

APA-1

TRANSMITTAL SHEET FOR NOTICE
OF INTENDED ACTION

Control: 410

Department or Agency: State Health Planning and Development Agency

Rule No.: 410-1-7-.05

Rule Title: Letter Of Intent

Intended Action Amend

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? No

To what degree?: N/A

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

Are all facets of the rule-making 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? Yes

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

Toni Ferguson
Toni Ferguson

Date

Wednesday, August 20, 2025

REC'D & FILED
AUG 20, 2025

LEGISLATIVE SVC AGENCY

STATE HEALTH PLANNING AND DEVELOPMENT AGENCY

NOTICE OF INTENDED ACTION

AGENCY NAME: State Health Planning and Development Agency

RULE NO. & TITLE: 410-1-7-.05 Letter Of Intent

INTENDED ACTION: Amend

SUBSTANCE OF PROPOSED ACTION:

This amendment increases the filing fee of all Letters of Intent filed with the State Health Planning and Development Agency.

TIME, PLACE AND MANNER OF PRESENTING VIEWS:

On October 15, 2025, at 10:00 a.m., the Certificate of Need Review Board (CONRB) will conduct a public hearing at which time it shall consider the proposed amendment 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 to opportunity to speak. The location of the meeting will be posted to the Agency's website, www.shpda.alabama.gov.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

Friday, October 3, 2025

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

Toni Ferguson

Toni Ferguson

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

(1) A letter of intent must be filed electronically pursuant to Rule 410-1-3-.09 at least thirty (30) days prior to submission of a formal application, and shall be accompanied by a possessing fee of ~~\$250.00~~\$300.00. The processing fee 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.

(2) The letter of intent must contain as a minimum the information addressed in Rule 410-1-7-.04(3)(a)-(f). All letters of intent should be directed to the executive director of the state agency.

(3) The letter of intent must include the anticipated date of filing the formal application with the state agency.

(4) A letter of intent shall remain effective for a period of six (6) months from the date of receipt by the state agency. If no application is received by the state agency within the six-month period, the letter of intent will be rendered null and void.

(5) For those projects eligible for batching, use of the letter of intent in Rule 410-1-7-.19 should be noted.

—
Author: ~~Alva M. Lambert~~Emily T. Marsal

Statutory Authority: Code of Ala. 1975, §22-21-275(17).

History: **Amended:** Filed July 24, 2012; effective August 28, 2012. **Amended:** Filed August 23, 2016; effective October 7, 2016. **Amended:** Published ; effective .

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

Control No: 410

Department or Agency: State Health Planning and Development Agency

Rule No: 410-1-7-.05

Rule Title: Letter Of Intent

Intended Action: Amend

 This rule has no economic impact.

Yes This rule has an economic impact, as explained below:

1. NEED/EXPECTED BENEFIT OF RULE:

This amendment increases the fee of Letter of Intent filings utilized to fund the State Health Planning and Development Agency. The fee is authorized by Act 2012-294.

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

None.

3. EFFECT OF THIS RULE ON COMPETITION:

None.

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

None.

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

None.

APA-6

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

None.

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

None.

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

None.

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

None.

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

None.

Signature of certifying officer

Toni Ferguson

Toni Ferguson

Date

Wednesday, August 20, 2025