

# McDermott Will & Emery

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March 28, 2014

VIA OVERNIGHT DELIVERY

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

**RECEIVED**

**MAR 31 2014**

**HEALTH FACILITIES &  
SERVICES REVIEW BOARD**

Re: Project Number 13-076/Response to Opposition Letter

Dear Ms. Avery:

I would like to take this opportunity to respond to two letters dated March 17, 2014 and March 24, 2014 from Polsinelli (the "Polsinelli Letters"), a law firm representing four hospitals, opposing the Holy Cross Hospital project referenced above which requests approval to establish an acute mental illness unit to address access issues within its community. There are statements within the Polsinelli Letters that are inaccurate, and Sinai Health System ("SHS") wishes to clarify a few of those points.

1) ***Roseland Hospital Will Not Be Impacted.*** Roseland Hospital is listed as one of the hospitals that will be negatively impacted by the Holy Cross Hospital ("HCH") unit. Roseland offers solely adolescent inpatient behavioral health services, and the HCH unit will provide services to adults only. Roseland will not be impacted by this project.

2) ***The Physician Referral Letters Meet HFSRB Rules.*** On page 3 of the letter, there is a claim that the referral letters did not meet the Board's rules because they were not all from psychiatrists. The rule at issue references referrals, for logical reasons, and not admissions. Any physician, whether a board certified emergency physician or an internal medicine physician, may refer an acutely ill behavioral health patient for inpatient admission. Many such patients are referred directly from the emergency department. The letters have been accepted by Planning Board staff, and meet the HFSRB rules.

3) ***MSH Will Not Be Negatively Impacted by HCH Project.*** For some reason, the hospitals, through the Polsinelli Letters, claim that MSH will be negatively impacted by the establishment of the AMI unit at HCH. MSH is in the best position to determine the impact such a unit would

have on it, and MSH welcomes the proposed establishment. As of the twelve month period ending June, 2013 MSH referred 416 patients from its emergency department to other hospitals because it did not have capacity. It has difficulty placing patients seen in its emergency department because its own unit is frequently full.

4) ***MSH Is Not The Only Hospital At Close to HFSRB Target Utilization.*** The letter states MSH is the “only” hospital operating at close to the Board’s target rate of 85% utilization for AMI beds. In fact St. Bernard Hospital is operating at 82%, which from any vantage point is close to 85%. In other words, if St. Bernard’s had 1.2 more patients (ADC) it would reach 85%.

6) ***Hospitals With Alleged Capacity Do Not Oppose The HCH Project.*** Many of the hospitals referenced as having capacity are not opposing the establishment of the HCH unit. Thus, one can infer no negative impact on these hospitals.

7) ***SHS’s Financial Viability.*** There is much ado in the original letter and the second letter about SHS’s financial viability, and the availability of funds for the HCH acute mental illness project. In fact, the funds for the HCH project primarily come from a capital grant from the State of Illinois that is restricted to HCH. Therefore the overreaching request in the Polsinelli Letters (the March 24, 2014 letter) that HFSRB ask HCH to provide letters from its banks is unnecessary.

Putting aside the fact the funds are coming from a source requiring dedicated use at HCH, SHS is in the best position to decide how it should use its capital resources to serve its communities. As the letter states, SHS is operating with limited funds. It is doing so because it serves a patient population with a payer mix that is challenging, yet it never shies away from serving those patients and improving accessibility to care. SHS has been commended for its ability to serve the community in an excellent manner with little resources, and the proposed HCH project will continue this service.

Sincerely,

Handwritten signature of Clare Connor Ranalli in cursive script. Below the signature, the initials "(pp lv)" are written in a smaller, less legible cursive.

Clare Connor Ranalli

cc: Mike Constantino, Supervisor, Project Review, HFSRB  
Chuck Weis, CFO, Sinai Health System