



## STATE HEALTH PLANNING AND DEVELOPMENT AGENCY

100 NORTH UNION STREET, SUITE 870  
MONTGOMERY, ALABAMA 36104

### **NOTICE FOR ISSUANCE OF TEMPORARY WAIVER**

In the fifth supplemental State of Emergency for the COVID-19 pandemic, Governor Ivey gave the State Health Planning and Development Agency (Agency) the ability to promulgate rules in order to issue temporary waivers to the normal Certificate of Need (CON) process for providers specifically requiring additional capacity or services directly related to the State of Emergency declared for the COVID-19 pandemic.

The Agency has filed two emergency administrative rules: ALA. ADMIN. CODE r. 410-2-5-.09-E COVID-19 State of Emergency, passed by the Statewide Health Coordinating Council, and ALA. ADMIN. CODE r 410-1-10-.05-E Emergency Provisions Related to COVID-19 Emergency, passed by the Certificate of Need Review Board. Both of these emergency rules can be found on the SHPDA website.

**By filling out this attached form, the applicant has requested a temporary waiver under these emergency rules and it has been signed and notarized that this request is directly related to the COVID-19 pandemic. The affirmation by the SHPDA Executive Director is related solely to the addition and/or provision of any beds, stations, or services during the State of Emergency and succeeding 60-day period and does not affirm any permanent CON authority for such request. The affirmation shall also not be considered to be a waiver of any requirements related to the Alabama Department of Public Health or any other regulatory agency.**

Pursuant to ALA. ADMIN. CODE r. 410-2-5-.09-E (3), the request as affirmed, "shall automatically terminate on the earlier of (i) as applicable, the discontinuation of services or closure of facilities subject to the waiver; or (ii) sixty (60) days following the termination of the State of Emergency as recognized in the Declaration." Furthermore, the rule states, "[a]ny continued operation of institutional health services authorized under a waiver granted pursuant to this section will require a CON, which shall be subject to existing CON criteria and procedures, including compliance with the State Health Plan, without regard to emergency rules adopted by the CON Board or SHCC in response to the Declaration. It is the intent of this subsection that services, facilities or other new institutional health services established as a result a waiver be considered 'new' for purposes of an application for CON authority to extend such new institutional health services beyond the deadlines in this subsection."

In addition, pursuant to ALA. ADMIN. CODE r. 410-2-5-.09-E (4), "new institutional health services authorized on a temporary basis pursuant to a waiver granted under this rule shall not be considered for purposes of the permanent need methodology in the State Health Plan."

For any questions or concerns, please contact the Agency at (334) 242-4103.

MAILING ADDRESS: P.O. BOX 303025, MONTGOMERY, ALABAMA 36130-3025  
PHONE: (334) 242-4103 FAX: (334) 242-4113

FOR STAFF USE ONLY:

WAIVER IDENTIFICATION: TW2020-047

REQUEST FOR CERTIFICATE OF NEED WAIVER

FACILITY ID NO.: \_\_\_\_\_ COUNTY: Lauderdale

FACILITY/PROVIDER NAME: Genesis Eldercare Rehabilitation Services LLC

STREET ADDRESS: 213 Ana Drive

CITY: Florence ZIP CODE: 35630

AUTHORIZED REPRESENTATIVE: Louise Soika

TITLE: Chief Strategy Administrative Officer EMAIL ADDRESS: optragg@genesishcc.com

DIRECT TELEPHONE NUMBER: (800) 728-8808

TYPE OF FACILITY/PROVIDER: Rehab Provider OT/PT/SLP

Pursuant to a declaration issued by Governor Ivey on April 2, 2020, the following additional services are being enacted pursuant to Ala. Admin. Code r 410-2-5-.09-E and 410-1-10-.05-E.

Physical Therapy, Occupational Therapy and Speech-Language Pathology Services

Does this request involve an increase in: Beds No  Yes  Number 0

ESRD Stations No  Yes  Number 0

Provide a brief explanation of how these services will assist in the health and safety of citizens during the emergency (attach additional sheets if necessary):

Multiple Assisted Living providers have indicated to us that their residents are having a difficult time accessing rehabilitation services in the county due to the COVID 19 pandemic. These providers have requested the services of Genesis Rehabilitation Services to provide rehabilitation services on their campuses. Without access to rehabilitation services, these assisted living providers are reporting increased deficits, reduced mobility and negative affects to their residents due to social isolation. Currently there is only one other rehab provider in this county.

Projected Construction/Renovation Costs: \$ 0.00

Projected Equipment Costs: \$ 15,000.00

Projected date additional services/equipment will be available for service: 9/1/2020

If this Waiver request involves construction of a new facility and/or acquisition of new equipment, provide a brief description of the proposal on a separate sheet of paper and return with this form.

The undersigned, being first duly sworn, hereby affirms that he/she has direct knowledge of the facts contained this request, and to the best of their information, knowledge, and belief, such facts are true and correct. The undersigned agrees to comply with the requirements and limitations outlined by Rules 410-2-5-.09-E and 410-1-10-.05-E

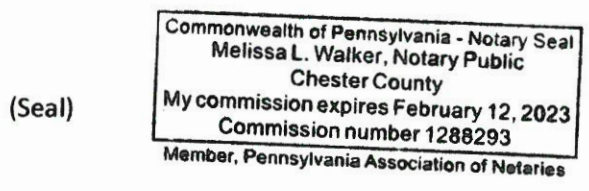
Louise Soika  
Signature of Authorized Officer

9/2/2020  
Date

Louise Soika  
Printed Name

Chief Strategy and Administrative Officer  
Title

Sworn to and subscribed before me this 2nd day of September, 2020.



Melissa L Walker  
Notary Public  
My Commission Expires: February 12, 2023

AFFIRMED BY EXECUTIVE DIRECTOR:

Emily T. Marsuf  
September 23, 2020  
Date

TW2020-047

RECEIVED

Sep 11 2020

STATE HEALTH PLANNING AND  
DEVELOPMENT AGENCY

September 11, 2020

Alabama State Health Planning & Development Agency  
RSA Union Building  
100 N Union Street – Suite 870  
Montgomery, AL 36104

To whom this may concern,

Genesis Rehabilitation Services submitted a CON Waiver application to start providing services at 213 Ana Drive, Florence, Alabama at the request of Genesis Healthcare Services. This is a proposal for a new service where we do not currently hold CON Authority. It is the intention of Genesis Rehabilitation Services to start an Rehabilitation Center at this address. The projected equipment costs of \$15,000 is for gym equipment and applicable IT equipment needed to provide Physical, Occupational and Speech-Language services to the residents of Hilltop at Glenwood.

Our intention is to complete the Initial Medicare Enrollment once a CON Waiver is approved.

Please feel free to reach out to Amy Esh at (610) 925-4560 or via email at amy.esh@genesishcc.com if you need any additional information or have any questions.

Thank you for your time.

Sincerely,



Louise Soika  
Chief Strategic Administrative Officer



101 E State Street  
Kennett Square, PA 19348

September 22, 2020

TW2020-047

RECEIVED

Sep 22 2020

STATE HEALTH PLANNING AND  
DEVELOPMENT AGENCY

Alabama State Health Planning & Development Agency  
Emily T. Marsal, Executive Director  
RSA Union Building  
100 N Union Street – Suite 870  
Montgomery, AL 36104

Dear Ms. Marsal,

Genesis Rehabilitation Services submitted a CON Waiver application to start providing services at 213 Ana Drive, Florence, Alabama at the request of Genesis Healthcare Services. This is a proposal for a new service where we do not currently hold CON Authority.

It is not our intent to convert the facility from an assisted living facility to a rehabilitation center but to provide rehabilitation services to the residents of the assisted living facility. We will be leasing and utilizing one room within the assisted living facility to provide these services. These actions will result in providing rehabilitation access to the existing assisted living and specialty care assisted living center, augmenting the services being provided currently.

The CMS 855b application for setting up a rehabilitation clinic has already been submitted. We are in the process of contacting ADPH in order to timely submit an application for Rehabilitation Center licensure, which requires a CON or waiver of such for submission and acceptance of an application. Because the CON waiver is temporary in nature, we are aware that the licensure and certification process could take longer than the effective timeframe of the waiver. As such, it is also our intent to submit an application for the Certificate of Need to continue to provide rehabilitation services proposed on a temporary basis through this possible waiver, once the waiver has expired.

In addition to Hilltop at Glenwood, The Renaissance of Florence, a Pegasus Senior Living Community has also asked us to provide services in Lauderdale County.

At this time, while COVID cases and deaths continue to rise, there is no onsite therapy services being provided to the residents. Furthermore, due to the pandemic, residents are confined to their apartments and are not able to directly access therapy offsite as well. Therapy services provide a vehicle to help prevent significant physical, cognitive and social dysfunction. Through frequent screening and visits, therapy team members can identify residents at risk for decline and possible COVID symptoms and subsequently provide the appropriate medical intervention.

Based on our experience and clinical outcomes, without these physical, occupational and speech language pathology interventions, we are seeing depression resulting in weight loss, decreased muscular strength and coordination resulting in falls, isolation resulting in increased cognitive issues and increased dependency for activities of daily living. All of these result in the need for an increase in caregivers and resulting costs but more importantly, a decline in the residents' quality of life which has resulted in death to many of our elders.

In summary, with an on-site physical, occupational and speech therapy clinic, we are providing access to needed care and creating a safe environment for patients to return to daily activity with improved strength and endurance via their personal plan of care. Under our professional supervision, we have a great chance of reducing strain on the healthcare system by keeping our patients out of emergency rooms. We can also assist patients, who have had major surgeries delayed, lessen their pain and make it until they can have their previously approved procedures. With access to professionals who strictly serve older adult patients, we are able to provide our elders with the care they need, can benefit from and deserve.

Please feel free to reach out to Amy Esh at (610) 925-4560 or via email at amy.esh@genesishcc.com if you need any additional information or have any questions.

Thank you for your time.

Sincerely,



Louise Soika  
Chief Strategic Administrative Officer