



RV2023-032R

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STATE HEALTH PLANNING AND
DEVELOPMENT AGENCY

GREGG BRANTLEY EVERETT
DIRECT DIAL: (334) 409-2228
EMAIL: GEVERETT@GILPINGIVHAN.COM

August 22, 2023

SENT THIS DATE VIA EMAIL TO:

Emily.marsal@shpda.alabama.gov; and
shpda.online@shpda.alabama.gov

Emily Marsal, Executive Director
Alabama State Health Planning and Development Agency
RSA Union Building
100 North Union Street, Suite 870
Montgomery, Alabama 36104

Re: Reviewability Request
Dale Medical Center
New Service Project
Our File No.7790.1008

Dear Ms. Marsal:

This law firm represents The Dale County Health Care Authority, which owns and operates the Dale Medical Center (Dale) in Ozark, Alabama. Ozark, in turn, is located in Dale County, Alabama, which is a county designated as rural by CMS (formerly the Health Care Financing Administration). Dale has been in operation since 1951 in Ozark, Alabama. No filing fee is submitted with this reviewability request because Dale is a rural hospital.

The purpose of this letter is to request confirmation in writing that Dale is not subject to CON review prior to entering into contracts for a project that will result in Dale providing a new service through a wound care center. The service will be housed in a building on the medical center campus. This letter is filed pursuant to Section 22-21-263, *Code of Alabama*, 1975, and Rule No. 410-1-7-.02, as well as any other pertinent laws or regulations. The project will allow Dale to provide wound care services on an outpatient basis to the citizens of Dale County. The project will not result in any increase of the number of inpatient beds at Dale.

The following information is provided as a part of this request:

- 1) Name of applicant: The Dale County Health Care Authority; d/b/a Dale Medical Center; 126 Hospital Avenue; Ozark, Alabama 36360.

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- 2) Address and contact information: Vernon Johnson, CEO; Dale Medical Center; 126 Hospital Avenue; Ozark, Alabama 36360. Phone number: 334-774-2224; Email: vernon.johnson@dalemedical.org.
- 3) Service area: Dale County, Alabama.
- 4) Services to be provided: Hospital Based Wound Care.
- 5) Financial breakdown, approximate costs:
 - a. Equipment and Furniture: \$10,000.00
 - b. First year new annual operating costs: \$510,586.00
 - c. Capital Costs:
 1. Leases: 0.00
 2. Land/building costs: 0.00
 3. Construction costs: \$10,000.00
- 6) No other health care facility has a financial interest in the proposed project.
- 7) Attestation: Below.

As of September 23, 2022, the CON thresholds are: \$3,241,543.00 for major medical equipment, \$1,296,615.00 for new annual operating costs, and \$6,483,085.00 for any other capital expenditures. All of the projected expenditure amounts for this project are well within the three thresholds.

We request SHPDA's determination that the proposed construction of a wound care center on Dale's campus is not subject to CON Review because it does not involve any expenditure in excess of the CON monetary thresholds and because the medical center is rural and is exempt from CON review under the CON statutes and regulations for the provision of this service.

Once your approval is received, Dale will apply to the Alabama Department of Public Health (Public Health) for approval of the construction plans and then enter into contracts in Dale County, Alabama. Public Health will require confirmation in writing of Dale's exemption from CON review, in order to proceed with the approval of the construction plans.

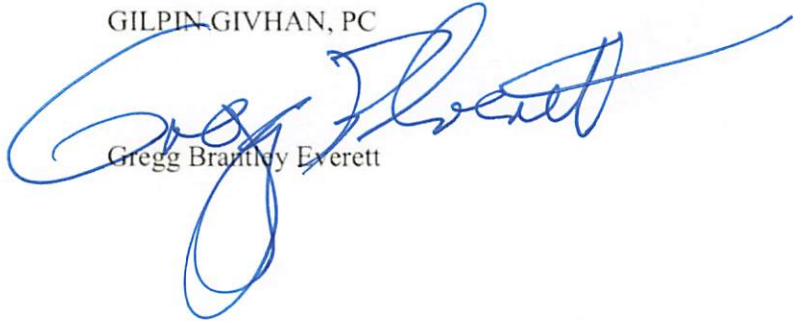
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Thank you for your timely response to this request. Please contact me at your convenience should you have any questions, or need additional information regarding this matter.

Very truly yours,

GILPIN GIVHAN, PC



Gregg Brantley Everett

AFFIRMATION OF REQUESTING PARTY

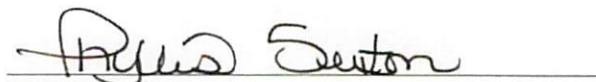
The undersigned, Vernon L. Johnson, being first duly sworn, hereby makes oath or affirms that he is **Administrator/CEO** of Dale Medical Center, has knowledge of the facts in this request; and, to the best of his information, knowledge and belief, such facts are true and correct.

AFFIANT


VERNON L. JOHNSON

SUBSCRIBED AND SWORN to before me this 22nd day of August, 2023.

[SEAL]


Notary Public
My Commission Expires:

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| Phyllis Sexton Notary Public, Alabama State At Large My Commission Expires SEP. 08 2026 |
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