



The Chairman introduced a new board member recently appointed to the Certificate of Need Review Board, Randy Jones.

I. For Informational Purposes Only (no vote required)

A. AL2012-026. Holding Realty I, LLC d/b/a Vestavia Health Realty, LLC, Vestavia Hills, AL:

Proposes to relocate 120 of the 238 nursing-home beds from the Jefferson Rehabilitation and Health Center ("Ketona") to a proposed newly constructed facility in Jefferson County.

Approved

B. AL2012-027. Holding Realty II, LLC d/b/a Hoover Health Realty, LLC, Hoover, AL: Proposes to relocate 118 of the 238 nursing-home beds from the Jefferson Rehabilitation and Health Center ("Ketona") to a proposed newly constructed facility in Jefferson County.

Approved

II. Certificate of Need Program

A. AL2013-003. Oaks on Parkwood, LLC, Bessemer, AL: Proposes to renovate and add 16 specialty-care assisted-living beds to the existing 34-bed Specialty-Care Assisted-Living Facility (SCALF) for a total of 50 SCALF beds, pursuant to the Amendment to Rule 410-2-4-.04(2)(d)(6)(ii) of the Alabama State Health Plan.

Opposition: None

Approved

B. AL2013-005. Regency Retirement Village of Huntsville, Huntsville, AL:

Proposes to renovate and add 16 SCALF beds by converting 11 ALF beds to SCALF and adding five SCALF beds for a total of 56 beds, pursuant to the Amendment to Rule 410-2-4-.04(2)(d)(6)(ii) of the Alabama State Health Plan.

Opposition: None

Approved

C. AL2013-006. Magnolia Trace Continuing Care Retirement Community,

Huntsville, AL: Proposes to renovate and establish an outpatient therapy program consisting of physical therapy, occupational therapy, and speech therapy services.

Opposition: None

Approved

D. AL98061. Noland Health Services, Inc. f/k/a Lloyd Noland Foundation, Inc.:

This matter involves Project Modification #2 for the relocation of 55 LTACH beds from HealthSouth Metro West f/k/a Lloyd Noland Hospital to the campus of Shelby Baptist Medical Center in Shelby County, Alabama (Region III).



This project is being presented to the CON Review Board pursuant to an Order dated September 21, 2012, by the Alabama Court of Civil Appeals remanding this case to SHPDA for a "determination as to whether the Brookwood Medical Center and UAB Hospital letters alone satisfy the requirement of former Rule 410-2-4-.02(7)(c)3., Ala. Admin. Code (SHPDA), that [Lloyd] Noland had 'written patient transfer agreements with hospitals other than the host hospital to provide at least 75 percent of the admissions to the long-term hospital, based on the total average daily census for all participating hospitals.'" On January 4, 2013, the Montgomery County Circuit Court issued an Order requiring the parties to "pursue" a hearing before SHPDA, and within 30 days, and for SHPDA to thereafter issue a written determination as required under the Court of Civil Appeals decision.

**The Board voted and affirmed that the Brookwood Medical Center and UAB Hospital letters alone satisfy the requirement of former Ala. Admin. Code § 410-2-4-.02(7)(c)3.**

### III. Reviewability Determinations and Pending Reviewability Determinations

#### Reviewability Determinations:

RV2013-007, Dialysis Clinic, Inc. requests to establish a 10-station ESRD facility in western Geneva County. One of the 10 stations will be used as an isolation station.

**Status: Non-Reviewable**

RV2013-008, CV Home Health requests to establish a home health agency drop site in Jefferson County.

**Status: Non-Reviewable**

Rural, Washington County Hospital Association, Inc. d/b/a Washington County Hospital requests to renovate the Emergency Department.

**Status: Non-Reviewable**

#### Pending Reviewability Determinations:

Rural, Russellville Hospital, LLC d/b/a Russellville Hospital requests to acquire all the assets of Russellville Diagnostics Center, LLC.

**Status: Pending**

RV2013-009, Hospice Advantage EAMC, LLC d/b/a Hospice Advantage requests to establish a satellite office in Alexander City, Tallapoosa County, Alabama.

**Status: Pending**

RV2013-010, Cooper Green Mercy Hospital requests to cease operations for their inpatient and emergency services, but will continue offering outpatient services such as diagnostic, curative, and rehabilitative, plus urgent care. These services will operate under the same ownership.

**Status: Pending**



IV. Old Business

Rule 410-1-4.01 New Institutional Health Services Subject to Review  
New rule approved.

The next CON Review Board meeting will be held on March 20, 2013.