



DIALYSIS CLINIC, INC.

A Non-Profit Corporation

H. Keith Johnson, M.D., Chairman of the Board
Douglas S. Johnson, M.D., Vice Chairman of the Board
Ed Attrill, President
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STATE HEALTH PLANNING
AND DEVELOPMENT AGENCY
1633 Church Street
Suite 500
Nashville, TN 37203
Phone: (615) 327-3061
Fax: (615) 329-2513

July 1, 2015

Via Overnight Delivery

Alva M. Lambert, Esq.
Executive Director
State Health Planning & Development Agency
100 North Union Street, Suite 870
Montgomery, AL 36104

Re: Non-Reviewability Determination Request
• **Dialysis Services of Decatur, LLC**

Dear Mr. Lambert:

I am writing to request, pursuant to Section 410-1-7-.02 of the Alabama Certificate of Need Program Rules and Regulations and Alabama Code § 22-21-260 *et seq.*, your determination that Dialysis Services of Decatur, LLC, a joint venture in which Dialysis Clinic, Inc. will be majority interest-holder and manager, may establish and operate a new ten (10) station dialysis facility (the "Proposed Facility") in Decatur, Alabama, located in Morgan County, without requiring Certificate of Need ("CON") review. Attached is a check for \$1,000.00 in payment for the applicable fee. To assist with your determination, we offer the following information:

Pursuant to Alabama Code § 22-21-278(b), a dialysis facility located in a Class 3, 4, 5, 6, 7, or 8 municipality, as defined by Alabama Code § 11-40-12(a), which contains no more than ten (10) freestanding hemodialysis stations is not subject to CON review. However, pursuant to Alabama Code § 22-21-278(c), this exemption from CON review does not apply to a dialysis facility located in a Class 4, 5, 6, 7, or 8 municipality if such municipality, or any part of such municipality, is located in a county in which a Class 1, 2, or 3 municipality, or any part thereof, is located.

The location for the Proposed Facility is Decatur, Alabama, a Class 5 municipality, located in Morgan County. Morgan County does not contain a Class 1, 2, or 3 municipality. Therefore, the Proposed Facility meets the exemption criteria set forth in Alabama Code § 22-21-278(b) and a CON is not required for the project.

Based upon the above, we respectfully request your determination that the Proposed Facility is exempt from CON review. Please feel free to contact me at (615) 963-9652 or anna.long-humphrey@dcinc.org if you have any questions regarding this matter.

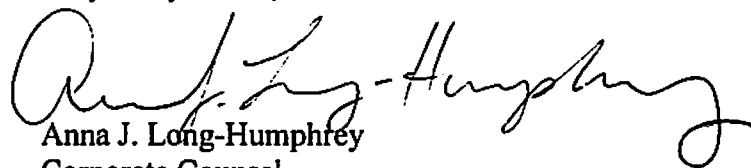
DIALYSIS CLINIC, INC.

Alva M. Lambert, Esq.

July 1, 2015

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Very Truly Yours,

A handwritten signature in black ink, appearing to read "Anna J. Long-Humphrey". The signature is fluid and cursive, with a large initial "A" and a long, sweeping tail.

Anna J. Long-Humphrey
Corporate Counsel

Enclosure

cc: Daniel Soldato, Esq.