

**Jennifer Clark**

Partner

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January 2, 2025

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, AL 36104

RE: Request for Reviewability Determination  
Foley Hospital Company, LLC d/b/a Baldwin Health

Dear Ms. Marsal:

Our firm represents Foley Hospital Company, LLC d/b/a Baldwin Health ("Baldwin Health"), which operates Baldwin Health, a full-service acute care hospital located in Baldwin County, in the city of Foley. The purpose of this letter is to request your determination, pursuant to rule 401-1-7-.02 of the Alabama Certificate of Need Program Rules & Regulations ("CON Rules"), that Baldwin Health does not require a Certificate of Need ("CON") from the State Health Planning and Development Agency to pursue the construction project described in this letter. In order to assist with this determination, we offer the following information.

Baldwin Health proposes to replace the flooring throughout areas of its existing hospital building and Freestanding Emergency Department.

The proposed construction will not exceed any of the CON expenditure thresholds set forth in Section 410-1-2-.07 of the CON Rules, which effective October 1, 2024, are \$3,379,066 for major medical equipment, \$1,350,305 for new annual operating cost, and \$6,751,537 for other capital expenditures.

This proposed renovation will result in neither an increase in the number of licensed inpatient beds nor a reclassification of beds. Further, the renovation will not result in the implementation of a new institutional health service or change Baldwin Health's existing service area. Foley Hospital Company, LLC is a wholly-owned downstream subsidiary of Community Health Systems, Inc. No other health care facility or group holds an ownership interest in Foley Hospital Company, LLC d/b/a Baldwin Health.

For these reasons, the proposed renovation is not subject to CON review. *See* Ala. Code 1975, § 22-21-263; CON Rules 410-1-2-.07. We therefore respectfully request your determination that Baldwin Health is not required to obtain a CON in order to undertake the renovation described

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in this letter. We appreciate your consideration of this request, and we welcome the opportunity to address any questions regarding this matter. A check for \$1,000.00 in payment for the applicable fee will be delivered to your office. Thank you very much.

With Best Regards,

A handwritten signature in black ink that reads "Jennifer Clark". The signature is written in a cursive style, with the first letter of "Jennifer" being a large, stylized capital "J".

Jennifer Clark

Affirmation of Requesting Party:

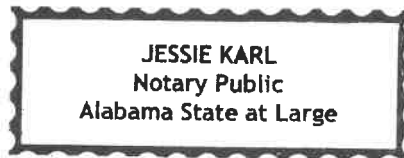
The undersigned, being first duly sworn, hereby makes oath or affirms that she, as Chief Executive Officer of Foley Hospital Company, LLC d/b/a Baldwin Health, has knowledge of the facts in the attached Request for Reviewability Determination, and to the best of his information, knowledge and belief, such facts are true and correct.



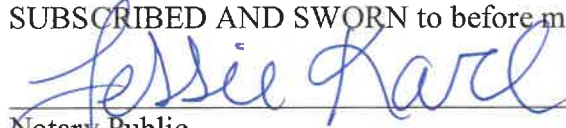
Margaret Roley

Chief Executive Officer, Foley Hospital Company, LLC d/b/a Baldwin Health

(SEAL)



SUBSCRIBED AND SWORN to before me this 2 day of January, 2025.



Notary Public

My commission expires: My Commission Expires  
March 15, 2028