

**MINUTES
STATE HEALTH FACILITIES COUNCIL
NOVEMBER 1, 2004
ROOM 422
LUCAS STATE OFFICE BUILDING
321 EAST 12TH STREET
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 this rehearing application 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 #422, 4th Floor, Lucas Building. Notices and agendas were posted, sent to the news media and provided to those on the State Health Facilities Council electronic mailing list.

I. 2:00 PM ROLL CALL

MEMBERS PRESENT VIA PHONE: Ed Nichols, Chairperson, Sid Scott, Gary Butz, Cynthia Beauman and Joan Koenigs.

STAFF PRESENT: Barb Nervig and Heather Adams, Counsel for the State.

OTHERS PRESENT: Ed McIntosh and Jim Pomeroy.

II. REQUEST FOR REHEARING

In the matter of the application of Select Specialty Hospital-Quad Cities, Inc., Davenport, Scott County to establish a 50-bed long-term acute care hospital at an estimated cost of \$10,000,000; the Council denied the original application for a CON on June 30, 2004. The written findings and decision were issued September 24, 2004.

Ed McIntosh of Dorsey & Whitney and Jim Pomeroy were present for the applicant.

The applicant, Select Specialty Hospital-Quad Cities, Inc., filed a request for rehearing on October 13, 2004, within 20 calendar days after the date of the issuance of the final decision.

The chair asked for any conflicts of interest and none were declared. The Council discussed each ground for rehearing that was presented in the written request.

A motion by Scott, seconded by Butz, to Grant a rehearing carried 4-1. Nichols voted no. The rehearing will be set at a subsequent meeting of the Council after the rules petitioned by the applicant are effective.