





## 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  
(Statewide Health Coordinating Council)

RULE NO. & TITLE: 410-2-4-.09 Swing Beds

#### INTENDED ACTION:

The State Health Planning and Development Agency (Statewide Health Coordinating Council) proposes to amend the above styled section of the *Alabama State Health Plan*.

#### SUBSTANCE OF PROPOSED ACTION:

To increase the maximum number of authorized swing beds in licensed Critical Access Hospitals from ten (10) to twenty-five (25), as allowed under current medicare swing bed regulations.

#### 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 Statewide Health Coordinating Council (SHCC) shall be made in writing on or before, February 3, 2011, and shall be made to:

James E. Sanders, Deputy Director  
State Health Planning and Development Agency  
P. O. Box 303025  
Montgomery, Alabama 36130-3025

On February 10, 2011, at 10:00 a.m., the SHCC shall conduct a public hearing in the Capitol Auditorium, Alabama State Capitol, Montgomery, Alabama, at which time it shall consider the Proposed Rule along with all written and oral submissions in respect to the Proposed Rule. 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:

February 3, 2011

#### CONTACT PERSON AT AGENCY:

James E. Sanders  
100 North Union Street  
RSA Union, STE 870  
Montgomery, AL 36104  
(334) 242-4103

  
Alva M. Lambert, Executive Director

410-2-4-.09 **Swing Beds**

(1) **Definition.** A swing bed is a licensed hospital bed that can be used for either a hospital or skilled nursing home patient. A swing bed program is authorized in Alabama to include hospitals that meet the criteria as specified in Federal laws and regulations. In accordance with the appropriate directive and this State Health Plan, a swing bed hospital must meet the following requirements:

(a) must meet the federal requirements addressing the facility size, location, and utilization factors;

(b) must have a valid provider agreement under Medicare;

(c) must meet the discharge planning and social services standards applicable to participating skilled nursing facilities;

(d) must not have a waiver for 24-hour nursing coverage;

(e) must be granted a certificate of need by the State Health Planning and Development Agency to provide skilled nursing facility services;

(f) each participating rural hospital is limited to 10 swing beds; ■

(g) the average length of stay for swing bed patients must not exceed 30 days;

(h) beds authorized as swing beds will remain licensed as general hospital beds and be included in the general acute care inventory and bed need methodology;

(i) critical access hospitals shall be limited to 25 swing beds and given special consideration in any application for a certificate of need for swing beds ■

Author: Statewide Health Coordinating Council (SHCC).

Statutory Authority: § 22-21-260(4), Code of Alabama, 1975.

History: Effective