



STATE OF ILLINOIS  
**HEALTH FACILITIES AND SERVICES REVIEW BOARD**

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

June 27, 2013

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

Lori Wright  
Senior CON Specialist  
Fresenius Medical Care  
One Westbrook Corporate Center  
Tower One, Suite 1000  
Westchester, IL 60154

**Re: INTENT TO DENY**  
**PROJECT NUMBER: 13-004 – Fresenius Medical Care South Elgin**

Dear Ms. Wright:

On June 26, 2013, the Illinois Health Facilities and Services Review Board (State Board) issued an intent to deny of the application for permit for the above-referenced project. The State Board rendered its decision following consideration of the application, the State Board Staff Report and the testimony of the applicant. If you decide to appeal the State Board's action you must adhere to the requirements of 77 IAC 1130.670 b) c) and d) effective June 1, 2013.

**Section 1130.670 - Intent to Deny an Application**

- b) Applicant's Response  
The applicant shall notify HFSRB in writing within 14 calendar days after issuance of an Intent to Deny and indicate whether the applicant intends to appear before HFSRB and/or submit additional information. It is the responsibility of the applicant to assure that HFSRB is in receipt of the response within 14 days after issuance of an Intent to Deny.
- c) Action Following Notice of Intent to Deny
  - 1) If the applicant waives the right to appear before HFSRB or if a written response is not received within 14 days after issuance of an Intent to Deny, then the application shall be considered withdrawn.
  - 2) If the applicant indicates that no additional information will be submitted, HFSRB shall take action on the application at its next meeting.
  - 3) If the applicant indicates that additional information will be submitted, the applicant shall be afforded a period of 60 days from the date of issuance of the Intent to Deny to submit the material. Upon receipt of additional information, HFSRB staff shall commence a review and submit its findings to HFSRB in accordance with the provisions of this Subpart. HFSRB staff shall be allowed

up to 60 days following the receipt of all material to review the material and issue a supplemental report.

d) Deferrals by Applicant

A project that has received an Intent to Deny and has been scheduled for HFSRB consideration can be deferred by the applicant. A notice of deferral may be provided in writing prior to the scheduled HFSRB meeting or be provided verbally at the HFSRB meeting. An applicant may not defer HFSRB consideration beyond an HFSRB meeting date that is more than 12 months from the date of issuance of the Intent to Deny.

Should you have any questions regarding the permit requirements, please contact Mike Constantino at 217-782-3516.

Sincerely,



Courtney R. Avery, Administrator  
Illinois Health Facilities and Services Review Board