

## Roate, George

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**From:** Joseph Van Leer [JVanLeer@Polsinelli.com]  
**Sent:** Wednesday, April 24, 2013 4:54 PM  
**To:** Roate, George  
**Cc:** Charles Sheets  
**Subject:** Opposition Letters to FMC South Elgin (Proj. No. 13-004)  
**Attachments:** Opposition Letter to FMC South Elgin (Proj. No. 13-004).pdf; Opposition Letter to FMC South Elgin\_1 (Proj. No. 13-004).pdf

George,

Please see the attached letters in opposition to FMC's proposed South Elgin de novo facility. Let me know if you have any questions. Thanks,

Joe

**Joseph Van Leer**  
*Associate*

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**APR 24 2013**

**HEALTH FACILITIES &  
SERVICES REVIEW BOARD**



Polsinelli PC, Polsinelli LLP in California

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Phone: (847) 531-5911  
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APR 24 2013

HEALTH FACILITIES &  
SERVICES REVIEW BOARD

April 24, 2013

Dale Galassie, Chair  
Illinois Health Facilities and Services Review  
Board  
525 West Jefferson Street, 2nd Floor  
Springfield, Illinois 62761

**Re: Opposition to FMC South Elgin CON Application  
(Proj. No. 13-004)**

Dear Chairman Galassie:

I am writing to oppose Fresenius Medical Care's proposal to establish a 12-station South Elgin facility in HSA 8, where there is an excess of 16 stations in this planning area and low utilization nearby. I have been practicing in this community as a nephrologist for many years, and have a keen awareness of the need for an increase in capacity. As such, I know there is not an immediate need for this facility.

Average utilization in the service area is approximately 65%. Given such low utilization, it is no surprise that the need projections issued by the Board show a 16-station excess in HSA 8.

Further, there are several nearby facilities that can accommodate these patients, which largely reside in Elgin rather than South Elgin. Specifically, FMC's nearby Batavia and West Chicago facilities can accommodate these patients. Cobblestone Dialysis is also nearby and operating below capacity.

Finally, only 7 of the proposed CKD patients (or 4%) are expected to come from South Elgin where the proposed facility would be located. Providers should expand care access in areas that truly need such services.

Thank you for your consideration of my objections.

Sincerely,

A handwritten signature in black ink, appearing to be "Ravi Damaraju", written over a horizontal line.

**ENA****Elgin Nephrology Assoc., S.C.**

NASIR J. AHMAD, M.D.

\* IRUM SHAHAB, M.D.

AMIR A. MEMON, M.D.

UMESH O. PATEL, M.D.

LARTHI VIJAYKUMAR, M.D.

JESSICA HAISLEY, PA-C

April 24, 2013

Dale Galassie, Chair  
Illinois Health Facilities and Services Review  
Board  
525 West Jefferson Street, 2<sup>nd</sup> Floor  
Springfield, Illinois 62761

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APR 24 2013

HEALTH FACILITIES &  
SERVICES REVIEW BOARD

**Re: Opposition to FMC South Elgin CON Application  
(Proj. No. 13-004)**

Dear Chairman Galassie:

I am a nephrologist practicing in Chicago's Northwest suburbs and I oppose Fresenius Medical Care's proposal to establish FMC South Elgin, a 12-station dialysis facility in HAS 8. There is insufficient need in the area with an excess of 16 stations in this planning area.

Many years ago I started Quality Renal Care in Carpentersville, which is just 15 minutes from the proposed site. Over the years, I have seen significant growth in the demand for dialysis services. While I generally support increasing capacity to meet this growth, such expansion should be done in a responsible manner.

It is inappropriate for FMC to add a new facility when there is existing capacity at its other facilities in close proximity. Notably, FMC Elgin is located just 12 minutes from the proposed South Elgin facility. As of December 31, 2012, this facility was operating well below the State's 80% standard, at 54% utilization.

Although FMC asserts this facility will be operating above the State standard by the time the proposed facility will be operational, FMC fails to discuss its Batavia and West Chicago facilities. These facilities, which are 18 minutes and 21 minutes away, respectively, are also operating well below capacity and could accommodate the anticipated patients. In fact, these facilities can collectively accommodate 86 patients, nearly all of the anticipated referrals to the proposed facility.

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Carpentersville, IL 60110  
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(847) 683-3681

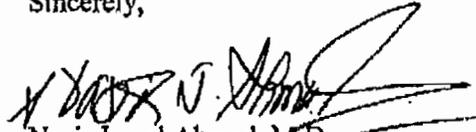
55 Regency Square Parkway  
Huntley, IL 60142  
(224) 569-3900

April 24, 2013

Page 2

Accordingly, I respectfully request that the Board deny this proposal. I appreciate your consideration of my objections.

Sincerely,

A handwritten signature in black ink, appearing to read 'Nasir J. Ahmad', with a large, sweeping flourish extending to the right.

Nasir Jamal Ahmad, M.D.  
296 W. Spring Street  
South Elgin, IL 60177