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October 20, 2021

(SUBMITTED VIA ELECTRONIC FILING TO: shpda.online@shpda.alabama.gov)

RV2022-007
RECEIVED
Oct 20 2021
STATE HEALTH PLANNING AND
DEVELOPMENT AGENCY

Ms. Emily T. Marsal
Executive Director
State Health Planning & Development Agency
RSA Union Building
100 North Union Street, Suite 870
Montgomery, AL 36104-3719

Re: Request for Reviewability Determination to Establish Branch Office in
Shelby County

Dear Ms. Marsal,

Pursuant to Alabama Certificate of Need Program Rules and Regulations §410-1-7-.02, I am writing on behalf of ProHealth Hospice-Gadsden, LLC (“ProHealth”) to request that the State Health Planning and Development Agency (“SHPDA”) issue a determination that ProHealth is not required to obtain a new Certificate of Need (“CON”) to establish a branch office in Shelby County, which ProHealth is permitted to serve under Certificate of Need 2506-HPC. As background for this request, ProHealth submits the following:

1. Pursuant to CON 2506-HPC, ProHealth has CON authority to provide in-home hospice services in the following counties: Bibb, Blount, Calhoun, Cherokee, Chilton, Coosa, DeKalb, Etowah, Jefferson, Marshall, Shelby, Saint Clair, Tuscaloosa, and Walker.
2. ProHealth seeks approval to establish a branch office in Shelby County. The branch office will operate under ProHealth’s Medicare Provider Number, 01-1686.
3. No services will be provided at the branch office because the services will be provided in the patient’s homes.
4. The branch office will only serve patients in the counties ProHealth is authorized to serve under CON 2506-HPC.
5. This request does not seek to alter the services provided by ProHealth and the request does not seek to alter ProHealth’s authorized CON service area.
6. The establishment of the branch office does not involve the construction, development, acquisition, or other establishment of a new health care facility and does not involve

any capital expenditures in excess of the threshold amounts set forth in CON Rule § 410-1-4-.01 (\$3,165,569 for major medical equipment, \$1,266,226 for annual operating cost, and \$6,331,138 for other capital expenditures).

7. The establishment of the branch office does not involve the addition, relocation, or reallocation of beds and does not entail the acquisition of major medical equipment.
8. The establishment of the branch office does not involve the offering of a new health care service, as ProHealth currently provides in-home hospice services to patients in Shelby County authorized by CON 2506-HPC.
9. The establishment of the branch office does not involve a new institutional health service subject to review under Ala. Code § 22-21-263 and/or Ala. Admin. Code § 410-1-4-.01.

Based upon the facts stated above and the applicable rules, ProHealth respectfully requests that SHPDA issue a determination that ProHealth's establishment of a branch office in Shelby County is: (1) permissible without further filings or requests to SHPDA; and (2) not subject to CON review. ProHealth will submit the appropriate filing fee through SHPDA's electronic portal and submit a receipt evidencing payment with this letter.

If you have any questions or would like to discuss this request in further detail, please do not hesitate to reach out to me at the number or email address listed above. I appreciate your help in getting this reviewability determination request processed.

Sincerely,



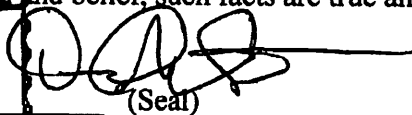
David A. Lester

Affirmation of Requesting Party

The undersigned, being first duly sworn, hereby make oath or affirm that he is the Chief Executive Officer of ProHealth Hospice-Gadsden, LLC, has knowledge of the facts in this request, and to the best of his information, knowledge, and belief, such facts are true and correct.

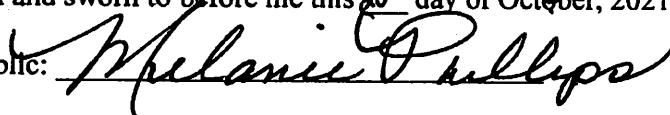
Affiant:

MELANIE PHILLIPS
Notary Public
Alabama State at Large


(Seal)

Subscribed and sworn to before me this 20th day of October, 2021

Notary Public:



My commission expires: My Commission Expires
May 24, 2023