

**Heather L. Campbell**

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September 14, 2015

Ms. Kala Shipley  
Certificate of Need Program  
Department of Public Health  
Lucas State Office Building  
Des Moines, Iowa 50319-0075

Re: ***Presbyterian Village dba Grand JiVanté***

Dear Ms. Shipley:

Thank you for your response to my letter dated August 31, 2015 concerning Grand JiVanté's request for a reconsideration of the August 4, 2015 decision ("Decision") of the Health Facilities Council (the "Council") that the replacement of Grand JiVanté's 70-bed licensed nursing facility (the "nursing facility") required a Certificate of Need.

We understand that Council has determined it can hear arguments on the request for reconsideration on Thursday, September 17th at 9:00 a.m. via electronic meeting. I understand that the Department is scheduling the meeting for Thursday based on the Council's availability that day, and on the basis that it is within 20 days of its receipt of the written request for reconsideration. However, unlike a request for rehearing, the Department has no regulation that requires the request for reconsideration be heard within 20 days of its receipt. Further, the Department and Council have heard requests for reconsideration later than 20 days following receipt of the request. (See, August 11, 2011 Minutes of the Council concerning reconsideration of the Council's November 10, 2010 vote regarding the Department's determination that extension of a hospital license to an off-campus location was not reviewable).

As I indicated to you by telephone, Julie Hinders (Grand JiVanté's CEO) is taking over as Chairperson of Leading Age Iowa, and has a commitment to be at its fall conference on September 17th to speak, and isn't available until 10:30. Because this matter is obviously of the utmost importance, we are attempting to make arrangements for her to be available for the 30-minute period during which the parties will make their oral presentations per the Council's published agenda for this meeting. I will let you know before the meeting Thursday. However, I would request some flexibility in allowing us to reserve some of our time to address issues that may come up during the opposition's presentation that Julie could address when she is able to join the call.

While we appreciate the Council's agreement to hear the request for reconsideration, for purposes of the record I object to the timing of the meeting on September 17th on the bases that a 20-day period for hearing the request is not required by statute or regulation, that the Department

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and Council have scheduled and heard requests for reconsideration later than 20 days after receipt of a request, and that Grand JiVanté's primary witness has a prior commitment that morning. However, we understand that in order to get this item on the Council's October 28, 2015 meeting agenda if the request for reconsideration is granted, Grand JiVanté must agree to the September 17th electronic meeting and we will attend the meeting on the 17th.

Sincerely,

  
Heather L. Campbell

HLC/