

410-1-7-.04 Notice of Change of Ownership

- (1) Any change in ownership of an existing health care facility, other than a stock purchase only, shall require that a notice of change in ownership be provided to the State Agency by the acquiring entity at least thirty (30) days before the transaction occurs.
- (2) The notice of change of ownership shall be delivered in writing to the Executive Director of the State Agency, accompanied by a reviewability determination fee of \$2,000.00 before the transaction occurs. If there will be no change in service, conversion of beds, or increase in bed capacity, the Executive Director may determine that a Certificate of Need is not required.
- (3) The notice shall include:
 - (a) the financial scope of the project to include the preliminary estimate of the costs broken down by equipment, construction, and yearly operating cost;
 - (b) the services to be offered by the proposal (the applicant will state whether he has previously offered the service and whether the service is an extension of a presently offered service, or whether the service is a new service);
 - (c) whether the proposal will include the addition of any new beds;
 - (d) whether the proposal will involve the conversion of beds;
 - (e) whether the assets and stock (if any) will be acquired; and
 - (f) any other information that the Executive Director shall deem necessary to insure a full understanding by the State Agency.
- (4) Any Request made pursuant to this rule shall be subject to the publication requirements of 410-1-7-.02, provided, however, the Executive Director may provide a determination or other response without regard to the time periods set forth in 410-1-7-.02.
- (5) Any Request that conveys ownership through a lease must be for a minimum of two (2) years.

Statutory Authority: § 22-21-275, Code of Alabama, 1975.

History: Amended: Filed March 26, 2012; effective April 30, 2012