



STATE HEALTH PLANNING AND DEVELOPMENT AGENCY

100 NORTH UNION STREET, SUITE 870
MONTGOMERY, ALABAMA 36104

February 17, 2021

Ms. Laura D. Grill
President/Chief Executive Officer
East Alabama Medical Center
2000 Pepperell Parkway
Opelika, Alabama 36801

RE: TW 2021-007
SHPDA ID: 081-6530760
East Alabama Medical Center

Dear Ms. Grill:

On November 16, 2020, a Request for Certificate of Need Waiver was received from the referenced facility to temporarily close the twenty-six (26) bed skilled nursing facility unit and utilize sixteen (16) beds in the unit for the treatment of acute care patients, with the remaining space to be utilized for temporary office space. This additional space was needed for medical overflow and to allow the facility to appropriately manage the needs of its two surgical units as well as the continuing COVID bed demand. This proposal would not exceed the current licensed hospital capacity of 314 acute care beds, as not all acute care beds were operational and staffed due to location in double occupancy rooms. This request was approved on November 17, 2020.

On February 16, 2021, the Agency received notification that there is no longer a need to utilize the additional beds in the skilled nursing unit as acute care beds and effective February 22, 2021, the skilled nursing unit will reopen with all twenty-six (26) beds.

Thank you for your notification. The granted waiver will be noted as completed with all waivers returned to pre-waiver status, and this file closed.

Should you have any questions or need assistance on behalf of additional temporary waivers available pursuant to ALA. ADMIN. CODE r 410-2-5-.09, please contact the Agency.

Sincerely,


Emily T. Marsal
Executive Director

ETM/kwm

cc: Dana Billingsley, ADPH

Filed Electronically at: shpda.online@shpda.alabama.gov

February 16, 2021

Ms. Emily T. Marsal
Executive Director
State Health Planning and Development Agency
P.O. Box 303025
Montgomery, Alabama 36130-3025

Re: Issuance of Temporary Waiver to Close East Alabama Medical Center's Skilled Nursing Facility ("SNF") and Use the Beds for Acute Care Beds


Ms. Marsal,

East Alabama Medical Center ("EAMC") submitted two separate temporary waiver requests regarding the closure of EAMC's SNF unit to use the beds on that unit for acute care beds to help meet the need of an increasing census due to the COVID-19 pandemic. The waivers were granted by the State Health Planning and Development Agency ("SHPDA") on November 17, 2020 and December 30, 2020. 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."

The purpose of this letter is to let you know that the temporary waivers that were granted on November 17, 2020 and December 30, 2020 as it relates to using EAMC's SNF unit for acute care beds, shall be terminated as of February 22, 2021. The COVID census at EAMC has been steadily declining the last several weeks and there is no longer a need to use the beds located on the EAMC SNF unit as acute care beds. On February 22, 2021, EAMC will be reopening their skilled nursing unit with all twenty-six (26) beds being used as skilled nursing facility beds.

If you have any questions or need any additional information, please reach out to Marcilla Gross at (334) 528-5825 or marcilla.gross@eamc.org.

Sincerely,



Laura D. Grill
President/Chief Executive Officer



STATE HEALTH PLANNING AND DEVELOPMENT AGENCY

100 NORTH UNION STREET, SUITE 870
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

Nov 16 2020

STATE HEALTH PLANNING AND
DEVELOPMENT AGENCY

WAIVER IDENTIFICATION: TW2021-007

REQUEST FOR CERTIFICATE OF NEED WAIVER

FACILITY ID NO.: 081-6530760 COUNTY: Lee

FACILITY/PROVIDER NAME: East Alabama Medical Center

STREET ADDRESS: 2000 Pepperell Parkway

CITY: Opelika ZIP CODE: 36801

AUTHORIZED REPRESENTATIVE: Laura D. Grill

TITLE: President/CEO EMAIL ADDRESS: laura.grill@eamc.org

DIRECT TELEPHONE NUMBER: (334) 528-1310

TYPE OF FACILITY/PROVIDER: Hospital

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.

As the PHE continues due to the Covid-19 pandemic, East Alabama Medical Center ("EAMC") plans to temporarily close its Skilled Nursing Facility ("SNF") unit to use beds on that unit as acute care beds to help treat medical patients. EAMC currently is licensed for 314 acute care beds; however, some of those beds are not operational and staffed because they are in double occupancy rooms. EAMC's SNF unit is licensed for 26 skilled nursing unit beds. The census on the SNF unit during the current pandemic has remained low and EAMC can currently accommodate additional Skilled Nursing Unit patients at its Oak Park and EAMC-Lanier facilities. EAMC will only use 16 of the beds on the SNF unit and will not exceed its licensed bed capacity of 314. The remaining 10 beds on the SNF unit will be closed and used for temporary office space.

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):

The demand for acute care medical beds has been high and the increasing demand has been difficult for EAMC to manage during the current PHE. Beginning Monday, November 30, 2020, EAMC plans to temporarily close its SNF unit and use the unit to treat acute care patients during the remainder of the PHE or until the additional medical beds are no longer needed on this unit, whichever comes first. These beds will be for medical overflow and allow EAMC to appropriately manage the needs of its two surgical units as well as continue to manage COVID bed demand.

Projected Construction/Renovation Costs: \$ 0.00

Projected Equipment Costs: \$ 0.00

Projected date additional services/equipment will be available for service: 11/30/2020

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


Signature of Authorized Officer

11/16/2020
Date

Laura D. Grill
Printed Name

President/CEO
Title

Sworn to and subscribed before me this 16 day of November, 2020.


Notary Public

My Commission Expires: 9/12/2021



AFFIRMED BY EXECUTIVE DIRECTOR:



11/17/2020
Date

East Alabama Medical Center's Proposal to Temporarily Close SNF Unit and Use as Acute Care Unit During the Public Health Emergency ("PHE")

As the PHE continues due to the Covid-19 pandemic, East Alabama Medical Center ("EAMC") plans to temporarily close its Skilled Nursing Facility ("SNF") unit to use beds on that unit as acute care beds to help treat medical patients. The demand for acute care medical beds has been high and the increasing demand has been difficult for EAMC to manage. EAMC currently is licensed for 314 acute care beds; however, some of those beds are not operational and staffed because they are in double occupancy rooms. EAMC's SNF unit is licensed for 26 skilled nursing unit beds. The census on the SNF unit during the current pandemic has remained low and EAMC can currently accommodate additional Skilled Nursing Unit patients at its Oak Park and EAMC-Lanier facilities. Beginning Monday, November 30, 2020, EAMC plans to temporarily close its SNF unit and use the unit to treat acute care patients during the remainder of the PHE or until the additional medical beds are no longer needed, whichever comes first. EAMC will only use 16 of the beds on the SNF unit and will **not** exceed its licensed bed capacity of 314. The remaining 10 beds on the SNF unit will be closed and used for temporary office space.

There will be no construction needed, no purchase of equipment or furnishing, nor any new operating expense for this temporary conversion.

Below you will find a schematic of the entire EAMC Skilled Nursing Facility.

Schematic of EAMC Skilled Nursing Facility



As you can see from the unit's schematic. The unit is comprised of two main hall ways. The East West Hall (yellow on schematic) which has 16 private rooms/beds and the North Hall (green on schematic) which has 10 private rooms/beds. For purposes of this request, the beds that will be used are on the East West Hall which is 16 beds. The other hall will be closed and used for temporary office space.

Schematic of East West Hall – 16 Beds to Be Used for Acute Care

