

**MINUTES  
STATE HEALTH FACILITIES COUNCIL  
NOVEMBER 10, 2010  
LUCAS STATE OFFICE BUILDING  
321 EAST 12<sup>TH</sup> STREET  
FIFTH FLOOR, ROOM 523  
DES MOINES, IOWA  
ELECTRONIC MEETING**

This electronic meeting of the State Health Facilities Council was held in accord with section 21.8 of the Code of Iowa entitled "Electronic Meetings." The Code states that a governmental body may conduct a meeting by electronic means only if circumstances are such that a meeting in person is impossible or impractical, and if the governmental body complies with the provisions of section 21.8. It was impractical for the Council to hold an in-person meeting to discuss extension requests and a non-reviewability determination because of the expense in assembling the Council in person, time commitments of the Council members, and the anticipated short nature of the meeting. This electronic meeting was held in Conference Room #523, 5<sup>th</sup> Floor, Lucas Building. Notices and agendas were posted in the building and on the CON web page.

**I. 4:00 PM ROLL CALL**

**MEMBERS PRESENT VIA PHONE:** Chuck Follett, Vice-Chairperson, Karen Hope, Marc Elcock, Suki Cell and Cynthia Beauman.

**STAFF PRESENT:** Barb Nervig (present in the conference room) and Heather Adams, Counsel for the State, participating by phone.

**OTHERS PRESENT:** Ed McIntosh of Dorsey & Whitney representing Mercy Medical Center—Cedar Rapids (present in the conference room); Doug Gross of Brown Winick representing St. Luke's Hospital in Cedar Rapids, Thomas Peffer of Shuttleworth Ingersoll representing the Surgery Center of Cedar Rapids and Kevin Hamers of the Surgery Center of Cedar Rapids were present via phone.

**II. EXTENSIONS OF PREVIOUSLY APPROVED PROJECTS:**

1. Good Neighbor Home, Manchester, Delaware County: Add 20 nursing facility beds for CCDI unit -- \$2,400,000.

Staff reviewed the progress on this project. A motion by Follett, seconded by Cell to Grant a sixty day extension carried 5-0.

2. CCRC of Grimes, LLC, Grimes, Polk: Build 34-bed nursing facility -- \$4,079,000.

Staff reviewed the progress on this project. A motion by Cell, seconded by Follett to Grant a one year extension carried 5-0.

3. Arbor Court Fairfield, Fairfield, Jefferson County: Establish 65-bed nursing facility -- \$2,300,000.

Staff reviewed the progress on this project. A motion by Cell, seconded by Follett to Grant a one year extension carried 5-0.

4. Sunnybrook Living Care Center, L.C., Fairfield, Jefferson County: Add 50 nursing facility beds -- \$2,743,080.

Staff reviewed the progress on this project. A motion by Follett, seconded by Cell to Grant a one year extension carried 5-0.

5. Dave's Place, LLC, Keokuk, Lee County: Renovate existing building for 57-bed intermediate care facility for persons with mental illness (ICF/PMI) – \$2,323,000.

Staff reviewed the progress on this project. A motion by Follett, seconded by Cell to Grant a six month extension carried 5-0.

6. Ottumwa Regional Health Center, Ottumwa, Wapello County: Establish cardiac catheterization lab - \$966,366.

Staff reviewed the progress on this project. A motion by Cell, seconded by Follett to Grant a four month extension carried 4-0.

### **III. REQUEST FOR DETERMINATION OF NON-REVIEWABILITY AND THE DEPARTMENT'S RESPONSE**

Heather Adams noted that the Code citation in the agenda is wrong; the correct citation for this determination is Iowa Code 135.61.

1. Mercy Medical Center—Cedar Rapids, Cedar Rapids, Linn County: Extend hospital license to provide outpatient surgical services in North Liberty.

Staff report by Barb Nervig. Heather Adams provided the Council background on the determination. Doug Gross and Tom Peffer argued against the determination made by the Department. Ed McIntosh argued in support of the determination.

A motion by Follett, seconded by Beauman to reject the Department's determination carried 5-0.

### **IV. APPROVE MINUTES OF PREVIOUS MEETING (JULY 2010)**

A motion by Follett, seconded by Cell, to approve the minutes carried 5-0.

The next meeting of the Council will be April 12, 2011.

The meeting was adjourned at 5:00 PM.

**IOWA DEPARTMENT OF PUBLIC HEALTH  
STATE HEALTH FACILITIES COUNCIL**

IN THE MATTER OF THE )  
CERTIFICATE OF NEED EXTENSION FOR )  
OTTUMWA REGIONAL HEALTH CENTER )  
OTTUMWA, IOWA )

**DECISION**

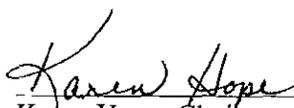
This matter came before the State Health Facilities Council for review on Wednesday, November 3, 2010.

The project, the initiation of cardiac catheterization services, was originally approved on December 2, 2009 at an estimated cost of \$966,366.

The Council, after reading the extension request and hearing comments by staff, voted 5-0 to Grant an Extension of Certificate of Need per Iowa Administrative Code 641—202.13. The decision is based upon the finding that adequate progress is being made.

The extension is valid for four months from the date of these findings.

Dated this 10<sup>th</sup> day of January 2011

  
\_\_\_\_\_  
Karen Hope, Chairperson  
State Health Facilities Council  
Iowa Department of Public Health

cc: Health Facilities Council  
Department of Inspections & Appeals, Health Facilities Division

**IOWA DEPARTMENT OF PUBLIC HEALTH  
STATE HEALTH FACILITIES COUNCIL**

IN THE MATTER OF THE )  
CERTIFICATE OF NEED EXTENSION FOR )  
GOOD NEIGHBOR HOME )  
MANCHESTER, IOWA )

**DECISION**

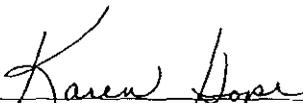
This matter came before the State Health Facilities Council for review on Wednesday, November 3, 2010.

The project, the addition of 20 nursing facility beds for a chronic confusion and dementing illness unit, was originally approved on October 14, 2008 at an estimated cost of \$2,400,000. A one year extension was granted on December 2, 2009.

The Council, after reading the extension request and hearing comments by staff, voted 5-0 to Grant an Extension of Certificate of Need per Iowa Administrative Code 641—202.13. The decision is based upon the finding that adequate progress is being made.

The extension is valid for sixty days from the date of these findings.

Dated this 10<sup>th</sup> day of January 2011

  
\_\_\_\_\_  
Karen Hope, Chairperson  
State Health Facilities Council  
Iowa Department of Public Health

cc: Health Facilities Council  
Department of Inspections & Appeals, Health Facilities Division

**IOWA DEPARTMENT OF PUBLIC HEALTH  
STATE HEALTH FACILITIES COUNCIL**

IN THE MATTER OF THE )  
CERTIFICATE OF NEED EXTENSION FOR )  
 )  
DAVE'S PLACE, L.C.C. )  
 )  
KEOKUK, IOWA )

**DECISION**

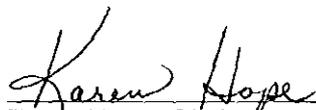
This matter came before the State Health Facilities Council for review on Wednesday, November 3, 2010.

The project, the renovation of an existing building to establish a 57-bed intermediate care facility for persons with mental illness (ICF/PMI), was originally approved on April 29, 2009 at an estimated cost of \$2,323,000. A six month extension was granted on June 15, 2010.

The Council, after reading the extension request and hearing comments by staff, voted 5-0 to Grant an Extension of Certificate of Need per Iowa Administrative Code 641—202.13. The decision is based upon the finding that adequate progress is being made.

The extension is valid for six months from the date of these findings.

Dated this 10<sup>th</sup> day of January 2011



Karen Hope, Chairperson  
State Health Facilities Council  
Iowa Department of Public Health

cc: Health Facilities Council  
Department of Inspections & Appeals, Health Facilities Division

IOWA DEPARTMENT OF PUBLIC HEALTH  
STATE HEALTH FACILITIES COUNCIL

IN THE MATTER OF THE )  
CERTIFICATE OF NEED EXTENSION FOR )  
CCRC OF GRIMES )  
GRIMES, IOWA )

**DECISION**

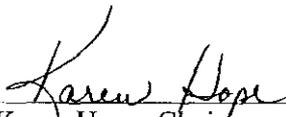
This matter came before the State Health Facilities Council for review on Wednesday, November 3, 2010.

The project, the construction of a 34-bed nursing facility, was originally approved on January 29, 2009 at an estimated cost of \$4,079,000. A six-month extension was granted on December 2, 2009 and a second six-month extension was granted on June 15, 2010.

The Council, after reading the extension request and hearing comments by staff, voted 5-0 to Grant an Extension of Certificate of Need per Iowa Administrative Code 641—202.13. The decision is based upon the finding that adequate progress is being made.

The extension is valid for one year from the date of these findings.

Dated this 10<sup>th</sup> day of January 2011

  
\_\_\_\_\_  
Karen Hope, Chairperson  
State Health Facilities Council  
Iowa Department of Public Health

cc: Health Facilities Council  
Department of Inspections & Appeals, Health Facilities Division

**IOWA DEPARTMENT OF PUBLIC HEALTH  
STATE HEALTH FACILITIES COUNCIL**

IN THE MATTER OF THE )  
CERTIFICATE OF NEED EXTENSION FOR )  
  
ARBOR COURT FAIRFIELD )  
  
FAIRFIELD, IOWA )

**DECISION**

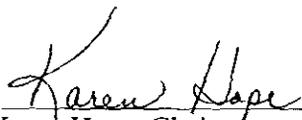
This matter came before the State Health Facilities Council for review on Wednesday, November 3, 2010.

The project, the establishment of a 65-bed nursing facility, was originally approved on January 29, 2009 at an estimated cost of \$2,300,000. A six-month extension was granted on December 2, 2009 and a second six-month extension was granted on June 15, 2010.

The Council, after reading the extension request and hearing comments by staff, voted 5-0 to Grant an Extension of Certificate of Need per Iowa Administrative Code 641--202.13. The decision is based upon the finding that adequate progress is being made.

The extension is valid for one year from the date of these findings.

Dated this 10<sup>th</sup> day of January 2011

  
\_\_\_\_\_  
Karen Hope, Chairperson  
State Health Facilities Council  
Iowa Department of Public Health

cc: Health Facilities Council  
Department of Inspections & Appeals, Health Facilities Division

**IOWA DEPARTMENT OF PUBLIC HEALTH  
STATE HEALTH FACILITIES COUNCIL**

IN THE MATTER OF THE )  
CERTIFICATE OF NEED EXTENSION FOR )  
SUNNYBROOK LIVING CARE CENTER, L.C. )  
FAIRFIELD, IOWA )

**DECISION**

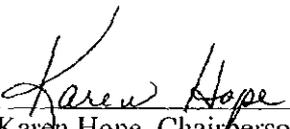
This matter came before the State Health Facilities Council for review on Wednesday, November 3, 2010.

The project, the addition of 50 nursing facility beds, was originally approved on January 29, 2009 at an estimated cost of \$2,743,000. A six-month extension was granted on December 2, 2009 and a second six-month extension was granted on June 15, 2010.

The Council, after reading the extension request and hearing comments by staff, voted 5-0 to Grant an Extension of Certificate of Need per Iowa Administrative Code 641—202.13. The decision is based upon the finding that adequate progress is being made.

The extension is valid for one year from the date of these findings.

Dated this 10<sup>th</sup> day of January 2011

  
\_\_\_\_\_  
Karen Hope, Chairperson  
State Health Facilities Council  
Iowa Department of Public Health

cc: Health Facilities Council  
Department of Inspections & Appeals, Health Facilities Division