

November 14, 2019

**via email and U.S. mail**

Pam Krecklow  
Health Facilities Consultant &  
Certificate of Need Coordinator  
Oregon Health Authority, Public Health Division  
Facilities Planning & Safety Team  
800 NE Oregon Street, Suite 465  
Portland, Oregon 97232

Re: NEWCO Oregon Inc. Certificate of Need Application #682;  
Legacy Petition for Affected Party Status

Dear Ms. Krecklow:

Following up on your recent call with my colleague, Miriam Swedlow, we are counsel to Legacy Health (“Legacy”).

Legacy formally requests designation as an affected party concerning NEWCO Oregon, Inc. (“NEWCO”)’s application to develop a 100-bed, free-standing psychiatric hospital in Wilsonville, Oregon (the “Project”). Legacy offers similar services to residents of the area which would be served by the proposed psychiatric hospital and seeks to protect its unique interest in the outcome of the certificate of need review.

Legacy was granted affected party status to certificate of need proceedings for a 100-bed, free-standing psychiatric hospital in Wilsonville, Oregon proposed by NEWCO on January 5, 2016. OHA issued a final decision denying the certificate of need on July 6, 2016 and Legacy was granted full party status to the subsequent contested hearings. NEWCO withdrew this application on March 8, 2019 after submitting a new letter of intent on March 4, 2019. On July 19, 2019, the Oregon Health Authority (“OHA”) notified Legacy that NEWCO had submitted a new application for the Project. Legacy received notice from the OHA on July 25, 2019 that NEWCO’s application remained incomplete pending NEWCO’s responses to several questions from the OHA. NEWCO provided its written responses to the OHA’s questions on September 18, 2019. The OHA is currently reviewing NEWCO’s responses, and the application remains incomplete.

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Unity Center for Behavioral Health (“Unity”) is a collaboration between four major regional health systems and numerous community partners which began operations in February 2017. Unity is licensed as a satellite hospital location of Legacy Emanuel Hospital & Health Center. Unity Center for Behavioral Health at Legacy represents an innovative model of care that combines emergent and acute psychiatric services for adults and adolescents with the goal of de-stigmatizing mental illness and providing trauma informed care for all in need. In these respects, Unity is unique in Oregon. Unity’s inpatient program consolidated the inpatient psychiatric beds from Legacy, Adventist Health and Oregon Health & Science University at Legacy Emanuel’s satellite facility in inner North East Portland. Legacy will be directly affected by the outcome of the certificate of need review because NEWCO’s proposed psychiatric hospital will provide competitive inpatient services to a population with the same diagnoses that can be treated collaboratively at Unity.

Legacy and its collaboration partners have dedicated significant effort and resources to Unity’s success. We believe that this letter provides sufficient reason that Legacy qualifies for affected party status under OAR 333-570-0030(1). We welcome the opportunity to provide more information if needed to evaluate Legacy’s request.

Please continue to direct further correspondence and papers on this matter to our attention.

Sincerely,

Davis Wright Tremaine LLP



Brad Fisher

cc: Legacy Health  
Miriam R. Swedlow, JD, RN