



BALCH & BINGHAM LLP

Alabama • Georgia • Mississippi • Washington, D.C.

HEALTHCARE BULLETIN

August 15, 2007

ALABAMA CON REVIEW BOARD UPDATE

I. SHPDA ADMINISTRATIVE REPORT

A. AL2007-020, Medical Center Barbour, Eufaula, AL: Proposal to renovate space in the existing hospital to establish an eighteen (18)-bed geropsychiatric unit for adults age fifty-five and older. Opposition: Laurel Oaks Behavioral Health Center withdrew opposition with the ALJ on the condition that the Certificate of Need is issued with the stipulation that the applicant serve adults and geriatric patients nineteen and older.

This project was put on the agenda for informational purposes only. No vote was required because “The recommended order of the Administrative Law Judge becomes the final order of the Agency when no exceptions have been filed.” No exceptions were filed. ALJ approved the project. CON 2205-PSY was issued 8/8/2007.

II. CON PROGRAM

A. Declaratory Ruling Request 112:

The Institute for Advanced Cardiovascular Care, LLC requested that the CONRB take jurisdiction over this matter and issue a declaratory ruling that the project initiated by The Institute qualifies for the Physician’s Office Exemption and does not require a Certificate of Need.

Denied (unanimous). The CON Board held that The Institute does not qualify for the Physician’s Office Exemption and does require a CON.



B. Cost Overrun

AL2003-041, Covenant Woods of Gardendale: Certificate of Need 2073-SCALF issued December 4, 2003 for the construction of a thirty-two (32) bed Specialty Care Assisted Living facility. The estimated cost of the project was \$3,644,689. The final cost of the project was \$4,397,376 resulting in a cost overrun.

Approved.

C. AL2007-026, Fresenius Medical Care of Langdale d/b/a FMC Langdale, Langdale, AL: Proposal to expand the existing facility by adding two (2) hemodialysis stations to an existing ten (10) station facility. Opposition: None.

Approved.

D. AL2007-024, Renal Treatment Centers, Inc., d/b/a Center Point Dialysis, Center Point, AL: Proposal to establish and operate a new sixteen (16) station ESRD facility. Opposition: Bio-Medical Application of Alabama, Inc. withdrew intervention and opposition July 11, 2007.

Approved.

E. AL2007-027, Bio-Medical Applications of Alabama, Inc. d/b/a FMC Hoover, Hoover, AL: Proposal to construct and operate a new twelve (12) station ESRD facility. Opposition: None.

Approved.

III. OLD BUSINESS

The CON Board held an executive session regarding the CON Board’s proposed review of requests for Letters of Non-Reviewability. The CON Board voted to publish a proposed rule which will alter and amend the procedure for requests for Letters of Non-Reviewability.

The Board’s next meeting is scheduled for September 19, 2007.

H E A L T H C A R E C O N T A C T S

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