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LAW OFFICE OF MARSHA D. HOLZHAUER, P.C.
Attorneys at Law
276 North Main St.
Breese, Illinois 62230-0371

Marsha D. Holzhauer

Whitney H. Kampwerth

March 24, 2014

RECEIVED

MAR 26 2014

HEALTH FACILITIES &
SERVICES REVIEW BOARD

IL Health Facilities and Services Review Board
2nd Floor
525 W. Jefferson Street
Springfield, IL 62761

Re: Project # 13-058
Murray Developmental Center, Centralia, Illinois

To Whom It May Concern:

I am writing on behalf of my disabled son, Darby Bronson, now age 34, who has resided at Murray Center in Centralia, IL for 27 years.

As his mother and legal guardian, I respectfully request that Project 13-058 be stricken and/or removed from the Board's April 22, 2014, Agenda, due to the litigation still pending in the Northern District of Illinois Federal Court.

Thank you for your anticipated consideration in this regard.

Sincerely,

Marsha D. Holzhauer
Legal Guardian/Mother of Darby Bronson

trc

TO: Illinois Health Facilities and Services Review Board March 22, 2014

2nd Floor

525 W. Jefferson Street

Springfield, IL 62761

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MAR 26 2014

HEALTH FACILITIES &
SERVICES REVIEW BOARD

RE: Project 13-058, Warren G Murray Center

I question this project being placed on the April 22nd Meeting Agenda. In documents posted to this project file and available on your website DHS General Counsel, among others, asked that this application be removed from the November 2013 agenda due to pending litigation. This litigation in Federal District Court is still pending. So, the situation has not changed.

Further, DHS General Counsel promised to modify project application after a new closure date is set. No closure date is set, and cannot be set due to the litigation. The letter referenced is attached.

Please remove this project from the April 22, 2014 agenda.

Respectfully,

Steven Groner

531 East Gorman Street

Nashville, IL 62263

Pat Quinn, *Governor*

Illinois Department of Human Services

Michelle R.B. Saddler, *Secretary*

100 South Grand Avenue, East • Springfield, Illinois 62762
100 West Randolph, Suite 6-400 • Chicago, Illinois 60601

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OCT 17 2013

HEALTH FACILITIES & SERVICES REVIEW BOARD

October 17, 2013

Ms. Courtney Avery
Illinois Health Facilities and Services Review Board
525 W. Jefferson Street, 2nd Floor
Springfield, IL 62761

Dear Ms. Avery,

I am writing in regards to the Illinois Department of Human Services' (DHS) application before the Illinois Health Facilities and Services Review Board (HFSRB) for a permit to discontinue services and close the Warren G. Murray Developmental Center (Application #13-058). Due to pending litigation, DHS will be rescheduling the closure date. For this reason, we request that the HFSRB remove consideration of this application from its November 5th meeting agenda.

Once the Department has set a new planned closure date it will notify the Board through an official request for modification of its application. Please let me know if you have any questions regarding this request.

Sincerely,

Brian Dunn
General Counsel
Illinois Department of Human Services

Shefsky
& Froelich
Attorneys at Law

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OCT 21 2013
HEALTH FACILITIES &
SERVICES REVIEW BOARD

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IN REFERENCE TO
312613

October 16, 2013

VIA E-MAIL

Frank Urso, Esq.
General Counsel
Health Facilities Services and Review Board
122 South Michigan Avenue, 7th Floor
Chicago, IL 60603

Re: IL Department of Human Services Application to Discontinue the Warren G. Murray Developmental Center, Project #13-058

Dear Mr. Urso:

Reference is made to the application of the Department of Human Services Application to discontinue the Warren G. Murray Developmental Center, Project #13-058. This application is currently an item on the Board's agenda for November 5, 2013.

I wish by this letter to make you aware of a case known as Illinois League of Advocates for the Developmentally Disabled v. Department of Human Services, et al, case #13 CV 1300 which is currently pending before Judge Marvin Aspen in the Federal Court for the Northern District of Illinois. At issue in that case is whether or not the Warren G. Murray Developmental Center's planned closure violates the Americans with Disabilities Act, the Rehabilitation Act and 42 USC 1983 as a result of the deprivation of entitlements provided by the Federal Medicaid Act. There is a restraining order in place in that case which prohibits the transfer of any residents from that facility and its closure until the Federal court resolves the issues of the case.

A hearing on this issue is currently scheduled for January 6, 2014, and the Judge has indicated that the status quo shall be maintained until the court has issued its ruling.

The Board should be aware that the application pending before it presents a request which is impossible for it to grant as to do so would contradict the order of the Federal court requiring the facility to continue to care for and not transfer its residents over the objection of the guardians.

We, therefore, request that the Board issue a denial of the application to discontinue or, at the very least, give a continuance on this application until such time as the Federal court has made a ruling in the above referenced case.

If you require any further information in this regard, please contact me.

Very truly yours,

SHEFSKY & FROELICH LTD.

Judith S. Sherwin

JYS/ycp