

**RESOLUTION OF THE ALABAMA
CERTIFICATE OF NEED REVIEW BOARD**

WHEREAS Alabama’s Certificate of Need Law at ALA. CODE § 22-21-260(6) defines a “health care facility” as including, among other things, “facilities for surgical treatment of patients not requiring hospitalization...”; and

WHEREAS, the State Health Plan section addressing ambulatory surgery, found at Ala. Admin. Code 410-2-4-.12, does not provide specific criteria regarding need or other qualifications for the establishment or expansion of ambulatory surgical centers; and


WHEREAS, in recognition of the need to gather the information needed to adopt “meaningful planning policies” regarding the creation and expansion of ambulatory surgical centers, the Statewide Health Coordinating Council (“SHCC”), imposed additional reporting requirements on existing ambulatory surgical centers and hospitals in 2016; and

WHEREAS, the SHCC is in the process of developing a need methodology for ambulatory surgery centers based on such reporting data and other developments; and

WHEREAS, the CON Board would benefit from further direction and guidance from the SHCC prior to consideration of future CON applications for new ambulatory surgical centers;

IT IS RESOLVED that the CON Board requests that the SHCC give expeditious consideration to potential revisions to those sections of the State Health Plan governing ambulatory surgery centers to provide the CON Board with more specific guidance as to need and other approval criteria.

Adopted by unanimous vote of the Certificate of Need Review Board on February 15, 2023.



Swaid N. Swaid, M.D., Chairman
Certificate of Need Review Board

February 15, 2023

Date