

July 14, 2017

Jeannie Mitchell
 Assistant General Counsel
 Health Facilities and Services Review Board
 69 West Washington Street, Suite 3501
 Chicago, IL 60602

Dear Ms. Mitchell:

On behalf of its over 200 hospital and nearly 50 health system members, the Illinois Health and Hospital Association (IHA) appreciates the opportunity to comment on the Proposed Rules published in 41 Illinois Register 5900, 5934 and 6140. We request your consideration of the following comments:

1100.510 Use of “distance” instead of “normal” drive time for pertinent review criteria. IHA recognizes the work the Health Facilities and Services Review Board (HFSRB) is doing in its proposal to move from travel time to distance, when determining review criteria for projects, as an attempt to bring greater uniformity to the Certificate of Need (CON) process. While we are not opposed to this proposal, we do ask that, if adopted, the Board monitor any negative impact this change has on future applicants. In addition, we ask that the Board be responsive to adjusting the mileage criteria in each of the three categories as well as which counties fall into those categories as a response to unforeseen challenges or hindrances that might come as a result of adopting this proposal.

1110 Repeal, Re-write and Updating of the Code

IHA is generally supportive and appreciative of the proposals that the HFSRB is bringing forward as common sense measures that will reduce regulatory burden and clean up out-of-date measures from the Code. As the healthcare system changes at a rapid pace, hospitals and other providers need tools and flexibility to respond faster than ever before. The proposals set forth take important steps to give hospitals that greater flexibility when adding, changing or reducing certain services, while balancing that flexibility against the integrity of the CON program and its role in the health facilities planning process. In particular, we would like to highlight several changes that will be particularly beneficial:

- Changes to the discontinuation review criteria that removes requirements that an applicant provide impact statements from other resources or healthcare facilities;

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- Expanding the list of exceptions that applicants can meet and still get a positive finding for size of project criteria to include projects involving conversion of existing space that results in excess square footage; and
- Removing the requirement that applicants provide letters of interest from prospective staff members when adding certain services such as Neonatal Intensive Care, Open Heart Surgery and In-Center Hemodialysis.

The Illinois Health and Hospital Association appreciates the opportunity to comment on the proposed rule and would be pleased to further discuss these comments at your convenience.

Sincerely,

A.J. Wilhelmi
President & CEO