

BALCH

& BINGHAM LLP

HEALTHCARE BULLETIN

January 18, 2012

ALABAMA CON REVIEW BOARD UPDATE

I. CERTIFICATE OF NEED PROGRAM

- A. AL2012-014, Metro Treatment of Alabama, LP d/b/a Tri County Treatment Center, Birmingham, AL: Emergency application requesting to relocate from 1101 East Park Drive, Birmingham, Alabama to 5606 Clifford Circle, Birmingham, Alabama.

Opposition: None.

Emergency request remains pending, awaiting approval of the vice-chair.

- B. AL2012-015, Metro Treatment of Alabama, LP d/b/a Montgomery Metro Treatment Center, Montgomery, AL: Emergency application requesting to relocate from 4303 Norman Bridge Road, Montgomery, Alabama to 6001 East Shirley Lane, Montgomery, Alabama.

Opposition: None.

Emergency request remains pending, awaiting approval of the vice-chair.

- C. AL2012-001, Dialysis Clinic, Inc., d/b/a DCJ Highland Park, Montgomery, AL: Proposal to add nine (9) hemodialysis stations to the existing fifteen (15) station facility for a total of twenty-four (24) stations, one of which will be an isolation station for Hepatitis-B surface antigen positive patients.

Opposition: None

Approved.

For Informational Purposes Only:**II. REVIEWABILITY DETERMINATIONS**

- A. **RV2012-001, DVA Healthcare of Tuscaloosa, LLC d/b/a Pickens County Dialysis:** Request to add two (2) hemodialysis stations to an existing eight (8) station facility.

Status: Non-Reviewable

- B. **RV2012-002, Johnson Development, LLC:** Request to construct a physician office building on the campus of St. Vincent's in Birmingham.

Status: Non-Reviewable

- C. **RV2012-003, Elmore Community Hospital:** Request to update the current surgery area through renovations that will provide two (2) O.R. rooms, one (1) endoscopy room, six (6) recovery/post-op suites, three (3) pre-op suites, visitors waiting area, and two (2) offices.

Status: Non-Reviewable

- D. **RV2012-004, Eastern Shore Radiation Oncology, P.C., Radiation Oncology Services of America, Inc.:** Request to form a joint venture with Eastern Shore Radiation Oncology, P.C. to manage and provide administrative services to Eastern Shore Radiation Oncology, P.C. at their existing facility located at 29653 Anchor Cross Boulevard, Daphne, Alabama.

Status: Non-Reviewable

- E. **Rural, Rush Hospital/Butler, Inc. d/b/a Choctaw General Hospital:** Request to utilize ten (10) of the approved twenty-five (25) beds for a critical access hospital as swing beds.

Status: Non-Reviewable

III. PENDING REVIEWABILITY DETERMINATIONS

- A. **RV2012-005, St. Vincent's Birmingham:** Request to relocate the existing oncology service from the ground floor of the main wing of the hospital, to a new building located on the campus of St. Vincent's. St. Vincent's will lease the ground floor of the proposed medical office building located on 10th Avenue South, from Johnson Development Company.

Status: Pending

- B. RV2012-006, Mizell Memorial Hospital HomeCare, LLC d/b/a LHC HomeCare of South Alabama: Request to relocate the administrative branch office to 603 West Bypass, Andalusia, Alabama, approximately 2.46 miles from the existing site.

Status: Pending

IV. OLD BUSINESS

Amendment to Rule 410-1-8-.02 “Contested Case Before Administrative Law Judge”

Adopted and approved as previously published.

V. NEW BUSINESS

Declaratory Ruling Request 139, Community Senior Life, Inc.: Request issuance of an Order declaring that the Certificate of Need (AL2009-005, LifeQuest of Florence, LLC d/b/a Gulf Shores Specialty Care Center, CON 2264-SCALF) held by Benson Enterprises, LLC is null and void.

Denied.

Proposed Rule Amendments - Change in Fees

410-1-7-.02 Reviewability Determination Request: increase fee from \$500 to \$1,000

410-1-7-.04 Notice of Change of Ownership: increase fee from \$1,000 to \$2,000

Adopted and will be published for comment.

The next meeting of the CON Board will be February 15, 2012 at 10:00 a.m.

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