

October 9, 2024

VIA EMAIL

Centers for Medicare and Medicaid Services  
7500 Security Boulevard  
Mailstop C4-25-02  
ATTN: Physician-Owned Hospital Exceptions  
Baltimore, Maryland 21244-1850  
Email: POH-ExceptionRequests@cms.hhs.gov

Re: Mountain View Hospital, Inc.  
Request for Exception to Facility Expansion Limitation

To Whom It May Concern:

Enclosed please find an Amended Request for Exception to Facility Expansion Limitation for Mountain View Hospital, Inc. ("Mountain View Hospital"), as a High Medicaid Facility. This amends the request for this Exception that we submitted for this hospital on August 30, 2024. In this Amended Request, we have added the one cesarean operating room to the total number of operating rooms existing as of March 23, 2010 and currently, as discussed during our conference call on September 25, 2024.

Also, please note that, in accordance with 42 C.F.R. § 411.363(f)(1), Mountain View Hospital has posted notice on its public website that it is requesting an exception from the prohibition on facility expansion. It has also, in accordance with 42 C.F.R. § 411.363(f)(2), provided written notification that it is requesting this exception directly to the hospital whose Medicaid data are used in the comparisons contained in this Amended Request.

If you have any questions, please do not hesitate to contact me.

Respectfully submitted,

ARNALL GOLDEN GREGORY LLP

  
Neil W. Hoffman, J.D., Ph.D.

Enclosures

**MOUNTAIN VIEW HOSPITAL, LLC  
REQUEST FOR EXCEPTION TO  
FACILITY EXPANSION LIMITATION**

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Pursuant to Section 1877(i)(3)(C) of the Social Security Act (the "Act"), physician-owned hospitals may apply for an exception to the prohibition on expansion of facility capacity imposed by Section 6001(a)(3) of the Patient Protection and Affordable Care Act ("PPACA"). The Secretary (the "Secretary") of the Center for Medicare and Medicaid Services ("CMS") is authorized to permit a physician-owned hospital to increase the number of operating rooms, procedure rooms, and beds beyond that for which the hospital was licensed on March 23, 2010, should they satisfy specific criteria to qualify for an applicable exception under the Act. In accordance with 1877(i)(3)(C) of the Act, Mountain View Hospital, LLC ("Mountain View Hospital") hereby submits this amended request for an exception, dated October 9, 2024 (the "Amended Request"), to increase the Hospital's number of operating rooms, procedure rooms, and licensed beds for the reasons set forth below.

**1. Hospital Information:**

Name of Hospital: Mountain View Hospital, LLC

Address: 2325 Coronado Street  
Idaho Falls, Idaho 83404

National Provider Identification  
Number (NPI): 16694623662

Tax Identification  
Number (TIN): 820516012

CMS Certification  
Number: 130065

County in which  
Hospital is located: Bonneville County

**Contact Persons:**

Name: Ned Hillyard

Title: Chief Compliance Officer

Address: 2325 Coronado Street  
Idaho Falls, Idaho 83404

Telephone  
Number: 208-557-2711

And

Name: Neil Hoffman

Title: Attorney

Address: Arnall Golden Gregory LLP  
171 17<sup>th</sup> Street, NW  
Atlanta, Georgia 30363-1031

Telephone  
Number: 404-873-8594

**II. Basis upon which Mountain View Hospital is seeking an Exception to Expansion Prohibition:**

Mountain View Hospital is requesting that the Secretary, pursuant to the authority set forth in Section 6001(a)(3) of PPACA, grant Mountain View Hospital's request for exception to the prohibition on expansion as it is a "High Medicaid Facility." This is shown by the following:

1. Hospitals in County. Mountain View Hospital is one of the two hospitals that are located in Bonneville County. As such, Mountain View Hospital is not the sole hospital in Bonneville County. The other hospital in this county is Eastern Idaho Regional Medical Center, the address of which is 3100 Channing Way, Idaho Falls, Idaho 83404.

2. Medicaid Discharges. The percentages below are from filed Medicare hospital cost-report data from HCRIS used to estimate Mountain View Hospital's annual percentage of total inpatient admissions under Medicaid and the annual percentages of total inpatient admissions under Medicaid for Eastern Idaho Regional Medical Center, the only other hospital that has a Medicare participation agreement with CMS and is located in Bonneville County, for each of the three most-recent 12-month periods for which such data are available as of the date of this request.

As evidenced by Attachment I and as summarized below, Mountain View Hospital's estimated annual percentages of total inpatient admissions (from discharge data) under Medicaid for each of 2021, 2022, and 2023, the three most-recent years for which such data are available,<sup>1</sup> are greater than such percentages for Eastern Idaho Regional Medical Center, the only other hospital located in Bonneville County:

2021:

Mountain View Hospital [REDACTED]

[REDACTED]

Medicaid Discharges: 537  
Total Discharges: 2,074  
Percentage Medicaid Discharges to Total Discharges = 25.89%

**Eastern Idaho Regional Medical Center** [REDACTED]  
Medicaid Discharges: 2,361  
Total Discharges: 10,251  
Percentage Medicaid Discharges to Total Discharges = 23.03%

**2022:**

**Mountain View Hospital** [REDACTED]  
Medicaid Discharges: 614  
Total Discharges: 2,548  
Percentage Medicaid Discharges to Total Discharges = 24.10%

**Eastern Idaho Regional Medical Center** [REDACTED]  
Medicaid Discharges: 2,160  
Total Discharges: 9,278  
Percentage Medicaid Discharges to Total Discharges = 23.28%

**2023:**

**Mountain View Hospital** [REDACTED]  
Medicaid Discharges: 553  
Total Discharges: 2,351  
Percentage Medicaid Discharges to Total Discharges = 23.52%

**Eastern Idaho Regional Medical Center** [REDACTED]  
Medicaid Discharges: 2,120  
Total Discharges: 9,388  
Percentage Medicaid Discharges to Total Discharges = 22.58%

Tables I below shows that the percentages for each of these three years are greater for Mountain View Hospital than for Eastern Idaho Regional Medical Center.

**Table I**

	<b>2021</b>	<b>2022</b>	<b>2023</b>
<b>Mountain View Hospital</b>	25.89%	24.10%	23.52%
<b>Eastern Idaho Regional Medical Center</b>	23.03%	23.28%	22.58%

3. Nondiscrimination: As certified in Section VI below, Mountain View Hospital does not discriminate against beneficiaries of Federal healthcare programs and does not permit physicians practicing at Mountain View Hospital to discriminate against such beneficiaries. This is consistent with Mountain View Hospital's policies to promote health equity and prohibit discrimination, examples of which are included as Attachment II.

**III. Mountain View Hospital's Baseline Numbers:**

The number of operating rooms, procedure rooms, and beds for which Mountain View Hospital was licensed as of March 23, 2010, is shown in Table III (as evidenced by Attachment III).

**Table III**

<b>Operating Rooms</b>	11
<b>Procedure Rooms</b>	2
<b>Licensed Beds</b>	43
<b>Total</b>	<b>56</b>

**IV. Number of Operating Rooms, Procedure Rooms, and Licensed Beds as of Date of Request for Exception:**

As of the date of this Amended Request for Exception, Mountain View currently has the number of operating rooms, procedure rooms, and beds as shown in Table IV (as evidenced by Attachment IV).

**Table IV**

<b>Operating Rooms</b>	<b>13</b>
<b>Procedure Rooms</b>	<b>3</b>
<b>Licensed Beds</b>	<b>40</b>
<b>Total</b>	<b>56</b>

**V. Requested Expansion:**

Mountain View Hospital is requesting to expand by 198.2 percent over baseline by adding three operating rooms, one procedure room, and 51 beds. This is shown in Table V.

**Table V**

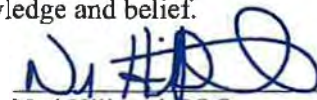
<b>Operating Rooms</b>	<b>16</b>
<b>Procedure Rooms</b>	<b>4</b>
<b>Licensed Beds</b>	<b>91</b>
<b>Total</b>	<b>111</b>

**VI. Attestation of Mountain View Hospital's Non-Discrimination Policy:**

Mountain View Hospital does not discriminate against beneficiaries of Federal healthcare programs and does not permit physicians practicing at Mountain View Hospital to discriminate against such beneficiaries.

**CERTIFICATION**

With knowledge of the penalties for false statements provided by 18 U.S.C. 1001, I, Ned Hillyard, Mountain View Hospital's Chief Clinical Operations Officer, certify that all of the information provided in this Amended Request and all of the documentation provided with this Amended Request are true and correct to the best of my knowledge and belief.

  
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Ned Hillyard COO  
Mountain View Hospital, LLC