



## Fresenius Medical Care

July 18, 2013

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**HEALTH FACILITIES &  
SERVICES REVIEW BOARD**

Ms. Courtney Avery  
Administrator  
Illinois Health Facilities and Services Review Board  
525 W. Jefferson, 2<sup>nd</sup> Floor  
Springfield, IL 62716

Re: Comments to #12-102, DaVita West Side Dialysis

Dear Ms. Avery:

Fresenius submits this response to the additional information submitted by DaVita's legal counsel in support of the DaVita West Side Dialysis facility. Fresenius Medical Care is in full agreement with Mr. Sheets regarding the disadvantages the residents of the Pilsen area and the lower west side of Chicago face due to demographic and economic barriers and addressed this need when we established our 31-station Chicago Westside facility one-half mile from DaVita's chosen site, as did Saint Anthony Hospital, three miles from DaVita's site just outside of Pilsen and as DaVita has done recently, just three miles away in Lawndale.

Fresenius also agrees that there is an existing inconsistency between determined need in HSA 6 and area utilization. This is due to a dense population that is demographically and disproportionately affected by kidney disease causing a continual rise in utilization. Nonetheless, while there is still need in some of these disadvantaged communities, the State Board Report noted excess capacity in the area and the supplemental information does not explain why the doctors' patients cannot be admitted to clinics with capacity.

We do not agree that only a few new clinics have been established in Chicago recently. In the last three years, July 2010 – July 2013, there have been 7 new clinics approved and 3 others previously approved have been opened during this time. This does not include over 50 station additions in HSA 6 over the same three years.

**New Dialysis Facilities in Chicago 7/2010 through 7/2013**

<b>Approved Facility</b>	<b>Stations</b>	<b>Project Number</b>	<b>Date Approved</b>	<b>Disadvantaged Population?</b>
Fresenius South Deering	20	10-064	12/2010	Yes
Fresenius Chatham	16	10-074	03/2011	Yes
Fresenius Logan Square	12	11-059	10/2011	No
Fresenius Midway	12	11-078	01/2012	No
DaVita Lawndale	16	12-085	12/2012	Yes
Saint Anthony Hospital Dialysis	16	12-090	02/2013	Yes
Northwestern Medical Faculty Foundation Dialysis	36	12-099	03/2013	No

<b>Opened Facility</b>	<b>Stations</b>	<b>Project Number</b>	<b>Date Approved</b>	<b>Disadvantaged Population?</b>
DaVita West Lawn	12	08-100	03/2009	Yes
Fresenius West Willow	12	10-001	04/2010	No
DaVita Grand Crossings	12	10-004	06/2010	Yes

Transportation options in HSA 6 create a barrier to access for many patients particularly for low income inner-city patients. This is one reason we question DaVita's chosen location for Dr. Hollandsworth's patients. The information submitted argues that Dr. Hollandsworth requires this clinic on the west side because he cannot round at area clinics and needs a facility close to where he sees his CKD patients at Provident Hospital. However, Provident Hospital is five miles away from the chosen Pilsen site. Also, the proposed facility site is not where his identified patients live (see attached letter from Fresenius dated March 6, 2013 showing distribution of pre-ESRD patients). Patients travelling 5 miles or more in the City are burdened time-wise and financially. Travel by public transportation requires multiple transfers, while driving in congestion is difficult with parking and fuel costs expensive.

The additional information submitted does not provide any new information that supports establishing a facility in Pilsen in order to serve Dr. Hollandsworth's patients. A more sensible solution would be to establish a facility on the south side for the 70 plus of total 87 patients referred to in the application living in that area and for Dr. Hollandsworth to seek privileges at Fresenius Chicago Westside (at 52% utilization as of June 30, 2013) which is located in Pilsen, for the 13 remaining patients identified by Dr. Hollandsworth who live within 5 miles of the Pilsen neighborhood (only one patient actually resides in Pilsen).

Thank you for your consideration of our comments.

Sincerely,

A handwritten signature in black ink, appearing to be 'Brian Brandenburg', written in a cursive style.

Brian Brandenburg  
Regional Vice President