

November 3, 2016

Bob Joondeph
Executive Director
Disability Rights Oregon
610 SW Broadway, Suite 200
Portland, Oregon 97205

Re: Request for Affected Party Status, NEWCO Oregon, Inc. (CN #675)

Dear Mr. Joondeph:

Thank you for your letter dated November 2, 2016 requesting affected party status for Disability Rights Oregon (DRO) and detailing why it has a public interest in the outcome of the Division's proceeding in relation to the above-referenced Certificate of Need ("CN") application. In evaluating your request for affected party status we have considered whether DRO has demonstrated a public interest that could reasonably be affected by the outcome of this proceeding; whether that interest is within the scope of the Division's jurisdiction and within the scope of the proceeding and the extent to which this interest will be represented by existing parties. Based upon that evaluation, the Division has determined that DRO has demonstrated that it has a public interest in the outcome of the Division's decision on this CN application; that interest is within the scope of the Division's jurisdiction and within the scope of the proceeding; and that existing parties to this proceeding cannot adequately represent that interest. Consequently, your request for affected party status is granted.

You have demonstrated a public interest in the outcome of the Division's proceeding. DRO is the Governor-appointed Protection and Advocacy System for Oregon. It operates 8 distinct programs including the Protection and Advocacy for Individuals with Mental Illness Act. The DRO PAIMI Program has a nine member PAIMI Advisory Council that is primarily made up of individuals with mental illness who set policy and direction for the program. Your cumulative understanding of the Oregon mental health system and how services and facilities interact gives you a clear interest that any facility (both new and existing) will properly honor the rights and safety of their residents and not undermine the quality, availability or cost of services elsewhere.

Existing parties to this proceeding cannot adequately represent the public interest represented by DRO. The only formal participants in this proceeding to-date are: The

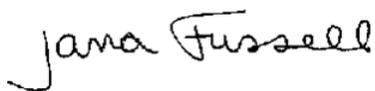
decision-maker, the Division; the applicant, NEWCO Oregon Inc.; and two affected parties, Tuality Healthcare and NAMI Oregon. Your organization is directly affected by whether or not the CN under consideration is granted and, if it is granted, what if any conditions of approval are imposed.

The Oregon Legislative Assembly has found that the achievement of reasonable access to quality health care at a reasonable cost is a priority of the State of Oregon and has identified a number of problems that prevent this priority from being attained. Please see ORS 442.025. Under ORS 442.315, the CN Program is charged with determining whether new hospitals, such as the new psychiatric facility proposed by NEWCO Oregon, Inc. are needed. Consequently, the interest advanced by DRO is within the scope of the Division's jurisdiction and the proceeding under discussion.

Under OAR 333-570-0070(5), an affected party may request an informal hearing within 10 days after the Division serves its proposed decision regarding the application. An applicant or any affected person may request reconsideration of the Division's final decision pursuant to ORS Chapter 183 relating to a contested case. Please see ORS 442.315. As an affected party you will receive copies of all significant correspondence related to this application. The Division will hold a public meeting on this application on November 17, 2016 and I will be contacting you about your participation in that meeting.

Please let me know if you have any question or concerns regarding this letter.

Sincerely,

A handwritten signature in cursive script that reads "Jana Fussell".

Jana Fussell
Certificate of Need Coordinator

cc: Frank Fox, Consultant for NEWCO Oregon, Inc.
Ron Escarda, Fairfax Behavioral Health System
Steve Robison, Oregon Public Health Division
Dana Selover, Oregon Public Health Division
Manuel Berman, Tuality Healthcare
Chris Bouneff, NAMI Oregon