

**CERTIFICATION OF ADMINISTRATIVE RULES
FILED WITH THE LEGISLATIVE REFERENCE SERVICE
JERRY L. BASSET, DIRECTOR**

(Pursuant to Code of Alabama 1975, § 41-22-6, as amended).

I certify that the attached is/are a correct copy/copies of rule/s as promulgated and adopted on the 17th day of August, 2016, and filed with the agency secretary on the 23rd day of August, 2016.

AGENCY NAME: State Health Planning and Development Agency
(Certificate of Need Review Board)

X Amendment; _____ New; _____ Repeal; (Mark appropriate space)

Rule No. 410-1-11-.08(1) and (2)

(If amended rule, give specific paragraph, subparagraphs, etc., being amended)

Rule Title: Surrender of Certificate of Need

ACTION TAKEN: State whether the rule was adopted without changes from the proposal due to written or oral comments;

No public comments were received; the rule was adopted without changes and as published for comment in the Alabama Administrative Monthly.

NOTICE OF INTENDED ACTION PUBLISHED IN VOLUME XXXIV

ISSUE NO. 9, DATED JUNE 30, 2016.

Statutory Rulemaking Authority: Code of Alabama, 1975 §§ 22-21-271, -274 and -275.

(Date Filed)
(For LRS Use Only)

REC'D & FILED

AUG 23 2016

LEGISLATIVE REF SERVICE

Alva M. Lambert

Alva M. Lambert, Executive Director
State Health Planning and Development Agency
(Certifying Officer or his or her Deputy)

(NOTE: In accordance with § 41-22-6(b), as amended, a proposed rule is required to be certified within 90 days after completion of the notice.)

410-1-11-.08 Surrender of Certificate of Need

- (1) A holder of a Certificate of Need may elect to surrender his Certificate of Need, not incurring an obligation thereunder. For the surrender to be effective, the holder of the Certificate of Need must notify the State Agency pursuant to Rule 410-1-3-.09 of the intent to surrender the certificate and of the effective date of the action. Upon notification, the Certificate of Need shall be automatically terminated.
- (2) A holder of a Certificate of Need will be deemed to have abandoned his certificate, if once having completed construction or inaugurated the service, he then suspends operation of the facility or provision of the service for an uninterrupted period of twelve (12) months or longer.

Author: Alva M. Lambert

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

History: Amended: Filed February 1, 2000; effective March 7, 2000. Amended: Filed August 23, 2016; effective October 7, 2016.