



Gerd W. Clabaugh, MPA
Director

Kim Reynolds
Governor

Adam Gregg
Lt. Governor

MINTUES
STATE HEALTH FACILITIES COUNCIL
Tuesday, December 12, 2017
Lucas State Office Building
321 East 12th Street
Room 523
Des Moines, Iowa

ELECTRONIC MEETING

This electronic meeting of the State Health Facilities Council was held in accordance with Iowa Code section 21.8 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 access is provided to the public. An in-person meeting of the Council to handle this limited agenda was impractical due to the schedules of the Council members and the resources of the Department. This electronic meeting originated in Room 523 of the Lucas State Office Building, 321 E. 12th Street, Des Moines and public access to the meeting was provided at this location. Notices and agendas were posted in the building and posted on the Department’s web site under the Certificate of Need Program.

9:04 AM Roll Call

MEMBERS PRESENT VIA PHONE: Dr. Harold Miller, Chairperson; Roberta Chambers; Brenda Perrin; Connie Schmett and Roger Thomas

STAFF PRESENT: Becky Swift and Nathan Wilson (present in conference room)

STAFF PRESENT VIA PHONE: Heather Adams, Counsel for the State

OTHERS PRESENT: Fred Dorr of Wasker, Dorr, Wimmer & Marcouiller, PC; Dr. Doug Hoisington and Doug Strawn, Advanced Surgery Center of Central Iowa, LLC; and Deb Yoder, Surgical Management Professionals (present in conference room)

OTHERS PRESENT VIA PHONE: Reese Martin of Surgical Management Professionals

I. APPROVAL OF MINUTES FROM PREVIOUS MEETINGS

A motion by Perrin, seconded by Chambers, to approve the minutes of October 25, October 26, and November 7, 2017, carried unanimously by voice vote.

II. EXTENSION OF A PREVIOUSLY APPROVED PROJECT

1. Advanced Surgery Center of Central Iowa, LLC, Clive, Polk County: Establish an Ambulatory Surgery Center - \$176,891 (*Approved 8/4/2015; Third Extension Request*)

Staff report by Becky Swift. The applicant was represented by Fred Dorr of Wasker, Dorr, Wimmer & Marcouiller, PC; Dr. Doug Hoisington and Doug Strawn, Advanced Surgery Center of Central Iowa, LLC; and Deb Yoder and Reese Martin of Surgical Management Professionals. A motion by Perrin, seconded by Schmett, to grant a 12 month extension carried 3-2. Chambers and Miller voted no.

Chairperson Miller reminded the Council that the next in-person meeting will be held on February 21 and 22, 2018, at the Lab Facility in Ankeny.

A motion by Thomas, seconded by Perrin, to adjourn carried unanimously by voice vote.

The meeting adjourned at 9:57 a.m.

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IDPH Internet – <http://idph.iowa.gov>

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

IN THE MATTER OF THE)
CERTIFICATE OF NEED EXTENSION FOR)
)
ADVANCED SURGERY CENTER OF)
CENTRAL IOWA, LLC)
)
CLIVE, IOWA)

DECISION

This matter came before the State Health Facilities Council for review on Tuesday, December 12, 2017. The applicant was represented by Fred Dorr of Wasker, Dorr, Wimmer & Marcouiller, PC; Dr. Doug Hoisington and Doug Strawn, Advanced Surgery Center of Central Iowa, LLC; and Deb Yoder and Reese Martin of Surgical Management Professionals.

The project, the development of an ambulatory surgery center, was originally approved on August 4, 2015, at an estimated cost of \$176,891.

Following the decision, the project was put on hold pending resolution of litigation filed November 24, 2015, by West Lakes Surgery Center. On June 10, 2016, the Honorable Judge May for the District Court for Polk County ruled in favor of the State Health Facilities Council. Final resolution to the legal challenge came on July 25, 2016. The project has also been delayed due to new Medicare Life Safety Code accreditation requirements that were implemented for ambulatory surgery centers. The original location for the surgery center was abandoned due to having a non-compliant HVAC system and the landlord backing out of the project. Several other sites were considered but upon inspection it was determined that the current location of Dr. Hoisington's practice, 1455 29th Street, West Des Moines, would be the most appropriate site for the project. Advanced Surgery Center of Central Iowa, LLC engaged Surgical Management Professionals ("SMP") to assist with the project and they have identified four architectural firms, all with experience building ambulatory surgery centers, to whom they will send an RFP for the remodel of the office. SMP has also been in contact with AAAHC related to the deemed status survey timeline and the State Fire Marshal's office and the Health Facilities Division of the Department of Inspections and Appeals regarding the remodel of Dr. Hoisington's existing office site.

If the costs increase by 15%, the applicant will need to come back before the Council to request a cost overrun.

The Council, after reading the extension request and hearing comments by staff and the applicant, voted 3-2 to Grant an Extension of Certificate of Need per Iowa Administrative Code 641—202.13. The decision is based upon the finding that progress has been made.

The extension is valid for twelve months.

Dated this 15th day of January 2018

A handwritten signature in black ink, appearing to read "H.W. Miller M.D.", is written over a horizontal line.

H.W. Miller, M.D., Chairperson
State Health Facilities Council
Iowa Department of Public Health

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