



RECEIVED

Mar 26 2018

STATE HEALTH PLANNING AND DEVELOPMENT AGENCY

March 23, 2018

Mr. Alva Lambert
Executive Secretary
State Health Planning and Development Agency
RSA Union Building
100 N. Union Street, Suite 870
Montgomery, Alabama 36104

RE: CON 2761-ORC RehabCare Group East, Inc. d/b/a RehabCare Birmingham

Dear Mr. Lambert:

RehabCare Group East, Inc. ("RehabCare Birmingham") hereby submits this letter requesting a Project Modification to CON 2761-ORC, issued for the relocation of the existing multi-specialty outpatient rehabilitation facility located at 100 Shadow Wood Park, Suite B, Birmingham, Shelby County, AL to 235 Inverness Center Drive, Hoover, Shelby County, AL. As you may be aware, the Alabama Department of Public Health Division Technical Services Unit initially disapproved the preliminary plans for the project and presented RehabCare with a list of renovations, including the building of a separate entrance to be completed prior to issuance of the agency license. The letter denying preliminary plans and documenting renovation requirements is attached as Exhibit A to this letter. RehabCare has since revised its plans, which received approval from the Alabama Department of Health in October 2017, approval attached as Exhibit B, and have received a building permit and approvals from the Fire Marshal. As a result of this additional required renovation work, RehabCare Birmingham incurred costs that exceeded the CON approved amount by \$76,528. The CON approved and actual costs are below.

	CON Approved	Actual
Equipment	\$ 10,000	\$ 0
1-year Facility Lease	10,200	10,200
First year annual operating costs	133,200	133,200
Renovation costs	0	79,028
Architectural Fees		7,500
Total	\$ 153,400	\$ 229,928

The final construction invoice is attached as Exhibit C.

As there was no opposition to this CON project, there are no parties of record in the underlying administrative proceedings that must be notified regarding this project modification request.

The filing fee check for this project modification request will be sent to your attention via overnight mail. Thank you for your consideration of the project modification request. Please contact me at barbara.lankford@kindred.com or (502) 596-7801 should you have any questions.

Sincerely,

Barbara Lankford
Director, Market Planning

cc: David Belser

Exhibit A

State of Alabama Department of Public Health

Plan Review Rejection Letter



STATE OF ALABAMA DEPARTMENT OF
PUBLIC HEALTH

Thomas M. Miller, M.D.
State Health Officer

April 21, 2017

Ms. Shirley Ryan
Kindred Healthcare
680 South 4th Street
Louisville, KY 40202

Dear Ms. Ryan:

Re: ADPH Project #B-17-029
RehabCare @ Danberry at Inverness
Hoover, Alabama
Relocation of Outpatient Physical Therapy

The preliminary plans received on April 6, 2017, have been reviewed for compliance with the applicable regulations and codes.

The preliminary plans are disapproved with the following review comments to be incorporated into the preliminary and resubmitted along with a written response to each of the comments listed:

1. Please include the assigned ADPH project number with the correct facility name and location on all plans, specifications, correspondence, etc. submitted for this project.
2. List on the plans the latest state adopted codes used in the design such as the 2015 International Building Code, the 2012 National Fire Codes to include but not listed to: 2015 NFPA 101- Ch. 18 for New Health Care or, 2010 NFPA 13 - Sprinkler System, 2010 NFPA 72 - Fire/Smoke Alarm System, 2012 NFPA 90A HVAC System, etc.; 2012 NFPA 220 and 2015 IBC (note the building construction type, occupancy and allowable areas), provide a Matrix of Fire Resistive Assemblies (see attached), and the Rules of ASBH for Nursing Facilities, amended 2005.
(See www.adph.org/facmgmt for the complete list)
3. Provide a sound path of travel such as a sidewalk from each required exit discharge to the public way.

4. Any changes to drawings on future submittals shall be clouded or otherwise highlighted.
5. Preparation of Plans and Specifications. Drawings and specifications shall be prepared under the supervision and control of an architect currently registered in Alabama. Final drawings and specifications shall bear the registration seal of the architect and any professional consultants. Drawings shall be coordinated and the scale of drawings submitted shall be consistent for all disciplines. (State Rules 420-5-22(4) page2.)
6. Site plan showing size, shape, and topography of entire site; location of proposed building and any existing structures; adjacent streets, highways, sidewalks, railroads, etc., all properly designated; size, characteristics, and location of all existing public utilities. (State Rules 420-5-22(a)(2) page2.)
7. Typical wall section(s). (State Rules 420-5-22(4) page2.)
8. Life safety and egress plans, indicating exit paths, travel distances, fire-rated and smoke walls, smoke compartment areas, fire extinguisher location, etc. Minimum scale shall be 1/8"=1'-0" for the entire area of, or the area affected by, the project. In addition to these, smaller scale plans may be submitted to show a larger area or the complete floor. Life safety plans at the same scale as the project floor plan, with color graphics, are recommended. All required or planned interim safety measures, such as temporary dust or construction barriers and temporary exit arrangement, shall be shown. If phased construction is planned, life safety plans showing the conditions at the start of each phase shall be provided. (State Rules 420-5-22(5) page2.)
9. Listing of applicable codes, and a chart or matrix showing the construction type of the project areas, with the required rating of each structural element, the tested design number or equivalent for each element, and the corresponding typical plan detail(s). Where an existing structure is involved with no alterations, a matrix is not required but the existing building's construction type shall also be shown. (State Rules 420-5-22(6) page2.)
10. Occupancy. No part of a rehabilitation center may be rented, leased or used for any commercial purpose not reasonably necessary or related to the services the facility is licensed to provide. The Department shall approve all plans for additional occupancy. Food and drink machines may be maintained or a diet kitchen provided. Notwithstanding the foregoing, a rehabilitation center may rent a portion of its

premises to another entity, or share a portion of its premises with another entity, if the services the entity provides would reasonably be expected to be helpful to patients of a rehabilitation center, such as massage therapy, chiropractic services, acupuncture, or the provision of fitness classes, diet classes, or exercise classes. The safety and appropriate treatment of patients on rehabilitation center premises remain the responsibility of the rehabilitation center, irrespective of whether those patients are receiving services from another entity located on the premises. (State Rules 420-5-11(g) page6.)

11. A fire alarm system with local alarm capability shall be provided per CMS.
12. Automatic sprinkler system shall be provided per CMS.
13. Fire extinguishers shall be installed and maintained as required by NFPA 10. (State Rules 420-5-11(2)(d) page21.)
14. Minimum width of doors to all rooms needing access for patients shall be 36 inches. (State Rules 420-5-11(h) page22.)
15. Emergency lighting shall be provided to light corridors, exit signs, stairways and lights on exterior at each exit. (State Rules 420-5-11(k) page22.)
16. Exit doors shall not be less than 36 inches wide and swing in direction of exit travel. (State Rules 420-5-11(L) page22.)
17. Exit signs shall be provided. (State Rules 420-5-11(m) page22.)
18. There shall be a room designated as the Admission Office where patients may discuss personal matters in private. (State Rules 420-5-11(3)(a) page22.)
19. A waiting room in the administrative section shall be provided with sufficient seating for the maximum number of persons that may be waiting at any time. (State Rules 420-5-11(3)(b) page22.)
20. Public toilets shall be provided. (State Rules 420-5-11(3)(b) page22.)
21. A janitor closet shall be provided. (State Rules 420-5-11(c) page23.)
22. Written instructions, including evacuation routes, shall be posted in conspicuous locations in the facility and kept current. (State Rules 420-5-11(2) page11.)

Ms. Shirley Ryan
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April 21, 2017

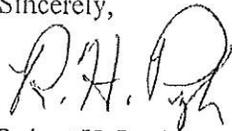
23. "Rehabilitation Center" means a business entity offering and providing outpatient assistance in the rehabilitation of disabled persons by providing two or more services that must be performed by or under the supervision of a physical therapist, occupational therapist or speech pathologist. This term does not include a business entity that is a certified home health agency. (State Rules 420-5-11(m) Page3.)
24. Provide a functional program clearly explaining the purpose and requirements of the project. The program shall list the Alabama State Board of Health rule that applies to the project and any other design standard to which the project is designed. (State Rules 420-5-22(a)(1) page2.)

Approval of final stage plans is required prior to start of on-site construction.

Up to four separate plan review submittals (architectural and sprinkler) and one final project inspection are included in the plan review fee. Should additional submittal reviews or inspections be required, beyond those included in the fee, an additional fee will be required for each. The Rules of ASBH Ch. 420-5-21 "Payment of Plan Review Fees," including the fee worksheets, may be found on the web at <http://www.adph.org/faemgmt>.

I appreciate the cooperation extended this office; and if I can be of assistance to you, please contact me at (334) 206-5869, fax (334) 206-5890 or email: Robert.Pugh@adph.state.al.us.

Sincerely,



Robert H. Pugh
Technical Services Unit

RHP/dsc

Exhibit B

State of Alabama Department of Public Health

Plan Review Approval Letter



ALABAMA DEPARTMENT OF PUBLIC HEALTH

Scott Harris, M.D.
Acting State Health Officer



October 4, 2017

Mr. James Graff
Hereford Dooley Architects
1720 West End Avenue, Suite 300
Nashville, TN 37203

Dear Mr. Graff:

Re: ADPH Project #B-17-029
RehabCare @ Danberry at Inverness
Hoover, Alabama
New Outpatient Rehabilitation
217039.00(architect's project number)

The final-stage plans and specifications received on September 21, 2017, have been reviewed for compliance with the applicable regulations and codes.

The final-stage construction plans are approved.

The Final Stage Drawing Approval Fee is now due. Please send this fee payment, along with the completed Final Plan Review Approval Fee Worksheet (go to <http://www.alabamapublichealth.gov/facilitiesmanagement> and click on "Plan Review" A correction was made to this form 8-4-2017), and a copy of the latest cost estimate, to our office within 14 days.

Please note that our approval does not relieve your office of the responsibility for the documents being complete and in compliance with all applicable regulations and codes at the local and state level. It also does not prevent this office or other officials having jurisdiction from requiring correction of errors or code violations in plans or construction observed during subsequent reviews or inspections.

Contract modifications or changes shall be submitted to and approved by this office prior to implementing the work. Any changes made to approved plans to include any plan sheets added, whether due to comments of this office or otherwise, shall be clouded or annotated on subsequent "revised" plan submittals.

Mr. James Graff
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October 4, 2017

Please ensure that sprinkler plans with the correct facility name, ADPH project number and the State Fire Marshal's permit number included are submitted for review and approval. The submittal package shall include plans, hydraulic calculations and copies of the manufacturer's catalog sheets for materials to be installed.

Any changes to drawings from the previous submittal shall be clouded or otherwise highlighted.

Please provide a written request two to three weeks prior to the desired final acceptance inspection to schedule a tentative date. Along with the request, provide the status of completing any outstanding items of your final inspection punch list. Please insure completeness of any outstanding correspondence or other requirements prior to request. The actual inspection date must be confirmed with our office.

At the conclusion of the final inspection, the Final Inspection Fee shall be due. Send the Final Inspection Fee Worksheet, a copy of the latest contractor's pay request, and any fee due to our office. Our Certificate of Completion (COC) will not be issued prior to receipt of this worksheet, supporting documents and any fee due. The Rules of ASBH Chapter 420-5-21, "Payment of Plan Review Fees," including the fee worksheets, may be found by clicking on "Plan Review" at <http://www.alabamapublichealth.gov/facilitiesmanagement>. Any additional inspections necessary require additional fees.

At the final inspection provide a copy of close-out documents per attachment.

I appreciate the cooperation extended this office; and if I can be of assistance to you, please contact me at (334) 206-5869, fax (334) 206-5890 or email Robert.Pugh@adph.state.al.us.

Sincerely,

A handwritten signature in blue ink, appearing to read 'R.H. Pugh'.

Robert H. Pugh
Technical Services Unit

Enclosure

RHP/dsc
cc: Mr. Greg Thomas

REQUIRED FINAL INSPECTION DOCUMENTS *

INTERIOR WALL AND CEILING FINISH: Documentation stating manufacturer, type, class, flame spread, etc. NFPA (2012), 18.3.3.2 (health care), or 38.3.3.2 (business). Also IBC (2015) Table 803.11, including footnotes.

INTERIOR FLOOR FINISH: Copies of approved independent laboratory tests documenting that interior floor finish complies with IBC (2015), 804.4. Partial tests are not acceptable. Also NFPA 101 (2012), 38.3.3.3, where applicable. A letter from the supplier/installer that documents the specific materials installed shall also be provided.

FURNISHINGS & DECORATIONS: New draperies, curtains (including cubicle curtains) and other loosely hanging furnishings and decorations shall be certified to be flame retardant and have passed tests per NFPA 701.

FIRE & SMOKE STOPPING OF JOINTS AND PENETRATIONS: Physical samples, with material name and/or number, of all fire and smoke stop sealants required at rated walls or floor/ceiling assemblies. These shall be displayed on a sample board suitable to carry with the inspection team in the field. Copies of test reports for all joints or penetrations in rated assemblies encountered on the project, suitably organized for reference in the field. All project conditions encountered, including joints, penetrations, head of wall and edge of slab conditions, shall be addressed.

FIRE/SMOKE ALARM SYSTEM: NFPA 72, "Fire Alarm System Record of Completion," with all appropriate areas filled out to include the monitoring agency. Reacceptance testing, in accordance with NFPA 72 (2010), 10-18.2, for modifications to existing systems, shall be documented. Fire alarm contractor to provide letter certifying the fire alarm system installed complies with NFPA 72, (2010), and NFPA 101 (2012), paragraph 18.3.4.

SPRINKLER SYSTEM: "Contractor's Material and Test Certificate" for aboveground and underground piping, and a letter certifying the required freeze protection for exposed piping is provided and that the sprinkler system(s) installed complies with NFPA 13, (2010).

MECHANICAL SYSTEM TEST AND BALANCE REPORT: Final test and balance report certifying compliance with IMC and NFPA 90A.

MEDICAL GAS CERTIFICATION: (Hosp & NH) for new or altered systems.

ELEVATORS: Copy of State of Alabama Elevator Certification. When tops of elevator shafts are not sprinklered, documentation that the car enclosure materials meet ASME A17.1, Safety Code for Elevators and Escalators, per NFPA 13, 8.15.5.5.

GENERATORS, EMERGENCY AND STANDBY POWER SYSTEMS: Provide documentation for compliance with NFPA 110, 2010 Edition, 7.13; and NFPA 99, (2012).

Rev. 7/6/17

SMOKE CONTROL SYSTEMS: Atrium smoke control system shall comply with NFPA 101, 8.6.7.

RADIATION PROTECTION: X-ray shielding shall be integrity tested and documentation of acceptance by the authority having jurisdiction shall be provided. See FGI Guidelines, 2014 Edition, 2.1-7.2.2.11.

COMMERCIAL COOKING EQUIPMENT: Documentation certifying the exhaust hood and ducting system installed complies with NFPA 96 (2011) and the extinguishing system installed complies with NFPA 17A and UL 300 to include a witnessed "Balloon Test".

CERTIFICATE OF OCCUPANCY: C.O. from local building authority. (Recommended, but not required).

*This list includes common documentation required at the ADPH final inspection. In general it is a summary of testing and certification required by the governing codes and standards, accepted policy or found to be useful in completing the inspection. The list may not cover all situations. It is provided to assist the facility, architect and contractor(s). Other documentation deemed necessary by the architect or inspector shall be provided.

Exhibit C

Final Construction Invoice

