



RV2024-043

RECEIVED

Sep 30 2024

STATE HEALTH PLANNING AND  
DEVELOPMENT AGENCY

September 30, 2024

VIA Electronic Filing: [shpda.online@shpda.alabama.gov](mailto: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  
Purchase and Installation of Equipment for Brachytherapy  
Hazelrig-Salter Radiation Oncology Center, 1<sup>st</sup> Floor

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 its purchase and installation of equipment for brachytherapy at the Hazelrig-Salter Radiation Oncology Center ("HSROC Renovation") at the University of Alabama Hospital.<sup>1</sup> To complete your review, Board submits the following information:

The Board desires to purchase and install new simulation Computed Tomography ("CT") equipment that will enable providers to treat patients receiving brachytherapy on one treatment room. Currently, the procedure requires a patient to move between a procedure room, a CT scanner, and the high-dose radiation therapy room. After completion, HSROC will have one treatment room for these combined services. The construction budget for the project is \$632,000. There will be \$1,450,000 of new equipment planned for the space, and First Year Annual Operating Costs are projected to be \$538,000.

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.

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

<sup>1</sup> 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 Highlands Hospital, 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.



HSROC Renovation will trigger an ADPH Life Safety Inspection. The proposed project will neither increase in the number of licensed inpatient hospital beds nor will the proposed project result in a reclassification of beds. No new institutional health services will be offered because of the construction project and the hospital existing medical service area, which is comprised of Jefferson, Blount, St. Clair, Walker, Shelby, Bibb, and Chilton counties, will remain the same. Additionally, the HSROC Renovation project meets the criteria specified in CON r. 410-1-4-.01(1)(j).

We respectfully request your determination that the HSROC Renovation 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 for your review.

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

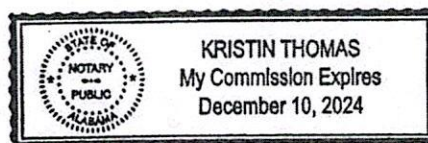
SUBSCRIBED AND SWORN to before me on this the 30th day of September, 2024.

*Kristin Thomas*

Notary Public

Alabama, Jefferson County

My commission expires 12/10/24





October 14, 2024

VIA Electronic Filing: [shpda.online@shpda.alabama.gov](mailto: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

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Oct 15 2024

STATE HEALTH PLANNING AND  
DEVELOPMENT AGENCY

RE: Request for Additional Information – RV2024-043  
The Board of Trustees of the University of Alabama for the University of Alabama Hospital  
(Hazelrig-Salter Radiation Oncology Center, First Floor)  
SHPDA ID: 073-6530304

Ms. Marsal:

This letter is in follow up to your request for additional information regarding Reviewability Determination Request RV2024-043, filed by the Board of Trustees of the University of Alabama for the University of Alabama Hospital, which seeks a reviewability determination regarding the plan to initiate and complete the purchase and installation of new simulation Computed Tomography (CT) equipment for the Hazelrig-Salter Radiation Oncology Center that will enable provider to treat patients receiving brachytherapy in one (1) treatment room ("Hazelrig-Salter Radiation Oncology Center, First Floor").

Please note the following additional information:

1. Please provide the Agency with the physical address for the proposed project at Hazelrig-Salter Radiation Oncology Center in Birmingham, Alabama.

The physical address for the Hazelrig-Salter Radiation Oncology Center is 1700 6th Avenue, South, Birmingham, Alabama 35205.

2. The request indicates that the application seeks to purchase and install new simulation Computed Tomography equipment and estimates \$632,000.00 in construction costs. Please provide additional details concerning the construction required for the proposed project.

The Hazelrig-Salter Radiation Oncology Center, First Floor project involves renovation of a 690-square-foot room to accommodate new CT simulation equipment for brachytherapy procedures. The scope of work includes general construction, fire protection, plumbing, mechanical, and electrical services. Demolition will be carried out to facilitate the installation of the equipment and to create an optimal, functional space. Mechanical upgrades include the installation of new ductwork to meet air exchange rate requirements. Plumbing work will provide a hand-washing station and duplicate medical gas systems. Electrical modifications will focus on relocating light fixtures due to the installation of a new ceiling and adding any necessary receptacles for minor equipment. The project will also incorporate updated finishes.



3. 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 Hazelrig-Salter Radiation Oncology Center, First Floor project is Jefferson County.

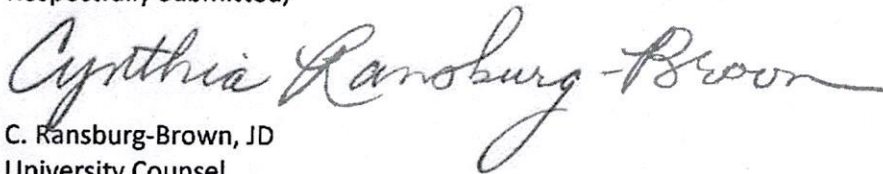
4. Provide a disclosure of financial interests in the entity request the reviewability determination held by any other health care facilities or groups.

No other entity holds any financial interest in the applicant, the 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, 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 Hazelrig-Salter Radiation Oncology Center, First 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](mailto:cransburgbrown@uasystem.edu).

Respectfully Submitted,



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