STATE OF ILLINOIS
HEALTH FACILITIES AND SERVICES REVIEW BOARD
525 WEST JEFFERSON ST. • SPRINGFIELD, ILLINOIS 62761 • (217) 782-3516 • FAX: (217) 785-4111

December 19, 2013

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

John Lawrence, Dir. Business Development
NxStage Medical, Inc.
350 Merrimack Street
Lawrence, MA 01843

Re: Project Number: #13-054
Facility Name: NxStage Oak Brook
Facility Address: 1600 W. 16th Street, Oak Brook, Illinois
Applicants: NxStage Medical, Inc. – NxStage Oak Brook, LLC
Permit Holder(s): NxStage Medical, Inc. – NxStage Oak Brook, LLC
Licensee/Operating: NxStage Oak Brook, LLC
Owner(s) of Site: Oaks Improvement, LLC
Project Description: Establish an 8 station ESRD facility.
Permit Amount: $ 1,046,740
Permit Conditions: Agree to not perform traditional "3 a week" Treatment modalitites. Submit a report one year from approval regarding the operational stipulations.
Project Obligation Date: September 30, 2014
Project Completion Date: September 30, 2014
First Annual Progress Report Due Date: December 17, 2014

Dear Mr. Lawrence:

On **December 17, 2013**, the Illinois Health Facilities and Services Review Board approved the permit for the above referenced project. This approval was based upon the substantial conformance with the applicable standards and criteria in the Illinois Health Facilities Planning Act (20 ILCS 3960) and 77 Illinois Administrative Codes 1110 and 1120.

In arriving at a decision, when applicable, the Board adopted the State Board staff findings, considered the application materials, public hearing testimony, public comments and documents, testimony presented before the Board and any additional materials requested by State Board staff.

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 Illinois Administrative Code 1130 and may result in an invalidation of the permit, sanctions, fines and/or State Board action to revoke the permit.

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.

3. 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 Illinois Administrative 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 12th month from the permit issuance date until such time as the project is completed.

3. PROJECT COMPLETION REQUIREMENTS-PART 1130.770

The requirements for a compliant Final Realized Costs Report are defined in the State Board's regulations under 77 Ill. Adm. Code 1130.770. **Effective June 1, 2013, substantive changes to the 77 Ill. Adm. Code 1130 rules went into effect. Please be advised that permit holders should follow the direction in Section 5 of the Act regarding deadlines for submitting post-permit reporting requirements and disregard the deadline language in 77 Ill. Adm. Code 1130.770.**

This permit does not exempt the project or permit holder from licensing and certification requirements, including approval of applicable architectural plans and specifications prior to construction.

Please note that the Illinois Department of Public Health will not license the proposed facility until such time as all of the permit requirements have been satisfied.

Should you have any questions regarding the permit requirements, please contact Mike Constantino at mike.constantino@illinois.gov or 217-782-3516.

Sincerely,

Courtney Avery

Courtney Avery, Administrator
Illinois Health Facilities and Services Review Board

cc: Kathy J. Olson, Chairwoman