

STATE HEALTH PLANNING AND DEVELOPMENT AGENCY
ADMINISTRATIVE CODECHAPTER 410-1-7
REVIEW PROCEDURES410-1-7-.04 Notice Of Change Of Ownership.

(1) A notice of a change in ownership or control of a health care facility or service for which a CON has been granted shall be provided to the State Agency by the acquiring entity at least twenty (20) days before the transaction occurs, unless a shorter period is authorized for good cause shown by the Executive Director.

(2) The notice of change of ownership or control shall be filed pursuant to Rule 410-1-3-.09 on forms approved by the State Agency, accompanied by a reviewability determination fee of \$3,000.00 before the transaction occurs. Any transfer of ownership or control of a CON that has not become "vested" under Code of Ala. 1975, §22-21-270(d) must meet the requirements of Code of Ala. 1975, §22-21-270(e) to qualify for an exemption from CON review. The Executive Director shall issue a letter confirming the non-reviewability of any transfer of ownership or control that qualifies for an exemption under Code of Ala. 1975, §22-21-270.

(3) The notice shall include:

(a) the financial scope of the project to include the preliminary estimate of the costs broken down by equipment, construction, and yearly operating cost;

(b) the services to be offered by the proposal; (The applicant will state whether he has previously offered the service and whether the service is an extension of a presently offered service, or whether the service is a new service.)

(c) whether the proposal will include the addition of any new beds;

(d) whether the proposal will involve the conversion of beds;

(e) whether the assets and stock (if any) will be acquired; and

(f) any other information that the Executive Director shall deem necessary to ensure a full understanding by the State Agency.

(4) Any request made pursuant to this rule shall be subject to the publication requirements of Rule 410-1-7-.02, provided, however,

the Executive Director may provide a determination or other response without regard to the time periods set forth in Rule 410-1-7-.02.

(5) All required filing fees must be submitted to the State Agency via overnight mail and marked in such a way as to clearly identify the fee with the electronic submission; or the fee may be submitted electronically via the payment portal available through the State Agency's website.

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Statutory Authority: Code of Ala. 1975, §22-21-270.

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