



STATE HEALTH PLANNING AND DEVELOPMENT AGENCY

100 NORTH UNION STREET, SUITE 870
MONTGOMERY, ALABAMA 36104

NOTICE OF INTENDED ACTION

AGENCY NAME: STATE HEALTH PLANNING AND DEVELOPMENT AGENCY
(Certificate of Need Review Board)

RULE NO. & TITLE: 410-1-4-.02 Construction or Relocation of Administrative or Branch
Office

INTENDED ACTION:

The State Health Planning and Development Agency and the Certificate of Need Review Board propose to amend the above-styled section of the *Alabama Certificate of Need Program Rules and Regulations*.

SUBSTANCE OF PROPOSED ACTION:

This amendment clarifies that all written submissions filed pursuant to this rule must be filed electronically in accordance with Rule 410-1-3-.09.

TIME, PLACE, MANNER OF PRESENTING VIEWS:

In response to this Proposed Rule, all interested persons are invited to submit data, views, comments and/or arguments, orally or in writing. Any and all such data, comments, arguments and/or requests to orally address the Certificate of Need Review Board shall be made in writing on or before August 4, 2016, and shall be made to:

Nicole Horn, Executive Secretary
State Health Planning and Development Agency
P. O. Box 303025
Montgomery, Alabama 36130-3025

On August 17, 2016, at 10:00 a.m., the Certificate of Need Review Board shall conduct a public hearing in the State Capitol, Capitol Auditorium, 600 Dexter Avenue, Montgomery, Alabama, at which time it shall consider the Proposed Amendment, along with all written and oral submissions respecting the Proposed Amendment. Only those interested persons who have made timely written requests will be afforded the opportunity to speak.

Copies of the proposed changes are available for review at 100 North Union Street, RSA Union Building, Suite 870, Montgomery, Alabama. Phone (334) 242-4103 or visit the office Monday through Friday from 8:00 a.m. to 5:00 p.m., excluding State holidays.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

August 4, 2016

CONTACT PERSON AT AGENCY:

Nicole Horn
100 North Union Street
RSA Union, STE 870
Montgomery, AL 36104
(334) 242-4103



Alva M. Lambert, Executive Director

410-1-4-.02 Construction or Relocation of Administrative or Branch Office

The construction or relocation of an administrative or branch office of a home health agency or in-home hospice provider which: (1) is within the service area for which the provider is the holder of a CON (excluding home health agencies' contiguous county service areas authorized pursuant to § 22-21-265(f), Code of Alabama (1975 as amended)); and (2) at which no patient care is provided, does not constitute the construction, development, acquisition or other establishment of a new health care facility requiring a Certificate of Need under ALA. CODE § 22-21-263(a)(1) (1975 as amended). The home health or hospice agency shall notify SHPDA, pursuant to Rule 410-1-3-.09, in writing of its construction or relocation plans at least thirty-five (35) days in advance of the action. As part of such notification, a home health or hospice agency may obtain a reviewability determination letter pursuant to ALA. ADMIN. CODE r. 410-1-7-.02, acknowledging compliance with this rule, with a copy of said letter sent to the Alabama Department of Public Health. Nothing in this rule shall be construed as authorizing the extension of a home health or in-home hospice services beyond those areas authorized under the provider's Certificate of Need or as may be otherwise authorized under Alabama law.

Statutory Authority: § 22-21-263, -275, Code of Alabama, 1975

History: Filed April 22, 2010; effective May 27, 2010. Amended: Filed: _____;
effective: _____.