



STATE HEALTH PLANNING AND DEVELOPMENT AGENCY

100 NORTH UNION STREET, SUITE 870
MONTGOMERY, ALABAMA 36104

August 6, 2021

Angie C. Smith, Esquire
Burr & Forman LLP
420 North 20th Street, Suite 3400
Birmingham, Alabama 35203

RE: TW2020-043
Shadescrest Health Care Center
SHPDA ID: 127-N0014

Dear Ms. Smith:

On June 3, 2020, TW2020-043 was issued pursuant to ALA. ADMIN. CODE r 410-2-5-.09-E and 410-1-10-.05-E on behalf of the referenced facility for the utilization of four (4) skilled nursing facility beds to be utilized at an alternate care site to assist in the provision of healthcare services due to COVID.

On May 19, 2021, the Agency was notified that the waiver to utilize these beds is no longer being utilized. As a result of this notification, this waiver is now deemed completed and all services are limited to Certificate of Need authorized services only.

Should you have any questions please contact the Agency at (334) 242-4103.

Sincerely,

A handwritten signature in black ink that reads "Emily T. Marsal".

Emily T. Marsal
Executive Director

ETM/kwm

Angie C. Smith
acsmith@burr.com
Direct Dial: (205) 458-5209
Direct Fax: (205) 458-5100

May 19 2021

STATE HEALTH PLANNING AND
DEVELOPMENT AGENCY

Burr & Forman LLP
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Birmingham, AL 35203

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May 19, 2021

VIA EMAIL (shpda.online@shpda.alabama.gov)

Emily Marsal
Executive Director
Alabama State Health Planning & Development
Agency
RSA Tower
100 North Union Street
Suite 870
Montgomery, Alabama 36104

Re: Shadescrest Health Care Center

Dear Ms. Marsal:

In response to the letter from your agency dated May 14, 2021, to Shadescrest Health Care Center (“Shadescrest”), we are providing notice that Shadescrest is no longer operating its alternate care site. All beds that were transferred to the alternate care site for isolation and observation of COVID-19 patients have been returned to the skilled nursing facility. We have also notified the Alabama Department of Public Health.

Please let me know if you have any questions.

Sincerely yours,

/s/ Angie C. Smith

Angie C. Smith

ACS/jlr



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MONTGOMERY, ALABAMA 36104

NOTICE FOR ISSUANCE OF TEMPORARY WAIVER

In the fifth supplemental State of Emergency for the COVID-19 pandemic, Governor Ivey gave the State Health Planning and Development Agency (Agency) the ability to promulgate rules in order to issue temporary waivers to the normal Certificate of Need (CON) process for providers specifically requiring additional capacity or services directly related to the State of Emergency declared for the COVID-19 pandemic.

The Agency has filed two emergency administrative rules: ALA. ADMIN. CODE r. 410-2-5-.09-E COVID-19 State of Emergency, passed by the Statewide Health Coordinating Council, and ALA. ADMIN. CODE r 410-1-10-.05-E Emergency Provisions Related to COVID-19 Emergency, passed by the Certificate of Need Review Board. Both of these emergency rules can be found on the SHPDA website.

By filling out this attached form, the applicant has requested a temporary waiver under these emergency rules and it has been signed and notarized that this request is directly related to the COVID-19 pandemic. The affirmation by the SHPDA Executive Director is related solely to the addition and/or provision of any beds, stations, or services during the State of Emergency and succeeding 60-day period and does not affirm any permanent CON authority for such request. The affirmation shall also not be considered to be a waiver of any requirements related to the Alabama Department of Public Health or any other regulatory agency.

Pursuant to ALA. ADMIN. CODE r. 410-2-5-.09-E (3), the request as affirmed, "shall automatically terminate on the earlier of (i) as applicable, the discontinuation of services or closure of facilities subject to the waiver; or (ii) sixty (60) days following the termination of the State of Emergency as recognized in the Declaration." Furthermore, the rule states, "[a]ny continued operation of institutional health services authorized under a waiver granted pursuant to this section will require a CON, which shall be subject to existing CON criteria and procedures, including compliance with the State Health Plan, without regard to emergency rules adopted by the CON Board or SHCC in response to the Declaration. It is the intent of this subsection that services, facilities or other new institutional health services established as a result a waiver be considered 'new' for purposes of an application for CON authority to extend such new institutional health services beyond the deadlines in this subsection."

In addition, pursuant to ALA. ADMIN. CODE r. 410-2-5-.09-E (4), "new institutional health services authorized on a temporary basis pursuant to a waiver granted under this rule shall not be considered for purposes of the permanent need methodology in the State Health Plan."

For any questions or concerns, please contact the Agency at (334) 242-4103.

MAILING ADDRESS: P.O. BOX 303025, MONTGOMERY, ALABAMA 36130-3025
PHONE: (334) 242-4103 FAX: (334) 242-4113

FOR STAFF USE ONLY:

RECEIVED

Jun 3 2020

STATE HEALTH PLANNING AND DEVELOPMENT AGENCY

WAIVER IDENTIFICATION: TW2020-043

REQUEST FOR CERTIFICATE OF NEED WAIVER

FACILITY ID NO.: 127-N0014 COUNTY: Walker

FACILITY/PROVIDER NAME: Shadescrest Health Care Center

STREET ADDRESS: 331 25th Street West

CITY: Jasper ZIP CODE: 35502

AUTHORIZED REPRESENTATIVE: Chester Mumpower

TITLE: Administrator EMAIL ADDRESS: cmumpower@shadescrest.com

DIRECT TELEPHONE NUMBER: (205) 384-9086

TYPE OF FACILITY/PROVIDER: Skilled Nursing Facility

Pursuant to a declaration issued by Governor Ivey on April 2, 2020, the following additional services are being enacted pursuant to Ala. Admin. Code r 410-2-5-.09-E and 410-1-10-.05-E.

Transfer of 4 nursing facility beds to Walker Baptist Medical Center

Does this request involve an increase in: Beds No Yes Number _____

ESRD Stations No Yes Number _____

Provide a brief explanation of how these services will assist in the health and safety of citizens during the emergency (attach additional sheets if necessary):
Shadescrest Health Care Center proposes to transfer 4 skilled nursing facility beds to Walker Baptist for use as an isolation and treatment facility for patients who have tested positive for COVID-19 or who are in need of isolation due to concerns about exposure to COVID-19.

Projected Construction/Renovation Costs: \$0.00

Projected Equipment Costs: \$0.00

Projected date additional services/equipment will be available for service: 6/3/2020

If this Waiver request involves construction of a new facility and/or acquisition of new equipment, provide a brief description of the proposal on a separate sheet of paper and return with this form.

The undersigned, being first duly sworn, hereby affirms that he/she has direct knowledge of the facts contained this request, and to the best of their information, knowledge, and belief, such facts are true and correct. The undersigned agrees to comply with the requirements and limitations outlined by Rules 410-2-5-.09-E and 410-1-10-.05-E

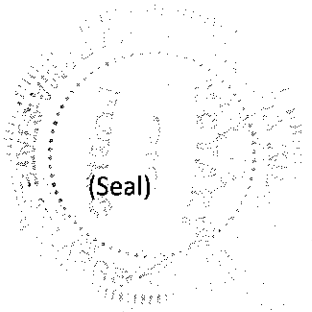
R. Chester Munson
Signature of Authorized Officer

6-3-20
Date

R. Chester Munson
Printed Name

6-3-20
Title

Sworn to and subscribed before me this 3 day of June, 2020.



Shonda Kilpatrick
Notary Public

My Commission Expires: 2/15/21

AFFIRMED BY EXECUTIVE DIRECTOR:

Emily T. Mansel

6/3/2020
Date