

LENORA W. PATE

ATTORNEY AT LAW

(205) 930-5162

lpate@sirote.com

December 7, 2009

VIA EMAIL AND FEDERAL EXPRESS

Mr. Alva M. Lambert
Executive Director
State Health Planning and Development Agency
100 North Union Street, Suite 870
Montgomery, AL 36130

Re: **Hospice Services of Alabama, LLC**
Project No. AL2010-099 – Medicare No. 01-1629
Request to Correct Notice and Review Schedule

Dear Mr. Lambert:

As you know, our firm has the pleasure of representing Hospice Services of Alabama, LLC (“Hospice Services of Alabama”). This letter is to request, on behalf of Hospice Services of Alabama, a correction to the Notice from the State Health Planning and Development Agency (“SHPDA”), dated December 4, 2009, enclosing SHPDA’s review schedule (“Review Schedule”) for Hospice Services of Alabama’s pending CON Application, Project No. AL 2010-099 – Medicare No. 01-1629 (“CON Application”).

Section 7 of the Review Schedule, entitled “Brief Description of Project”, incorrectly states:

7. BRIEF DESCRIPTION OF PROJECT (Change in bed capacity, service, equipment, service units proposed, etc.): The applicant is applying to provide hospice services under the Certificate of Need Program for the following counties: Autauga, Bibb, Blount, Chilton, Cullman, Jefferson, Shelby, St. Clair, Talladega and Walker. These counties will be served under Medicare Provider No. 01-1629 and may not be transferred or divided.

This is an incorrect listing of the counties for which Hospice Services of Alabama is applying for a CON, as the Review Schedule lists only 10 of the 24 counties for which Hospice Services of Alabama requested CON approval.

Please revise section 7 of the Review Schedule, entitled “Brief Description of Project”, to correctly read as follows:

7. BRIEF DESCRIPTION OF PROJECT (Change in bed capacity, service, equipment, service units proposed, etc.): The applicant is applying to provide hospice services under the Certificate of Need Program for the following counties: Autauga, Bibb, Blount, Calhoun, Cherokee, Chilton, Clay, Coosa, Cullman, DeKalb, Elmore, Etowah, Jackson, Jefferson, Madison, Marshall, Montgomery, Morgan,

S I R O T E
— & —
P E R M U T T
A PROFESSIONAL CORPORATION

RECEIVED

DEC 08 2009

**STATE HEALTH PLANNING
AND DEVELOPMENT AGENCY**

Mr. Alva M. Lambert
December 7, 2009
Page 2

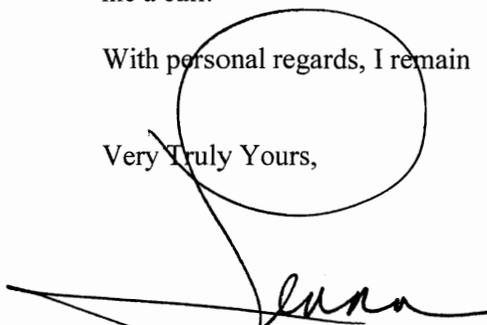
Shelby, St. Clair, Talladega, Tallapoosa, Tuscaloosa, and Walker. These counties will be served under Medicare Provider No. 01-1629 and may not be transferred or divided.

Your previous letter of November 25, 2009, confirmed that the Application would be deemed complete; however, you stated that “[a]s Mr. Sanders discussed with you, counties for which no acceptable billing was received will be noted in the staff report as licensed but without billings for the specified timeframe.” Accordingly, the CON Application Review Schedule should be revised to correctly list all of Hospice Services of Alabama’s requested counties.

We look forward to receiving the corrected Review Schedule and Notice as soon as possible with copies as required to interested parties. If you have any questions or would like to discuss further, please give me a call.

With personal regards, I remain

Very Truly Yours,



Lenora W. Pate
FOR THE FIRM

LWP/ac
Enclosure

c: James E. Sanders
Betty Schoenfeld
Cheryl H. Oswald, Esq.