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**HEALTH FACILITIES &
SERVICES REVIEW BOARD**

April 8, 2019

Illinois Health Facilities and Services Review Board

Attn: Ms. Courtney Avery
525 W. Jefferson St., Second Floor
Springfield, IL 62761

Re: Ophthalmology Project #18-047

Dear Ms. Avery:

I have been the Administrator of Midwest Center for Day Surgery which is located on the campus of Advocate Good Samaritan Hospital in Downers Grove. Our ASTC **strongly** opposes the approval of Ophthalmology Project #18-047, Ophthalmology Surgery Center of Illinois in Itasca.

Contrary to the assertion in the Application for Permit, the proposed surgery center will have a devastating economic impact on the Midwest Center for Day Surgery. Dr. Kevin Kovach from the Kovach Eye Institute (KEI) has been on our surgery center's medical staff since 2009, and all current or past partners simultaneously joined the center's medical staff when they joined his group.

For the last 10 years Midwest Center for Day Surgery has enthusiastically supported and invested in all of Dr. Kovach's new ventures and surgical procedures. When he expanded his scope of practice in February 2016 by bringing on a retinal specialist, the surgery center invested \$125,000 in the specialized equipment required for these procedures. When Dr. Kovach wished to perform cataract surgery using the new femto laser technology, the surgery center agreed to accommodate two lasers along with other ancillary equipment. The Center has purchased three microscopes at his request with two in the past year totaling over \$120K. All of these and other capital equipment expenditures directly contributed to Dr. Kovach's growing and broadening the scope of his ophthalmology practice well beyond what it was five years ago.

In December of 2016, Dr. Kovach was so committed to Midwest Center that he elected to further his investment and now owns 30% of the facilities ownership and when doing so

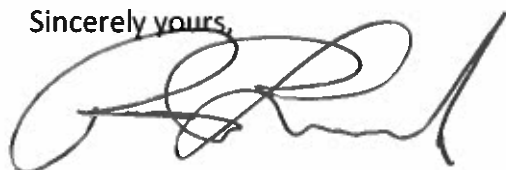
committed to a 4 year restrictive covenant to remain at Midwest Center for Day Surgery. Dr. Kovach is breaking his commitment and contractual obligation to the facility.

Our patient satisfaction results validate that KEI patients are extremely satisfied with their experience at Midwest Center for Day Surgery, especially with our talented and *specialized* ophthalmology nursing staff, and nearly all patients return to our surgery center when another eye procedure is needed.

As a result of our unflagging support of his practice, the Kovach Eye Institute surgical case volume at Midwest Center for Day Surgery during the last five years has grown to represent 34% of our total case volume. Withdrawing this volume will create a huge void in the utilization of the surgery center which will be difficult to replace as our service area is already saturated with ASTCs. An additional consequence of the loss of this volume would be the need to reduce work hours of our specially trained staff and layoff the equivalent of 7 FTE employees in both clinical and business office staff.

Thank you for your attention.

Sincerely yours,

A handwritten signature in black ink, appearing to be a stylized name, possibly "R. Kovach".

Administrator

Midwest Center for Day Surgery, LLC