



MHFRC

Missouri Health Facilities Review Committee

P.O. Box 570, Jefferson City, MO 65102
Voice: (573)751-6403 Fax: (573)751-7894

Website: <http://health.mo.gov/information/boards/certificateofneed>

Senator Doug Beck Representative Ben Baker, Chair Representative Steve Butz, Vice Chair
Senator Sandy Crawford Andrew H. Grimm Dr. Patrice Komoroski Michael J. Prost

March 5, 2024

Christina M. Giardina
Community Care of Union, LLC
312 Solley Drive
Ballwin, MO 63021

**SUBJECT: #4847 RS: Community Care of Union, LLC (Previously Benchmark of Union)
Certificate of Need**

Dear Ms. Giardina:

This letter is notification of the possible forfeiture of Certificate of Need (CON) project #4847 RS. The CON was issued on January 7, 2013, to Union Health Properties, LLC (owner) and Benchmark Healthcare of Union, LLC (operator), to establish a 20-bed ALF, located at St. Andrews Drive and Highway 50, Union, MO 63084, with a project cost of \$2,847,650. On July 24, 2014, an owner change was approved to Metropolis Property Development, LLC. On January 7, 2019, an operator change was approved to Community Care Center of Union, Inc.

The applicant has failed to incur a capital expenditure through above-ground construction. Regulation 19 CSR 60-50.700(4) states in part, "A CON shall be subject to forfeiture for failure to--- (A) Incur a project-specific capital expenditure within twelve (12) months after the date the CON was issued through initiation of project aboveground construction or lease/purchase of the proposed equipment since a capital expenditure, according to generally accepted accounting principles, must be applied to a capital asset."

On March 4, 2024, the Missouri Health Facilities Review Committee denied the request for a 22nd extension for the above-referenced project due to lack of progress. Therefore, this project has been placed on the May 6, 2024 CON meeting agenda for possible forfeiture by the Committee.

Pursuant to 19 CSR 60-700(5)(B), "[A]fter receipt of the notice of possible forfeiture, the applicant may submit information to the committee within ten (10) calendar days to show compliance with this rule or other good cause as to why the CON shall not be forfeited."

Such information should be sent to the CON office at CONP@health.mo.gov. If you need additional information, please contact the CON staff at CONP@health.mo.gov or 573-751-6700 immediately.

Sincerely,

Alison Dorge, Program Coordinator
Certificate of Need Program

From: [Mary Schaper](#)
To: [Dorge, Alison](#)
Subject: RE: CON #4847 RS Extension Denial and Involuntary Forfeiture
Date: Tuesday, March 5, 2024 2:35:40 PM
Attachments: [image001.png](#)
[FW CON #4847 RS Extension Denial and Involuntary Forfeiture.msg](#)

Alison,

I have forward to Christina. See attached. I received your email as undeliverable. I guess it copied wrong.

Thanks,

Mary Schaper
Community Care Centers, Inc
437 Sovereign Court
Ballwin, MO 63011
636-394-3000



From: Dorge, Alison <Alison.Dorge@health.mo.gov>
Sent: Tuesday, March 5, 2024 2:06 PM
To: Mary Schaper <mschaper@communitycaremidwest.com>
Subject: FW: CON #4847 RS Extension Denial and Involuntary Forfeiture

Mary-I sent this to Christina's email we have on file but it came back undeliverable.

From: Dorge, Alison
Sent: Tuesday, March 5, 2024 1:26 PM
To: 'cmgiardina@communitycaremidwest.com' <cmgiardina@communitycaremidwest.com>
Cc: 'Brandon M. Hall' <BHall@atllp.com>; Jonathan F. Dalton <jdalton@atllp.com>; Lux, Mackinzey <Mackinzey.Lux@health.mo.gov>
Subject: CON #4847 RS Extension Denial and Involuntary Forfeiture

Please see attached extension denial letter for CON #4847 RS. This project has been placed on the May 6, 2024 CON meeting for involuntary forfeiture to be reviewed and voted on by the MHFRC, as outlined in the attached letter. **Please acknowledge receipt of this email.**

Alison Dorge

Regulatory Compliance Manager
Certificate of Need & Supplemental Health Care Service Agencies
Department of Health and Senior Services
920 Wildwood Drive, P.O. Box 570
Jefferson City, MO 65102
WORK CELL: 573-418-4602

From: [Brandon M. Hall](#)
To: [Dorge, Alison](#); "cmgiardina@communitycaremidwest.com"
Cc: [Jonathan F. Dalton](#); [Lux, Mackinzey](#)
Subject: RE: CON #4847 RS Extension Denial and Involuntary Forfeiture [IWOV-IDOCS.FID2657837]
Date: Thursday, March 7, 2024 1:12:39 PM

Thank you, Alison. We have received, and will be in attendance for the May meeting.

Best regards,



Armstrong Teasdale LLP

Brandon M. Hall | Associate Attorney | Corporate Services Group
7700 Forsyth Blvd., Suite 1800, St. Louis, Missouri 63105-1847
MAIN PHONE: 314.621.5070 | MAIN FAX: 314.621.5065
DIRECT: 314.342.8092 | Extension: 7492 | CELL: 518.727.8805
Bhall@atllp.com
www.armstrongteasdale.com

Always exceed expectations through teamwork and excellent client service.

Please consider the environment before printing this email.

From: Dorge, Alison <Alison.Dorge@health.mo.gov>
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Subject: CON #4847 RS Extension Denial and Involuntary Forfeiture

CAUTION: EXTERNAL EMAIL

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Alison Dorge

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OFFICE: 573-751-6700
EMAIL: alison.dorge@health.mo.gov

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