

**Exhibit F**

For File # CPZ-1-09 Materials submitted from 11-3-2009 thru 11-9-2009 at 4:30 pm  
Enclosed: Letter and email correspondence from Pat Sherman

Doc. ID	Received:	From	# pgs	Description
F-1	11/4/2009	Pat Sherman	4	Cover letter, 3 pgs of email correspondence

RECEIVED

DC

NOV 4 2009 3:07 PM

Pat Sherman  
PO Box 1140  
Brookings, OR 97415

CITY OF BROOKINGS

November 4, 2009

Mayor and Council,

Please include this letter and attachment as part of Case # CPZ-1-09 public hearing. It is testimony submitted in response to testimony that was submitted during the first seven day period in which the record for this case was left open.

As allowed by law anyone who has participated in the hearing can submit testimony during the second seven day period in response to an issue raised during the first seven day open period. The issue addresses Goal 9 Economy, in particular whether the intended use proposed by the applicant, on which the applicant based his economic argument, is a lawful use of the property, namely an emergency room as part of a clinic.

The attached email is expert statement of Ron Prinslow, RN, Section Manager, Office of Community Health and Planning, Health Care Licensing and Certification. In the email he affirms that the State of Oregon has "no licensing classification for a free-standing emergency hospital...the bottom line is Medicare and the State require licensing as a satellite unit, which we currently have no such classification. Maybe in the future..but right now..No."

Based on expert's statement, Oregon law does not allow an emergency room in the proposed clinic and thus, Goal 9 argument currently offered by the applicant does not pass the burden of proof threshold for a Comp Plan amendment.

Sincerely,



Pat Sherman

Attachment: Email from Ron Prinslow dated November 3, 2009

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**Pat Sherman**

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**From:** Ron J PRINSLOW [ron.j.prinslow@state.or.us]  
**Sent:** Tuesday, November 03, 2009 2:20 PM  
**To:** Maria CAMPBELL; psherman99@verizon.net  
**Subject:** Fwd: RE: FW: can a clic have an ER? followup

Hi Pat this is complicated since both State Licensing and Medicare Certification is involved..at the State level we have no licensing classification for a free-standing emergency room..at the federal level they do both free standing and emergency hospital..the bottom line is Medicare and the State would require licensing as a satellite unit, which we currently have no such classification. Maybe in the future..but right now..No..Ron

Ron Prinslow, RN  
Section Manager  
Office of Community Health and Health Planning  
Health Care Licensing and Certification  
(971) 673-0546  
Fax-971-673-0556

>>> Maria CAMPBELL 10/29/2009 8:19 AM >>>

Hi Ron -

This is another email from the person Susie emailed you about. I told him you may be stuck in the AOC and unable to get to your email right now.

Maria

>>> "Pat Sherman" <psherman99@verizon.net> 10/29/2009 8:09 AM >>>

Maria,

I am still awaiting a reply from the Trauma Systems Manager; but I believe I may have found the answer myself, and would like to have a verification of whether or not I am correct.

1. In reading through the relevant OAR each level (1-4) of trauma care facility is listed as a hospital. In particular I note that the definition of a Level IV Trauma Hospital includes the word "hospital" six times.
2. In ORS a specific definition is given for "hospital" which includes, among other things, that the facility must have inpatient beds.
3. Curry Health District does not intend to have inpatient beds in its new facility in Brookings.
4. Since there will be no inpatient beds, the facility will not be a hospital.
5. Since the facility will not be a hospital it cannot be a trauma hospital.

The only possible source of opportunity that I can see for describing a clinic as an "emergency room" is that there is no definition - either in OAR or ORS - for "emergency room", the word commonly used by people to describe a Trauma Hospital.

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Is this above correct? Do you have any helpful comments?

Thank you.

Pat Sherman

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**From:** Maria CAMPBELL [mailto:maria.campbell@state.or.us]

**Sent:** Monday, October 26, 2009 11:12 AM

**To:** Pat Sherman

**Subject:** Re: FW: can a cliic have an ER?

Just received this morning. I have forwarded your email to our Trauma Systems Manager to answer. She should get back with you shortly. Sorry for any inconvenience.

Maria Campbell, Program Executive Assistant

DHS, OSPHD, OCHHP

EMS and Trauma Systems

800 NE Oregon Street, Ste. 465

Portland, OR 97232-2162

[maria.campbell@state.or.us](mailto:maria.campbell@state.or.us)

(971) 673-0522

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>>> "Pat Sherman" <[psherman99@verizon.net](mailto:psherman99@verizon.net)> 10/26/2009 11:08 AM >>>

Hello Maria,

Could you please acknowledge that you have received the email below?

Thank you.

Pat Sherman

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**From:** Pat Sherman [mailto:[psherman99@verizon.net](mailto:psherman99@verizon.net)]

**Sent:** Saturday, October 24, 2009 5:08 PM

**To:** 'maria.campbell@state.or.us'

**Subject:** can a cliic have an ER?

Hello Maria,

Curry Health District is proposing to build a new clinic in Brookings. The District's CEO Mr. McMillan has repeatedly asserted that there will be a 24 hour emergency room located in the clinic. Specifically, on Oct 22, 2009 Mr. McMillan wrote in testimony submitted to the Brookings City Council for a public hearing on October 26 (Monday) that: "Brookings gets a clinic and an emergency medical facility that can provide service 24/7."

The idea of having a local emergency room is appealing to an elderly, vulnerable population. Having had 15 years experience as an Intensive Care/Coronary Care nurse I have a deep appreciation for what happens in the emergency room and why emergency rooms have always been located in a hospital.

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The nearest hospitals to Brookings are located in Crescent City and in Gold Beach, 34 minutes away.

Here are my questions:

What are the laws and rules governing where an emergency room can be located?

Can an emergency room be located in a clinic?

Can an emergency room be located in a clinic in Brookings that is 34 minutes (on average) away from the closest hospital?

It has always been my understanding that an ER is a department in a hospital, and that a clinic may support an "Urgent Care Center," but not an ER. Am I wrong? Have the rules changed?

Thank you.

Pat Sherman  
Brookings

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