

June 1, 2011

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

RECEIVED

JUN 06 2011

HEALTH FACILITIES &
SERVICES REVIEW BOARD

Re: Response to comments made in opposition letter dated May 26, 2011 to the Review Board by Dr. Ahmad concerning certificate of Exemption E-001-11

Members of the Board:

I am writing in response to inaccurate information contained in the above mentioned letter.

Objection: Approval of the Exemption would reduce access to healthcare.

Dr. Ahmad claims the approval of this project will reduce access to healthcare and require patients to travel outside of their community. Prior to the general partner's decision to sell its ownership, the Marion Eye Center physicians consciously made the decision to reduce their patient's access to the Surgery Center of Southern Illinois. In April 2010 when the Mt. Vernon Eye Surgery Center was fully operational they cancelled patients scheduled at the Surgery Center of Southern Illinois and rescheduled them at the Mt. Vernon Eye Surgery Center, many were provided transportation. They then cancelled almost all of their Surgery Block time at the Surgery Center of Southern Illinois and told their patients that they could not do surgery in Marion, Illinois and they would have to travel to Mt. Vernon for their surgery. This is validated by comments made by several Marion Eye Center patients that submitted opposition letters to the CON review board concerning this exemption; In those letters several patients stated that they were told that they would have to travel out of their service area to the Mt. Vernon Eye Surgery Center for their surgery. This is the exactly the opposite of what Dr. Ahmad told the CON review board he was going to do when applying for his Mt. Vernon Eye Surgery Center when asked what his geographic service area was. (Please refer to the Mt. Vernon Eye Center application and official review board transcript).

Objection: That the applications statement that there will be no change in the operations/scope is false:

The information that Dr. Ahmad provided is incorrect. In 2010 the Marion Eye Center physicians comprised of 49.88% of the total cases performed at the Surgery Center of Southern Illinois. From May to December 2010 after the Marion Eye Center physicians began diverting their patients to Dr. Ahmad's Marion Eye Surgery Center of Mt. Vernon, they accounted for only 15.75% of the Surgery procedures performed at the Surgery Center of Southern Illinois. YTD 2011, the Marion Eye Center physicians account for only 6.11% of the surgery case volume of the Surgery Center of Southern Illinois. An ophthalmologist independent of the Marion Eye Center accounts for 10.69% of the surgery cases performed at the Surgery Center of Southern Illinois. The largest number of procedures is pain

management procedures (75.77%), with additional cases by podiatrists and dental surgery. Contrary to Dr. Ahmad's assertions the scope of the service will not change. (Please refer to attachment for Surgery Center of Southern Illinois Case volumes for 2010 and 2011 by doctor and month.)

The claim that the Center had difficulty acquiring and retaining physicians in the past is incorrect. Below deals with the physicians that were mention in the letter in order.

Dr. Makhdoom a gastroenterologist: quit doing cases at the center when the general partner refused to sell him 30% of the Surgery Center.

Dr. Gauto a plastic surgeon was a limited partner for a short period in 2006. Dr. Gauto requested that the general partner buy back his partnership interest shortly after he bought them after a meeting with Dr. Ahmad. Dr. Gauto told the general partner that in that meeting Dr. Ahmad told him that he should not have invested in the Surgery Center of Southern Illinois. That "he" Dr. Ahmad was in the driver seat and that he was going to pull his business and force the Surgery Center to go under. The general partner repurchased the interest but Dr. Gauto remained on staff performing surgeries at the Surgery Center of Southern Illinois until his untimely death in April of 2011.

Dr. Adams and Dr. Sullivan (podiatrists): Voluntarily resigned from staff when they did not renew their employment contract with Christopher Moore D.P.M. and they relocated out of the area. One relocated to Texas, the other to Kentucky.

Dr. Deacon (a podiatrist) is currently on staff. His primary surgical location is at the other Surgery Center in Marion but he performs procedures at the Surgery Center of Southern Illinois when the patient's insurance does not pay on out of network facility.

Dr. Braid (a pediatric dentist): is currently on staff and performs surgeries almost weekly and even wrote a letter of support to the Health facilities review board in support of the above mentioned exemption.

Dr. Demattei was a general surgeon on staff. Dr. DeMattei chose to move his surgical procedures to the other Surgery Center in Marion and his privileges automatically expired in accordance with the bylaws provision concerning inactivity.

Dr. Petreikis a general surgeon: Voluntarily resigned from staff due to a chronic health condition. She also closed her office practice.

Dr. Thorpe is an orthopedic surgeon who voluntarily resigned from staff when he made the decision to close his Marion office. He is from Cape Girardeau, Mo.

Dr. Kies and ophthalmologist- from Cape Girardeau, Mo. moved his procedures to the other Surgery Center in Marion but remained on staff. He has filed a letter of support for the exemption.

The above staff changes were all in the normal course of a surgical center turnover and none of the changes were due to any allegation of less than quality care provided at the Center. In fact as shown by the opposition letters the quality of care provided at the Center is excellent and that will not change with the proposed change in ownership.

I have read all of the support and opposition letters posted as of May 31, 2011 on the Illinois Health Services and Facilities website concerning the exemption. Two items resound clearly from their letters.

1. The community wants and needs the Surgery Center of Southern Illinois to stay open to continue to deliver the continued high quality care to the community as they have for the last 25 years.
2. The patients do not want to travel outside of their local community for these services.

By approving the exemption you will be insuring that the Surgery Center of Southern Illinois stays open. It will allow all of the current doctors using the facility to continue using the facility. I believe the Surgery Case volume numbers speak to what really occurred that caused the general partner to make the decision to sell its partnership interest. From my viewpoint as the Administrator of the Center since 1995, Dr. Ahmad's actions over that time have not been designed to further the interest of the Center or his patients, but instead have been undertaken to accomplish his often stated goal of 100% ownership of the Center.

Sincerely,



Linda Bickers
Administrator
Surgery Center of Southern Illinois

Attachment

MONTHLY CASE REPORT
2011

DOCTOR	JAN.		FEB.		MARCH		APRIL		MAY		JUNE		JULY		AUG.		SEPT.		OCT.		NOV.		DEC.		TOTAL			
	2010	2011	2010	2011	2010	2011	2010	2011	2010	2011	2010	2011	2010	2011	2010	2011	2010	2011	2010	2011	2010	2011	2010	2011	2010	2011	2010	2011
AHMAD	16	123	0	145	0	92	0	70	0	0	0	0	0	0	2	0	0	0	0	3	3	3	0	0	17	16	455	
UMANA	0	34	0	43	0	46	0	16	0	22	0	0	0	0	0	0	2	2	3	3	3	4	4	3	3	0	176	
ORTIZ	10	12	6	5	0	15	0	17	0	14	0	6	7	5	7	5	5	6	6	6	5	6	6	10	16	108		
OLK	0	24	0	33	0	28	0	20	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	105	
PERALTA	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	
PARKER	13	0	12	0	10	0	7	4	14	6	6	10	5	9	5	9	9	5	5	13	13	12	4	4	10	56	74	
HESS	3	5	1	2	0	1	4	2	0	3	1	1	1	1	1	1	0	0	0	4	3	3	4	4	3	8	29	
DEACON	0	0	0	1	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2	
MOORE	2	0	0	0	1	0	1	0	0	0	0	0	1	2	1	1	2	2	0	0	2	2	1	1	1	4	7	
HINNERS	4	0	1	0	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	4	
GAUTO	2	5	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	7	1	
JUERGENS	23	58	21	62	23	54	57	42	63	34	39	39	20	34	20	34	34	0	15	20	20	31	5	4	4	2	18	
SOWERBY	34	0	26	0	63	0	49	0	38	19	32	29	29	57	29	57	57	39	39	39	21	35	35	36	210	268		
ARNOLD	0	2	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	
BRAID	4	3	3	3	3	12	4	6	3	12	3	3	3	6	6	8	8	8	3	3	2	2	5	8	17	71		
TOTAL	111	267	71	294	102	249	122	178	118	110	0	91	0	71	0	117	0	80	0	80	0	73	0	104	0	116	524	1750

BUDGETED CASES

DIFFERENCE

[Marion Eye Center Doctors]