



July 12, 2024

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

Re: Request for Determination of Non-Reviewability Status
Submitted by: The Summit Health & Rehab Services, Inc.

Dear Ms. Marsal,

Pursuant to *Ala. Admin. Code* r. 410-1-7-.02, The Summit Health & Rehab Services, Inc. ("The Summit") requests a determination that physical, occupational, and speech therapy services provided by The Summit under contract with the HMR Veteran Services, Inc. ("HMR"), the contracted provider of services that manages the operations of all five of the State Veterans Homes for the Alabama Department of Veterans Affairs, is not subject to Certificate of Need ("CON") review under *Ala. Code* 22-21-260 et seq. or the Rules and Regulations of the State Health Planning and Development Agency ("SHPDA"). Pursuant to *Ala. Admin. Code* r. 410-1-7-.02, a check in the amount of One Thousand Dollars (\$1,000.00) made payable to SHPDA is enclosed for the filing fee. To assist with your determination, we submit the following information:

Under contract with HMR, The Summit currently provides physical, occupational, and speech therapy services to the Alabama Department of Veterans Affairs for the veterans living in the following State Veterans Homes:

Bill Nichols State Veterans Home
1784 Elkahatchee Road
Alexander City, AL 35010

Floyd E. "Tut" Fann State Veterans Home
2701 Meridian Street
Huntsville, AL 35811

William F. Green State Veterans Home
300 Faulkner Drive
Bay Minette, AL 36507

Colonel Robert L. Howard State Veterans Home
7054 Veterans Parkway
Pell City, AL 35125

Through its contractual arrangement with HMR, The Summit desires to expand its delivery of physical, occupational, and speech therapy services to the Alabama Department of Veterans Affairs for the veterans that will be located at the newly constructed State Veterans Home:

CSM Bennie G. Adkins State Veterans Home
552 Veterans Parkway
Enterprise, AL 36330

Accordingly, based on the above, The Summit requests your determination that the operation of physical, occupational, and speech therapy services at CSM Bennie G. Adkins State Veterans Home is not subject to CON review under Ala. Code 22-21-260 et seq. or the Rules and Regulations of SHPDA.

I appreciate your response to this matter and please do not hesitate to contact me should you need additional information. I can be reached at (410) 858-0211 or via email at tguild@healthpro-heritage.com.

Sincerely,



Thomas Guild
Executive Vice President & General Counsel
tguild@healthpro-heritage.com
Requesting Party

Requesting Party's Oath to follow on the next page.

STATE OF MARYLAND
COUNTY OF BALTIMORE

Affirmation of Requesting Party:

The undersigned, being first duly sworn, hereby make oath or affirm that he is the Executive Vice President and General Counsel for the Requesting Party, 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:



Thomas Guild

Executive Vice President and General Counsel for the Requesting Party

SUBSCRIBED AND SWORN to before me this 12th day of July, 2024.

My commission expires 5/4/25.


Notary Public



August 9, 2024

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

Re: RV2024-031
The Summit Health & Rehab Services, Inc.

Dear Ms. Marsal,

Thank you for your letter dated July 19, 2024, in response to the above referenced Reviewability Determination Request (the "Determination Request"). As set out in the Determination Request, The Summit Health & Rehab Services, Inc. ("The Summit"), under contract with HMR Veteran Services, Inc. ("HMR"), currently provides physical, occupational, and speech therapy services to the Alabama Department of Veterans Affairs for the veterans living in four (4) State Veterans Homes. Through its contractual arrangements with HMR, The Summit desires to expand its delivery of physical, occupational, and speech therapy services to the to the Alabama Department of Veterans Affairs for the veterans that will be located at CSM Bennie G. Adkins State Veterans Home in Enterprise, AL.

The Summit respectfully submits the following responses to the State Health Planning and Development Agency's request for additional information:

Request 1. Please provide clarification as to the service area for the proposed project. ALA. ADMIN. CODE r. 410-1-2-.03 defines the service area as the county in which the service will be provided in the absence of a designated geographical service area.

Response: The services area for the expanded services will be Coffee County.

Request 2. Pursuant to ALA. ADMIN. CODE r. 410-1-4-.01, this proposal will not exceed any of the Certificate of Need expenditure thresholds in effect at the time of this filing, which were \$3,322,582.00 for major medical equipment; \$1,327,734.00 for new annual operating costs; and \$6,638,679.00 for capital expenditures. Please provide the approximated costs of the proposal to include equipment and first year annual operating costs.

Response 2: The Summit's expansion of physical, occupational, and speech therapy services to the Alabama Department of Veterans Affairs for the veterans that will be located at CSM Bennie G. Adkins State Veterans Home in Enterprise, AL will not exceed any of the Certificate of Need expenditure thresholds in effect at the time of filing the

Determination Request. The approximated cost, including equipment and first year annual operating costs, for the expansion of physical, occupational, and speech therapy services to the veterans that will be located at CSM Bennie G. Adkins State Veterans Home in Enterprise, AL is \$500,000.00.

Request 3. Please provide the Agency with a disclosure of financial interests in the entity requesting the reviewability determination held by any other healthcare facilities or groups.

Response 3: No other healthcare facilities or groups have a financial interest in The Summit.

I appreciate your response to this matter and please do not hesitate to contact me should you need additional information. I can be reached at (410) 858-0211 or via email at tguild@healthpro-heritage.com.

Sincerely,



Thomas Guild
Executive Vice President & General Counsel
tguild@healthpro-heritage.com
Requesting Party

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The undersigned, being first duly sworn, hereby make oath or affirm that he is the Executive Vice President and General Counsel for the Requesting Party, 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:



Thomas Guild

Executive Vice President and General Counsel for the Requesting Party

SUBSCRIBED AND SWORN to before me this 9th day of August, 2024.

My commission expires 5/4/25.


Notary Public