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June 7, 2019

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**HEALTH FACILITIES &
SERVICES REVIEW BOARD**

VIA FEDEX

Courtney Avery
Board Administrator
Health Facilities and Services Review Board
Illinois Department of Public Health
525 West Jefferson Street, Second Floor
Springfield, Illinois 62761

Re: Permit Renewal Request-Illinois Back & Neck Institute, Project #17-073

Dear Ms. Avery:

On July 23, 2018 16, 2016, the Illinois Health Facilities and Services Review Board (“HFSRB”) approved Project #17-073, an application to establish an Ambulatory Surgical Treatment Center (“ASTC”) that will provide orthopedic and pain management surgical services. The facility will be located at 360 West Butterfield Road, Suite 100, Elmhurst, Illinois 60126. The purpose of this letter is to request a Permit Renewal pursuant to 77 Ill. Admin. Code 1130.740. Enclosed you will find a check with the permit renewal fee. This is our first renewal request.

Request Project Completion Date

The permit holder requests that the HFSRB grant a permit renewal and establish Tuesday, June 30, 2020 as the project completion date for this project. If the new project completion date is approved we will be required to submit an annual progress report. Pursuant to 77 Ill. Admin. Code 1130.760, please accept this as our annual progress report.

Status of the Project

This project involves the conversion of an existing medical office practice into a limited specialty ASTC. The Illinois Department of Public Health (“IDPH”) requires any ASTC that provides more than one category of service to meet the standards and requirements of a multi-specialty ASTC. The permit holders completed an ASTC project submission form and submitted the form and architectural rendering of the facility to the IDPH Life Safety and Construction Division for review.

IDPH architect William Bender provided comments to the permit holders and stated that modifications would be required to bring the existing facility into compliance with the applicable IDPH regulations. The permit holders have engaged an architect who has been in communication with Mr. Bender and IDPH and seeking approval of modified plans for the facility to begin the modifications necessary to bring the facility space into compliance with applicable IDPH regulations.

Statement Regarding Project Completion

Given the delays associated with obtaining approval from IDPH for the modifications necessary to bring the facility in compliance with IDPH regulations we have no choice but to seek a permit renewal at this time. Prior to our most recent submission of plans to IDPH we sought a waiver for one of the issues cited by the Department. However, IDPH is unable to grant a waiver for the width of the hallway between the procedure room and the recovery area of the facility. IDPH regulations for multi-specialty ASTCs require an 8 foot clearance, between the aforementioned areas and the facility does not currently meet that requirement.

Upon approval of our construction plan from IDPH Life Safety and Construction Division, work will begin immediately at the facility. A general contractor has already been selected at this time. The time and diligence we have undertaken over the last several month was dedicated to facilitating the orderly design and actualization of this project. Once construction is cleared to begin we do not anticipate it taking longer than 5-8 weeks. However, given the scope of the overall undertaking, we are requesting additional time to ensure appropriate completion of the project.

To date approximately \$5,000 of the approved \$790,000 has been expended on the project. The remaining components are design, construction, and related to lease costs. As a result of the modifications requested by IDPH we will be filing an alteration request to increase the project costs and gross square feet of the project.

Confirmatory Evidence of Permit Compliance

Enclosed is a verified statement from Neema Bayran, M.D. that confirms the permit holders are currently complying with the scope, costs, and conditions of the project approved by the HFSRB, pursuant to the permit letter issued for this project. Additionally, the aforementioned verified statement confirms that there are sufficient financial resources available to complete this project.

If you have any questions or need any additional information regarding the project or this permit renewal request, please feel free to contact me at 312-212-4967.

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Very truly yours,

BENESCH, FRIEDLANDER,
COPLAN & ARONOFF LLP

A handwritten signature in black ink, appearing to read "Juan Morado, Jr.", with a stylized flourish at the end.

Juan Morado, Jr.

JM:
Enclosures

cc: Jeannie Mitchell, General Counsel (via email)
Mike Constantino, Senior Project Reviewer (via email)

**State of Illinois
County of Cook**

Verification

I, Neema Bayran, M.D., being first duly sworn, on oath, depose and state as follows:

1. I serve as Chief Executive Office for Illinois Back & Neck Institute, LLC ("IBNI").
2. This project involves the establishment of an ASTC at 360 Butterfield Road, in Elmhurst, Illinois 60126. The delays to date have concerned obtaining approval from the Illinois Department of Public Health for approval of our modification plans. We have otherwise met the commitments reflected in the permit letter issued for this project.
3. Our project costs remain consistent with the terms of the project approved by the Illinois Health Facilities and Services Review Board, Project #17-073.
4. The project's costs and scope currently comply with the application the HFSRB approved for Project # 17-073. We will be filing an alteration request to increase the size and cost of the project.
5. Sufficient financial resources remain available for IBNI to complete Project #17-073.

Under penalties as provided by law pursuant to § 1-109 of the Code of Civil Procedure, the undersigned certifies that the statements set forth in this instrument are true and correct.

Neema Bayran (signature)

6/7/19 (date)