



STATE HEALTH PLANNING AND DEVELOPMENT AGENCY

100 NORTH UNION STREET, SUITE 870

MONTGOMERY, ALABAMA 36104

MEMORANDUM

Date: December 16, 2009

To: Recipients of Review Schedules for Hospice Applications under Emergency Rule 410-1-5C-.01ER

From: Alva Lambert *amb*
Executive Director

Re: Non-Substantive Review Procedure

We have received several requests for clarification of the review schedules that have been issued in response to in-home hospice applications submitted pursuant to Emergency Rule 410-1-5C-.01ER. This rule contemplates that qualifying applications will be considered "as part of a non-substantive review process, as allowed under Ala. Code § 22-21-275(4) (1975 as amended) and Ala. Admin. Code r. 410-1-10-.02, which shall include direct consideration and approval by the Certificate of Need Review Board." Consequently, the reference in the review schedule (or accompanying memorandums) to the potential assignment of an application to an administrative law judge, and a deadline for seeking such an assignment, should be disregarded as they are not applicable to this review process. We would also note that, under this rule and applicable provisions of the State Health Plan, need is presumed for all qualifying existing providers.