

## I. Certificate of Need Program

- A. **AL2022-006, Jacksonville Senior Services, LLC d/b/a The Harbor at Legacy Village, Jacksonville, AL:** Proposes to add sixteen (16) Specialty Care Assisted Living Facility (SCALF) beds to an existing twenty-four (24) unit memory care facility in Calhoun County. **Opposition: None.**

**Approved.**

- B. **AL2022-008, Cooper Green Rehabilitation Services, LLC, Birmingham, AL:** Proposes to provide multidisciplinary outpatient rehabilitation services in an existing healthcare clinic in Jefferson County. **Opposition: None.**

**Approved.**

- C. **AL2022-014, Village at Cook Springs, LLC, Pell City, AL:** Proposes to relocate twenty-eight (28) Specialty Care Assisted Living Facility (SCALF) beds from Village East to The Village's main campus, where it will be operated as a separate licensed facility. **Opposition: None.**

**Approved.**

- D. **AL2022-018, North Alabama Specialty Hospital, LLC, Huntsville, AL:** Proposes to relocate the thirty-one (31) Long Term Acute Care (LTAC) beds from Athens Limestone Hospital in Limestone County to the Huntsville Hospital campus in Madison County. **Opposition: None.**

**Approved.**

- E. **AL2022-019, Veterans Recovery Resources, Mobile, AL:** Proposes to create a clinically managed detoxification and residential treatment program in Mobile County pursuant to the Plan Adjustment approved by Gov. Kay Ivey on December 20, 2021. Upon approval, this facility will consist of eight (8) beds for clinically monitored detox services, sixteen (16) beds for residential treatment, and ten (10) beds for supervised respite care for veterans transitioning from homelessness and waiting for residential treatment, for a total of thirty-four (34) substance abuse beds. **Opposition: None.**

**Approved.**

### **Contested Case:**

**AL2020-050, 2LR Healthcare Holdings LLC d/b/a Heart & Vascular Institute of Alabama, Montgomery, AL:** Proposes to establish a single specialty ambulatory surgery center (ASC) in order

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to perform endovascular and cardiac catheterization procedures. **Opposition: Jackson Hospital & Clinic, Inc., Jackson Surgery Center, LLC d/b/a Jackson Surgery Center, The Health Care Authority for Baptist Health, an Affiliate of UAB Health System d/b/a Baptist Medical Center South and d/b/a Baptist Medical Center East, and Baptist Ventures, Inc. d/b/a Montgomery Surgical Center, LLC.**

Background: The administrative law judge (ALJ) filed Findings of Fact and Conclusions of Law recommending denial of the application on 7/28/2021. 2LR Healthcare Holdings LLC d/b/a Heart & Vascular Institute of Alabama filed exceptions to the ALJ's Recommended Order on 8/4/2021. Upon a vote of the CON Review Board at its September 15, 2021, meeting, disposition of the AL2020-050 CON application, including the Recommended Order of the ALJ, was carried over until the January 2022 Board meeting or, in the event such meeting is not held, the next following meeting of the Board. At the February 16, 2022, CON Review Board meeting, the Board remanded the case back to the ALJ for further findings of fact and conclusions of law, taking into account the totality of the project and the applicant's election to modify its project to eliminate percutaneous coronary intervention and ablation procedures. On March 17, 2022, the intervenors filed a Request for Reconsideration, which was denied by the CON Review Board at its April 20, 2022, meeting. On June 29, 2022, the ALJ filed Findings of Fact and Conclusions of Law recommending approval of the application. On July 6, 2022, the intervenors filed exceptions to the ALJ's Findings of Fact and Conclusions of Law.

**Decision: The CON Review Board voted to adopt the ALJ's June 29, 2022, Findings of Fact and Conclusions of Law approving the application.**

**For Informational Purposes Only:** The next two projects were placed on the agenda for informational purposes only. No vote was required as "the recommended order of the Administrative Law Judge becomes the final order of the Agency when no exceptions have been filed." The projects were approved, and no exceptions were filed.

### **Contested Cases:**

**AL2022-015, Opelika Senior Services, LLC d/b/a The Harbor at Opelika, Opelika, AL:** Proposes to add twenty-four (24) Specialty Care Assisted Living Facility (SCALF) beds to The Harbor at Opelika, the existing thirty-six (36) bed SCALF in Opelika, Lee County, Alabama, resulting in a total of sixty (60) SCALF beds. **Opposition: Auburn Assisted Living, LLC. ALJ was assigned 5/6/2022.** ALJ's Recommended Order was filed June 1, 2022, approving this project for 24 beds. No exceptions were filed.

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**AL2022-016, Auburn Assisted Living and Memory Care, Auburn, AL:** Proposes to construct a sixteen (16) bed Specialty Care Assisted Living Facility (SCALF) in Lee County, Alabama. **Opposition: Opelika Senior Services, LLC d/b/a The Harbor at Opelika.** ALJ was assigned 5/6/2022. ALJ's Recommended Order was filed June 1, 2022, approving this project for 16 beds. No exceptions were filed.

## II. Reviewability Determinations and Pending Reviewability Determinations

### A. Reviewability Determinations:

**RV2022-016, IOP Services, LLC,** proposes to establish an intensive outpatient mental health RV2021-019, **The Heart Center Cardiology,** proposes to establish an office-based lab pursuant to Ala. Admin. r. 410-1-7-.02 in order to perform low-risk peripheral angiography and interventional procedures and fixed-base diagnostic coronary angiography procedures within a private practice. (Opposition filed June 23, 2021, by EAMC). **Status: Reviewable.**

**RV2022-012, Dr. Jason Beaver,** proposes to add percutaneous dialysis maintenance procedures to the menu of services provided in the physician's office. **Status: Reviewable.**

**RV2022-021, Thomas Hospital ASC,** proposes to renovate within existing space to include one (1) additional procedure room and two (2) more pre-op and post-op patient bays in Baldwin County, Alabama. **Status: Non-Reviewable.**

**RV2022-023, ProHealth Hospice-Gadsden, LLC,** proposes to relocate its administrative office from Jefferson County to Shelby County. **Status: Non-Reviewable.**

**RV2022-025, Champion Sports Medicine Birmingham, LLC,** proposes to establish a single specialty Rehabilitation Agency in Jefferson County. **Status: Non-Reviewable.**

### B. Pending Reviewability Determinations:

**RV2022-020, Department of Radiology of the University of South Alabama School of Medicine,** proposes to open a radiology physician practice location including diagnostic services in Fairhope, Alabama. Opposition filed May 17, 2022, by Infirmity Health System. **Status: Pending.**

**RV2022-024, Tuscaloosa Surgical Center, L.P. d/b/a Tuscaloosa Surgical Center,** proposes to renovate its existing Ambulatory Surgery Center (ASC). **Status: Pending.**



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**RV2022-027, IOP Services, LLC**, proposes to establish an intensive mental health counseling facility by a licensed physician's medical practice in Tuscaloosa County. **Status: Pending.**

**RV2022-028, Jackson Surgery Center, LLC**, proposes to renovate its existing Ambulatory Surgery Center (ASC) in Montgomery, Alabama. **Status: Pending.**

**RV2022-029, RCHP-Florence, LLC d/b/a North Alabama Medical Center**, proposes to convert North Alabama Hematology/Oncology to be a provider-based location to North Alabama Medical Center, billing as a hospital-based outpatient department. **Status: Pending.**

The next CON Review Board meeting will be held on **August 18, 2022.**