

TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION
State Health Planning and Development Agency
(Statewide Health Coordinating Council)

Control 410 Department or Agency (Statewide Health Coordinating Council)

Rule No. 410-2-5-08

Rule Title: SHCC Committee Responsibilities

New Amend Repeal Adopt by Reference

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? No

Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare? Yes

Is there another, less restrictive method of regulation available that could adequately protect the public? No

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved and, if so, to what degree? No

Is the increase in cost, if any, more harmful to the public than the harm that might result from the absence of the proposed rule? No

Are all facets of the rulemaking process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? Yes

Does the proposed action relate to or affect in any manner any litigation which the agency is a party to concerning the subject matter of the proposed rule? No

Does the proposed rule have an economic impact? No

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama 1975.

Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975, and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Services Agency.

Signature of certifying officer Emily T. Mansif

Date 12/17/2021

(DATE FILED)
(STAMP) D & FILED

DEC 17 2021

**STATE HEALTH PLANNING AND
DEVELOPMENT AGENCY**

NOTICE OF INTENDED ACTION

AGENCY NAME: State Health Planning and Development Agency (Statewide Health Coordinating Council)

RULE NO. & TITLE:

Chapter 410-2-5-.08 SHCC Committee Responsibilities

INTENDED ACTION:

The State Health Planning and Development Agency (Statewide Health Coordinating Council) proposes to amend the referenced chapter to include Section 410-2-5-.09 which became effective November 14, 2020.

SUBSTANCE OF PROPOSED ACTION:

The new rule became effective on November 14, 2020, and is to be added to the responsibilities of the Special Needs and Assessments Committee in Chapter 410-2-5-.05, SHCC Committee Responsibilities.

TIME, PLACE, MANNER OF PRESENTING VIEWS:

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 SHCC shall be made in writing on or before February 17, 2022, at 5:00 p.m., to the State Health Planning and Development Executive Director.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

On March 8, 2022, at 10:00 a.m., the SHCC will conduct a public hearing at which time it shall consider the Proposed Amendment to the Alabama State Health Plan along with all written and oral submissions in respect to the proposal. Only those interested persons who have made timely written requests will be afforded the opportunity to speak. The location of the meeting will be posted to the Agency's website, www.shpda.alabama.gov.

CONTACT PERSON AT AGENCY:

**Ms. Emily T. Marsal, Executive Director
State Health Planning and Development Agency
100 North Union Street, Suite 870
Montgomery, AL 36104
(334) 242-4103**



(Signature of officer authorized
to promulgate and adopt
rules or his or her deputy)

TRANSMITTAL SHEET FOR
BUSINESS ECONOMIC IMPACT STATEMENT
(Section 41-22-5.1)

State Health Planning and Development Agency

Control No. 410 Department/Agency (Statewide Health Coordinating Council)

Rule No. 410-2-5-08

Rule Title: SHCC Committee Responsibilities

New Amend Repeal Adopt by Reference

Attached is a Business Economic Impact Statement filed pursuant to
Section 41-22-5.1, Code of Alabama 1975.

Signature of Filing Officer Emily T. Marsuf

Date 12/17/2021

(DATE FILED)
(STAMP)

ECONOMIC IMPACT STATEMENT
FOR APA RULE
(Section 41-22-23(f))

Control No. 410 Department or Agency State Health Planning and Development Agency
(Statewide Health Coordinating Council)

Rule No: 410-2-5-08

Rule Title: SHCC Committee Responsibilities

New Amend Repeal Adopt by Reference

This rule has no economic impact.

This rule has an economic impact, as explained below:

1. NEED/EXPECTED BENEFIT OF RULE:

2. COSTS/BENEFITS OF RULE AND WHY RULE IS THE MOST EFFECTIVE, EFFICIENT, AND FEASIBLE MEANS FOR ALLOCATING RESOURCES AND ACHIEVING THE STATED PURPOSE:

3. EFFECT OF THIS RULE ON COMPETITION:

4. EFFECT OF THIS RULE ON COST-OF-LIVING AND DOING BUSINESS IN THE GEOGRAPHICAL AREA WHERE THE RULE IS TO BE IMPLEMENTED:

5. EFFECT OF THIS RULE ON EMPLOYMENT IN THE GEOGRAPHICAL AREA WHERE THE RULE IS TO BE IMPLEMENTED:

6. SOURCE OF REVENUE TO BE USED FOR IMPLEMENTING AND ENFORCING THIS RULE:

7. THE SHORT-TERM/LONG-TERM ECONOMIC IMPACT OF THIS RULE ON AFFECTED PERSONS, INCLUDING ANALYSIS OF PERSONS WHO WILL BEAR THE COSTS AND THOSE WHO WILL BENEFIT FROM THE RULE:

8. UNCERTAINTIES ASSOCIATED WITH THE ESTIMATED BENEFITS AND BURDENS OF THE RULE, INCLUDING QUALITATIVE/QUANTITATIVE BENEFITS AND BURDEN COMPARISON:

9. THE EFFECT OF THIS RULE ON THE ENVIRONMENT AND PUBLIC HEALTH:

10. DETRIMENTAL EFFECT ON THE ENVIRONMENT AND PUBLIC HEALTH IF THE RULE IS NOT IMPLEMENTED:

****Additional pages may be used if needed.**

410-2-5-.08 SHCC Committee Responsibilities

(1) Discussion.

In order to assist the SHCC with the process of reviewing and revising the State Health Plan, the Chair of the SHCC may create committees tasked with the purpose of reviewing certain assigned sections of the Plan. The Chair of the SHCC shall assign various members to individual committees based on their knowledge and experience and shall have the authority to nominate chairs of the individual committees at the time of the committee assignments. Historically, the SHCC has kept six (6) standing committees, with additional committees and/or task forces created by the Chair as needed. The six (6) standing committees of the SHCC, and the current sections of the Plan assigned to each committee are as follows:

(a) General Items

The General Items Committee shall have responsibility over the section(s) of the Plan related to an introduction to health planning, as well as any healthcare or health-related priorities set forth by the Governor. The section(s) of the Plan the General Items Committee are responsible for include:

1. 410-2-1 Introduction to Health Planning
2. 410-2-1-.01 Statutory Authority
3. 410-2-1-.02 Overview of Chapters
4. 410-2-1-.03 Health Planning Structure in Alabama
5. 410-2-1-.04 Alabama Health Policy Analysis
6. 410-2-1-.05 Data Collection and Publication
7. 410-2-2 Health Priorities
8. 410-2-2-.01 Introduction
9. 410-2-2-.02 Maternal and Child Health
10. 410-2-2-.03 Care of the Elderly and Chronically Ill
11. 410-2-2-.04 Rural Health Care
12. 410-2-2-.05 Diseases – Prevention and Management
13. 410-2-2-.06 Health Care for the Medically Indigent
14. 410-2-2-.07 Substance Use Disorders
15. 410-2-2-.08 RESERVED

(b) Home Health

The Home Health Committee shall have responsibility over the section(s) of the Plan related to Home Health Care. The section of the Plan the Home Health Committee is responsible for includes:

1. 410-2-4-.07 Home Health

(c) Hospital

The Hospital Committee shall have responsibility over the section(s) of the Plan related to Hospitals, whether general acute care facilities or specialized facilities, and any or all related functions separately governed by Certificate of Need that are offered as a part of a general acute care hospital's overall institutional health services. The section(s) of the Plan the Hospital Committee are responsible for include:

1. 410-2-3-.03 Cardiac Services
2. 410-2-4 Facilities
3. 410-2-4-.01 Introduction
4. 410-2-4-.02 Acute Care (Hospitals)
5. 410-2-4-.08 Inpatient Physical Rehabilitation
6. 410-2-4-.09 Swing Beds
7. 410-2-4-.10 Psychiatric Care
8. 410-2-4-.11 Substance Abuse
9. 410-2-4-.13 Renovations
10. 410-2-4-.14 Replacements
11. 410-2-4-.16 Freestanding Emergency Departments

(d) Long Term Care

The Long Term Care Committee shall have responsibility over the section(s) of the Plan related to providers that serve patients over an extended period of time, especially in regard to elder care. The section(s) of the Plan the Long Term Care Committee are responsible for include:

1. 410-2-4-.03 Nursing Homes
2. 410-2-4-.04 Limited Care Facilities, Specialty Care Assisted Living Facilities

3. 410-2-4-.05 Assisted Living Facilities
4. 410-2-4-.06 Adult Day Care Programs

(e) Special Needs and Assessments

The Special Needs and Assessments Committee shall have responsibility over the section(s) of the Plan related to information required by applicants, health planners, and SHCC members to make the health planning process function, and shall have responsibility for reviewing current health planning mechanisms to provide for a more efficient and effective health planning process. The section(s) of the Plan the Special Needs and Assessments Committee are responsible for include:

1. 410-2-4-.12 Ambulatory Surgery (To be developed)
2. 410-2-5 Alabama Health Statistics and Revision Procedures
3. 410-2-5-.01 Introduction
4. 410-2-5-.02 Population
5. 410-2-5-.03 Vital Events
6. 410-2-5-.04 Plan Revision Procedures
7. 410-2-5-.05 Application for State Health Plan Adjustment
8. 410-2-5-.06 Open Meetings Act
9. 410-2-5-.07 Electronic Notice
10. 410-2-5-.08 SHCC Committee Responsibilities
11. 410-2-5-.09 State of Emergency Provisions

(f) Specialty Services

The Specialty Services Committee shall have responsibility over the section(s) of the Plan that are not specific to the responsibilities of the other committees. These usually involve various services that are unique to health planning, and do not conveniently tie in with other sections of the Plan assigned to other committees. The section(s) of the Plan the Specialty Services Committee are responsible for include:

1. 410-2-3 Specialty Services
2. 410-2-3-.01 Introduction
3. 410-2-3-.02 Neonatal Services

4. 410-2-3-.04 Oncology-Radiation Therapy Services
5. 410-2-3-.05 End Stage Renal Disease Services
6. 410-2-3-.08 New Technology
7. 410-2-3-.09 Transplantation Services
8. 410-2-3-.10 Hospice Services
9. 410-2-3-.11 Air Ambulance
10. 410-2-4-.15 Inpatient Hospice Services

Author: Statewide Health Coordinating Council (SHCC)

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

History: Filed March 18, 2020; Effective May 15, 2020; Amended _____.