

11-002

PRO-LIFE ACTION LEAGUE

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Joseph M. Scheidler, National Director Website www.prolifeaction.org • email info@prolifeaction.org

RECEIVED

OCT 23 2015

October 20, 2015

HEALTH FACILITIES &
SERVICES REVIEW BOARD

Dear HFSRB members,

I found the response from Ann Cooper at Polsinelli regarding Apollo ASTC (located in Des Plaines) to be misleading. For your convenience the letter to Apollo ASTC from the board and the response to that letter are included as attachments #1 and #2, respectively.

Recently the ASTC profiles were posted on your website and enclosed as attachment #3. A quick glance at Apollo's profile has verified what I suspected from the first: Apollo is an abortion clinic. All that talk at the board meeting on July 21, 2011 about \$600 colonoscopies and charity care was completely dishonest. Please note for yourselves that there were no colonoscopies performed.

When Apollo reapplied for its ASTC license earlier this year, there were no gastroenterology physicians listed on the professional staff. It appears that the only surgeries performed in 2014 were five (5) vasectomies and 31 gynecological procedures (abortions, I presume). Granted, there may have been a few other surgeries among the male urology patients or the female gynecology patients, but since that is what the Goyals are well known for, I would assume that to be the case for most, if not all. Please see attachment #4 for excerpts from the licensing reapplication.

To answer the questions in your letter of July 10, 2015 from the profile itself:

Apollo ASTC is not open 7 days/week. It is only open 4 days a week, which includes no (zero) weekend hours, contrary to what was specifically promised at the board meeting in July 2011.

Apollo ASTC does not do low cost colonoscopies. In fact, it does no colonoscopies at all, or anything else except "urology" and OB/GYN surgeries.

I find suspect the idea that seven (7) patients (female, OB/GYN) received \$15,050 worth of charity care.

Abortion procedures do not qualify for Medicare funding, nor for reimbursement for inspections. That was the reason given by the IDPH for the non-inspection of the state's licensed abortion clinics from the late 1990's until 2011 (with the exception of Hope Clinic ASTC in Granite City which was inspected about every 5 years, usually after complaints). After initial inspections, the licensed abortion clinics were generally

ignored. Fortunately for women, that has changed.

I am pleased that concerns about Apollo have been turned over to legal (whatever that means). I hope legal will consider the misleading statements made to the Board and the misleading statements on the application and that you will revoke Apollo's ASTC license.

Also, I would like to add, Vinod Goyal has, in fact, had his medical license disciplined. It was on September 16, 1997 for misleading this very board about the condition of the facility he was practicing in. Enclosed is a copy of the discipline part of his IDFPR profile marked attachment #5

The Goyals pulled what looks like a "bait and switch" on the Board. While including almost every procedure imaginable in their list of approved procedures they, they endeared themselves to you by speaking of giving back to the community by having low-cost procedures for the working poor.

When something seems too good to be true, it probably is.

Whether this was the Goyals' plan from the start or whether they had difficulty in making the transition from abortion to healing medicine is yours to decide.

Thank you,

A handwritten signature in black ink that reads "Jean Louis Crocco BSN RN". The signature is written in a cursive, flowing style.

Jean Crocco, BSN RN



STATE OF ILLINOIS
HEALTH FACILITIES AND SERVICES REVIEW BOARD

525 WEST JEFFERSON ST. • SPRINGFIELD, ILLINOIS 62761 • (217) 782-3516 FAX: (217) 785-4111

July 10, 2015

CERTIFIED LETTER
RETURN RECEIPT REQUESTED

Vera Schmidt, Chief Executive Officer
Apollo Health Center, Ltd.
2750 South River Road
Des Plaines, Illinois 60018

Re: Permit #11-002-Apollo Health Center, Ltd.

Dear Ms. Schmidt.

On July 21, 2011 the Illinois Health Facilities and Services Review Board ("State Board") approved the establishment of Apollo Health Center, Ltd. As part of that approval you were to file a report with the State Board within 15 months of receiving your license. In addition you provided testimony before the State Board at the time of approval that Apollo Health Center, Ltd would be operating 7 days a week. We have not received the required report or any evidence that Apollo Health Center, Ltd. is operating 7 days a week.

This is a formal request for this information. We had previously sent this request dated June 23, 2015 to the person and address listed in your application as the post permit contact. That request was returned to the State Board unopened with the explanation the address is vacant. The State Board was never notified that the information listed on your application was no longer valid.

The information required to be provided as a condition of your permit is past due and is due immediately.

Should you have any questions or concerns please contact Mike Constantino or George Roate of my staff at Mike.Constantino@illinois.gov or George.Roate@illinois.gov or 217.782.3516.

Sincerely,

A handwritten signature in cursive script that reads "Courtney Avery".

Courtney Avery, Administrator
Illinois Health Facilities and Services Review Board

cc: Kathryn Olson, Chairman



Attachment #2

161 N. Clark Street, Suite 4200, Chicago, IL 60601-3316 • 312.819.1900

July 27, 2015

Anne M. Cooper
(312) 873-3606
(312) 276-4317 Direct Fax
acooper@polsinelli.com

Via Federal Express

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JUL 28 2015

**HEALTH FACILITIES &
SERVICES REVIEW BOARD**

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

Re: Apollo Surgical Center (Proj. No. 11-002)

Dear Ms. Avery:

This office represents Apollo Surgical Center, LLC f/k/a Apollo Health Center, Ltd. ("Apollo"), and we are writing in response to the Illinois Health Facilities and Services Review Board ("State Board") request for information dated July 10, 2015 regarding the operation of Apollo Surgical Center. As you are aware, the State Board approved Apollo's application to establish a multi-specialty surgical center on July 21, 2011. As a condition of its project permit, Apollo agreed to provide a report of its payor mix, including charity care, for the first 12 months of operation. On March 17, 2014, Apollo received its ambulatory surgical treatment center license from the Illinois Department of Public Health ("IDPH"). Upon receipt of its IDPH license, Apollo diligently worked to obtain accreditation and Medicare and Medicaid certification of the surgery center. To date the surgery center has received Accreditation Association for Ambulatory Health Care ("AAAHC") accreditation and is awaiting Medicare certification. Unforeseen issues have significantly delayed Medicare certification, which in turn has adversely impacted Apollo's operations. Third party payors, including Medicare, Medicaid and private insurers, will not reimburse services provided in a surgery center that is not Medicare certified. At this time, only out-of-network, self-pay and charity care cases can be performed at Apollo. From March 2014 through March 2015, Apollo had 50 patients: 42 (or 84 percent) out-of-network and 8 (or 16 percent) charity care. Apollo anticipates utilization will increase significantly upon Medicare certification.

Despite these limitations, the surgery center remains open and staffed; however, it recently closed for two days in honor of the July 4th holiday. It is unclear why the State Board's request dated June 23, 2015 was returned as undeliverable, unless the attempted delivery

polsinelli.com

Atlanta Chicago Dallas Denver Kansas City Los Angeles New York Phoenix St. Louis San Francisco Washington, D.C. Wilmington
Polsinelli PC, Polsinelli LLP in California

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Ms. Courtney Avery
July 27, 2015
Page 2

occurred over the July 4th holiday. Neither the location of the surgery center (2750 South River Road, Des Plaines, Illinois) nor the administrative offices (1640 North Arlington Heights Road, Arlington Heights, Illinois) has changed. However, recently, Apollo has had issues with mail delivery as several pieces of mail have been returned to the sender as undeliverable. It is unclear why some mail is delivered and other mail is returned to sender as undeliverable.

The low utilization stems from the lack of Medicare certification. Apollo is confident that upon Medicare certification utilization will increase. The surgery center is AAAHC certified, and Apollo anticipates receiving Medicare certification in the near future.

Thank you for your time and attention to this matter. If you need any further information regarding the operations of Apollo Surgical Center, please feel free to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Anne M. Cooper".

Anne M. Cooper

cc: Mr. Michael Constantino

Reference Numbers	Facility Id 7003166	Number of Operating Rooms	2
Health Service Area 007	Planning Service Area 031	Procedure Rooms	0
Apollo Surgical Center		Exam Rooms	3
2750 South River Road		Number of Recovery Stations Stage 1	8
Des Plaines, IL 60018		Number of Recovery Stations Stage 2	0

Administrator	Date Complete
Vera Schmidt	3/20/2015
Contact Person	Telephone
Vera Schmidt	(847) 255-7400

Type of Ownership
Limited Liability Company (RA required)

Registered Agent
LP Agents LLC

Property Owner

HOSPITAL TRANSFER RELATIONSHIPS

HOSPITAL NAME	NUMBER OF PATIENTS
Lutheran General Hospital	0
	0
	0
	0
	0

Legal Owner(s)
Apollo Surgical Holdings, LLC

STAFFING PATTERNS

PERSONNEL	FULL-TIME EQUIVALENTS
Administrator	1.00
Physicians	1.00
Nurse Anesthetists	0.00
Director of Nurses	1.00
Registered Nurses	2.00
Certified Aides	0.00
Other Health Profs.	5.00
Other Non-Health Profs	2.00
TOTAL	12.00

DAYS AND HOURS OF OPERATION

Monday	8
Tuesday	0
Wednesday	8
Thursday	8
Friday	8
Saturday	0
Sunday	0

NUMBER OF PATIENTS BY AGE GROUP

AGE	MALE	FEMALE	TOTAL
0-14 years	0	0	0
15-44 years	3	28	31
45-64 years	2	3	5
65-74 years	0	0	0
75+ years	0	0	0
TOTAL	5	31	36

NUMBER OF PATIENTS BY PRIMARY PAYMENT SOURCE

PAYMENT SOURCE	MALE	FEMALE	TOTAL
Medicaid	0	0	0
Medicare	0	0	0
Other Public Insurance	0	0	0
Private Pay	5	23	28
Charity Care	0	1	1
TOTAL	5	31	36

NET REVENUE BY PAYOR SOURCE FOR FISCAL YEAR

Medicare	Medicaid	Other Public	Private Insurance	Private Pay	TOTALS	Charity Care Expense	Charity Care Expense as % of Total Net Revenue
0.0%	0.0%	0.0%	88.8%	11.2%	100.0%		
0	0	0	38,516	4,850	43,366	15,050	35%

OPERATING ROOM UTILIZATION FOR THE REPORTING YEAR

SURGERY AREA	TOTAL SURGERIES	SURGERY TIME (HOURS)	SURGERY PREP AND CLEAN-UP TIME (HOURS)	TOTAL SURGERY TIME (HOURS)	AVERAGE CASE TIME (HOURS)
Cardiovascular	0	0.00	0.00	0.00	0.00
Dermatology	0	0.00	0.00	0.00	0.00
Gastroenterology	0	0.00	0.00	0.00	0.00
General	0	0.00	0.00	0.00	0.00
Laser Eye	0	0.00	0.00	0.00	0.00
Neurological	0	0.00	0.00	0.00	0.00
OB/Gynecology	31	23.25	31.00	54.25	1.75
Ophthalmology	0	0.00	0.00	0.00	0.00
Oral/Maxillofacial	0	0.00	0.00	0.00	0.00
Orthopedic	0	0.00	0.00	0.00	0.00
Otolaryngology	0	0.00	0.00	0.00	0.00
Pain Management	0	0.00	0.00	0.00	0.00
Plastic	0	0.00	0.00	0.00	0.00
Podiatry	0	0.00	0.00	0.00	0.00
Thoracic	0	0.00	0.00	0.00	0.00
Urology	5	3.75	5.00	8.75	1.75
TOTAL	36	27.00	36.00	63.00	1.75

PROCEDURE ROOM UTILIZATION FOR THE REPORTING YEAR

SURGERY AREA	PROCEDURE ROOMS	TOTAL SURGERIES	SURGERY TIME (HOURS)	PREP AND CLEAN-UP TIME (HOURS)	TOTAL SURGERY TIME (HOURS)	AVERAGE CASE TIME (HOURS)
Cardiac Catheteriza	0	0	0	0	0	0.00
Gastro-Intestinal	0	0	0	0	0	0.00
Laser Eye	0	0	0	0	0	0.00
Pain Management	0	0	0	0	0	0.00
TOTALS	0	0	0	0	0	0.00

Patients by Location of Residence

<u>Zip Code</u>	<u>City</u>	<u>County</u>	<u>Patients</u>
60563	Naperville		3
60018	Des Plaines		2
60586	Plainfield		2
60608	Chicago		2
60169	Hoffman Estates		2
60110	Carpentersville		1
60004	Arlington Heights		1
60007	Elk Grove Village		1
60008	Rolling Meadows		1
60014	Crystal Lake		1
60056	Mount Prospect		1
60073	Round Lake		1
60074	Palatine		1
60090	Wheeling		1
60101	Addison		1
60567	Naperville		1
60107	Bartlett		1
60540	Naperville		1
60652	Chicago		1
60641	Chicago		1
60639	Chicago		1
60634	Norridge		1
60171	River Grove		1
60172	Roselle		1
60177	South Elgin		1

Exhibit V

List of Approved Procedures

Dilation and Curettage, Diagnostic and/or therapeutic

Dilation and Curettage

Dilation and Evacuation

Dilation and Extraction

Incision and Drainage of Bartholin Cyst

Excision and Bartholin

Endocervical Curettage

Endoscopy

Colonoscopy

Gastroscopy

Cystoscopy

Cataract surgery

Blepharoplasty

Colposcopy with biopsies, or biopsy of the Cervix

Laparoscopic tubal ligation with dilation and curettage for pregnancy termination

Laparoscopic tubal sterilization

Laparoscopic tubal ligation with dilation and extraction for 2nd trimester pregnancy termination

Vaginoplasty

Vaginoscopy

Vaginal Reconstruction

TVT sling surgery (tension free vaginal tape)

TOT sling surgery (transobturator tape)

Urethral Sling

Lithotripsy

Vasectomy

Exhibit V

List of Approved Procedures

Hysteroscopy, diagnostic

Hysteroscopy, surgical

Laser Vaporization of Vaginal Condyloma

Laser Vaporization of Vulvar Condyloma

Laser Urethral/Penile Condyloma

Laser Condyloma

Laser Surgery of Cervix

Laser Genital Condyloma

Loop Electrosurgical Excision (s) of cervix (LEEP)

Arthroscopy

Hip Replacement

Knee Replacement

Tonsillectomy

Myringoplasty

Rhinoplasty

Pain Management

Tendon Repositioning Surgery

Hammer Toe Repair

Bunionectomy

Costal Injection

Caudal Epidural w/catheter placement

Selective Nerve Root/Cervical/Lumbar

Facet Blocks/Discograms Lumbar

Breast Reconstruction

Abdominoplasty

Apollo Surgical Center LLC

List of Approved Specialties

Gynecology

Urology

Gastroenterology

Ophthalmology

Orthopedics

Podiatry

General Surgery

Cosmetic Surgery

Pain Management



Illinois Department of Financial & Professional Regulation

Bryan A. Schneider, Secretary

Bruce Rauner, Governor

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- About IDFPR
- Contact Information
- General FAQs

10/16/2015

Information found on:
VINOD KUMAR GOYAL MD, 36049046, BARRINGTON, IL

Action	Discipline Start Date	Discipline End Date	Reason For Action
Reprimand	09/16/1997		Made misleading statements at an Illinois Health Facilities Planning Board meeting regarding the physical condition of the facility in which he was practicing medicine. \$2,000 FINE PAYABLE WITHIN 10 DAYS
Fine	09/16/1997		Made misleading statements at an Illinois Health Facilities Planning Board meeting regarding the physical condition of the facility in which he was practicing medicine. \$2,000 FINE PAYABLE WITHIN 10 DAYS
Fine	12/09/1996		Allegedly quoted a charge for a procedure that was substantially lower than the ultimate cost for the procedure to four patients. \$4000 FINE PAYABLE W/I 30 DAYS
Probation	12/09/1996	12/08/1998	Allegedly quoted a charge for a procedure that was substantially lower than the ultimate cost for the procedure to four patients. \$4000 FINE PAYABLE W/I 30 DAYS

[Return to the Dpr home page](#)

Click [here](#) for definitions of the different types of disciplinary actions the Department may impose.

The Reason For Action from this Lookup dates back to January 1, 1990. Any actions and/or Reason For Action taken against a license prior to 1990 may not be displayed. Note that the Reason For Action is extracted from the Monthly Disciplinary Report. Therefore, the text in this column may not begin appearing until the report for the month/year the discipline was issued has been compiled.

Please Note: Reason for disciplinary actions which occurred for Real Estate professions prior to February 1, 2008 will not be listed here. Please contact the department for information regarding past Real Estate disciplines.

Attachment # 5