



September 30, 2024

RV2024-041
RECEIVED
Sep 30 2024

STATE HEALTH PLANNING AND
DEVELOPMENT AGENCY

VIA Electronic Filing: shpda.online@shpda.alabama.gov

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

RE: Request for Reviewability Determination
The Board of Trustees of the University of Alabama for the University of Alabama Hospital
UAB Hospital – Highlands, 1st Floor
Provider-Based Rehabilitation Gym

Ms. Marsal:

Pursuant to Alabama Certificate of Need Rules and Regulations, "CON Rules") 410-1-7-.02, The Board of Trustees of the University of Alabama for the University of Alabama Hospital ("Board") respectfully requests your review and determination that the Board does not require a Certificate of Need ("CON") from the State Health Planning and Development Agency to initiate and complete the renovation of the 1st Floor of UAB Hospital – Highlands to accommodate a Provider-Based Rehabilitation Gym ("UAB Hospital – Highlands Provider-Based Gym").¹ To complete your review, the Board submits the following information:

The Board is designating a portion of the 1st Floor at UAB Hospital – Highlands as a provider-base department. Currently, the space is utilized for outpatient rehabilitation services. The project will make changes to the space that are necessary to meet the 2014 *GF1 Guidelines for Design and Construction of Hospital and Outpatient Facilities* and improve the overall functionality. The provider-based rehabilitation area will include a large gym with exercise equipment, ten (10) curtained treatment spaces, an enclosed Concussion Room, a patient bathroom, and two (2) staff work areas. Renovation to adjacent staff offices, support spaces, and the current physical therapy waiting room is also included in the proposed project. The construction budget for the project is \$3,548,000. There will be \$75,000 of new equipment planned for the space, and First Year Annual Operating Costs are projected to be \$1,282,559.

The proposed construction will not exceed any of the CON expenditure thresholds as set forth in CON Rule 410-1-2-.07, which, effective October 1, 2023, are \$3,322,582 for major medical equipment; \$1,327,734 for new annual operating costs; and \$6,638,679 for other capital expenditures.

¹ The University of Alabama Hospital, an academic medical center and the largest hospital in the State of Alabama, is a division of the Board. The hospital is comprised of two acute care hospitals: University Hospital (the main hospital) and UAB Hospital – Highlands, and located within a few blocks of each other in Birmingham, Alabama. Together, the hospitals comprise the University of Alabama at Birmingham ("UAB") Hospital Campus. The hospitals operate under the same SHPDA ID number, under one Tax ID number, under one Medicare and Medicaid provider number, and under one hospital license (H3717) issued by the Alabama Department of Public Health.

The Board submits this request due to a recent change in policy at the Alabama Department of Public Health ("ADPH"), which now requires either a Certificate of Need or a Letter of Non-Reviewability for all construction projects if those projects result in a facility renovation or modification, which triggers a Life Safety Inspection. The UAB Hospital – Highlands Provider-Based Gym will trigger an ADPH Life Safety Inspection. However, the proposed project will result in neither an increase in the number of licensed inpatient hospital beds nor will the project result in a reclassification of beds. No new institutional health services will be offered because of the construction project, and the hospital's existing medical service area, which is comprised of Jefferson, Blount, St. Clair, Walker, Shelby, Bibb, and Chilton counties, will remain the same. Additionally, the UAB Hospital – Highlands Provider-Based Gym project meets the criteria specified in CON r. 410-1-4-.01(1)(j).

We respectfully request your determination that the UAB Hospital – Highlands Provider-Based Gym project is not subject to CON Review and is not required to obtain a CON. The \$1,000.00 filing fee has been submitted electronically. A copy of the confirmation of payment is attached.

Should you have any questions regarding the proposed project, please do not hesitate to contact me directly at cransburgbrown@uasystem.edu.

Respectfully Submitted,

Cynthia

C. Ransburg-Brown, JD
University Counsel
UAB Medicine Enterprise

Affirmation of Requesting Party

The undersigned, being first duly sworn, hereby makes an oath or affirms that she is legal counsel for The University of Alabama Hospital, has knowledge of the facts in the attached Reviewability Determination Request, and to the best of her information, knowledge, and belief, such facts are true and correct.

AFFIANT

Cynthia Ransburg-Brown

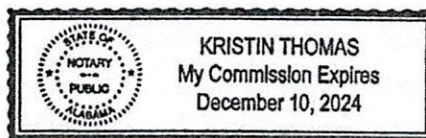
(SEAL)

SUBSCRIBED AND SWORN to before me on this the 30th day of September, 2024.

Kristin Thomas

Notary Public
Alabama, Jefferson County

My commission expires 12/10/24





RV2024-041

RECEIVED

Oct 15 2024

STATE HEALTH PLANNING AND
DEVELOPMENT AGENCY

October 14, 2024

VIA Electronic Filing: shpda.online@shpda.alabama.gov

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

RE: Request for Additional Information – RV2024-041
The Board of Trustees of the University of Alabama for the University of Alabama Hospital
(UAB Hospital – Highlands, 1st Floor)
SHPDA ID: 073-6530304

Ms. Marsal:

This letter is in follow up to your request for additional information regarding Reviewability Determination Request RV2024-041, filed by the Board of Trustees of the University of Alabama for the University of Alabama Hospital, which seeks a reviewability determination pursuant to Certificate of Need ("CON") Rules and Regulations r. 410-1-7-.02, regarding its plan to initiate and complete the renovation of the first floor of UAB Hospital – Highlands to accommodate a provided-based rehabilitation gym ("UAB Hospital- Highlands, 1st Floor").

Per your request, please note the following additional information:

- 1. Please provide the Agency with the physical address for the proposed UAB Hospital- Highlands, 1st Floor renovation in Birmingham, Alabama.**

The physical address for UAB Hospital – Highlands is 1201 11th Avenue, South Birmingham, Alabama 35205.

- 2. Please provide clarification as to the service area for the proposed project. Ala. Admin. Code r. § 410-1-2-.03 defines the service as the county in which the service will be provided in the absence of a designated geographical area.**

In accordance with Ala. Admin. Code r. § 410-1-2-.03, the health service area for the UAB Hospital- Highlands, 1st Floor project is Jefferson County.

- 3. Provide a disclosure of financial interests in the entity requesting the reviewability determination held by any other healthcare facilities or groups.**

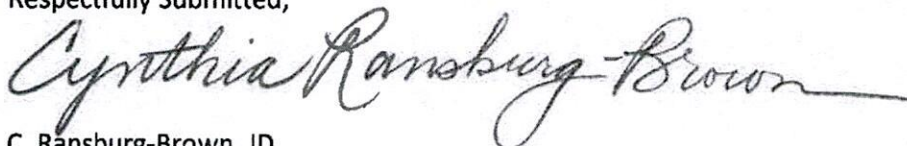
No other entity holds any financial interests in the applicant, Board of Trustees of the University of Alabama. The University of Alabama Hospital is an operating division of, and wholly owned by, the Board of Trustees of the University of Alabama, which is an agency of the State of Alabama.

We submit this information in response to your request for additional information and respectfully request your

determination that the UAB Hospital - Highlands, 1st Floor project is not subject to Certificate of Need ("CON") Review and is not required to obtain a CON.

Should you have any questions regarding the proposed project, please do not hesitate to contact me directly at cransburgbrown@uasystem.edu.

Respectfully Submitted,

A handwritten signature in cursive script that reads "Cynthia Ransburg-Brown". The signature is written in dark ink and has a long, horizontal flourish extending to the right.

C. Ransburg-Brown, JD
University Counsel
UAB Medicine Enterprise