

**CERTIFICATION OF ADMINISTRATIVE RULES
FILED WITH THE LEGISLATIVE SERVICES AGENCY
OTHNI LATHRAM, DIRECTOR**

(Pursuant to Code of Alabama 1975, §41-22-6, as amended).

I certify that the attached is/are correct copy/copies of rule/s as promulgated and adopted on Wednesday, October 15, 2025, and filed with the agency secretary on Wednesday, October 15, 2025.

AGENCY NAME: State Health Planning and Development Agency

INTENDED ACTION: Amend

RULE NO.: 410-1-7-.04
(If amended rule, give specific paragraph, subparagraphs, etc., being amended)

RULE TITLE: Notice Of Change Of Ownership

ACTION TAKEN: State whether the rule was adopted with or without changes from the proposal due to written or oral comments:

Adopted without changes. No public comments were received; the rule was adopted without changes and as published for comment in the Alabama Administrative Monthly.

NOTICE OF INTENDED ACTION PUBLISHED IN VOLUME XLIII, ISSUE NO. 11, AAM,
DATED FRIDAY, AUGUST 29, 2025.

STATUTORY RULEMAKING AUTHORITY: Code of Ala. 1975, 22-21-270

(Date Filed)
(For LRS Use Only)

REC'D & FILED
OCT 17, 2025
LEGISLATIVE SVC AGENCY

Emily Marsal

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Certifying Officer or his or her
Deputy

(NOTE: In accordance with §41-22-6(b), as amended, a proposed rule is required to be certified within 90 days after completion of the notice.)

(1) A notice of a change in ownership or control of a health care facility or service for which a CON has been granted shall be provided to the State Agency by the acquiring entity at least twenty (20) days before the transaction occurs, unless a shorter period is authorized for good cause shown by the Executive Director.

(2) The notice of change of ownership or control shall be filed pursuant to Rule 410-1-3-.09 on forms approved by the State Agency, accompanied by a reviewability determination fee of \$3,000.00 before the transaction occurs. Any transfer of ownership or control of a CON that has not become "vested" under Code of Ala. 1975, §22-21-270(d) must meet the requirements of Code of Ala. 1975, §22-21-270(e) to qualify for an exemption from CON review. The Executive Director shall issue a letter confirming the non-reviewability of any transfer of ownership or control that qualifies for an exemption under Code of Ala. 1975, §22-21-270.

(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 ensure a full understanding by the State Agency.

(4) Any request made pursuant to this rule shall be subject to the publication requirements of Rule 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 Rule 410-1-7-.02.

(5) All required filing fees must be submitted to the State Agency via overnight mail and marked in such a way as to clearly identify the fee with the electronic submission; or the fee may be submitted electronically via the payment portal available through the State Agency's website.

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Statutory Authority: Code of Ala. 1975, §22-21-270.

History: Amended: Filed March 26, 2012; effective April 30, 2012. **Amended:** Filed June 25, 2012; effective July 30, 2012.

Amended: Filed September 19, 2013; effective October 24, 2013.

Amended: Filed August 23, 2016; effective October 7, 2016.

Amended: Published October 31, 2025; effective December 15, 2025.