRANKLIN, TN 37067
Agent City	SPRINGFIELD	Management Type	MBR <a href="#">View</a>
Agent Zip	62703	Duration	PERPETUAL
Annual Report Filing Date	10/17/2012	For Year	2012
Assumed Name	ACTIVE - LINDENHURST FREE STANDING EMERGENCY CENTER ACTIVE - VISTA HEALTH SYSTEM ACTIVE - VISTA TREATMENT CENTER ACTIVE - VISTA WORK POWER CENTER ACTIVE - VISTA PHYSICAL MEDICINE & REHAB ACTIVE - VISTA IMAGING CENTER ACTIVE - VISTA MRI INSTITUTE INACTIVE - VISTA SURGERY CENTER ACTIVE - VISTA MEDICAL CENTER WEST ACTIVE - VISTA MEDICAL CENTER EAST		
Series Name	NOT AUTHORIZED TO ESTABLISH SERIES		

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**LLC MEMBERS**

<b>Entity Name</b>	WAUKEGAN ILLINOIS HOSPITAL COMPANY, LLC	<b>File Number</b>	01715232
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<b>Name</b>	<b>Address</b>
WAUKEGAN HOSPITAL CORPORATION	4000 MERIDIAN BLVD., FRANKLIN, TN - 37067

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