

Jennifer Clark

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Bradley

December 5, 2023

RV2024-002
RECEIVED
Dec 06 2023

STATE HEALTH PLANNING AND
DEVELOPMENT AGENCY

Via Electronic Filing
(shpda.online@shpda.alabama.gov)

Ms. Emily Marsal, Esq.
Executive Director
State Health Planning and Development Agency
100 North Union Street, Suite 870
Montgomery, AL 36104

RE: Request for Reviewability Determination
Affinity Hospital, LLC d/b/a Grandview Medical Center

Dear Ms. Marsal:

Our firm represents Affinity Hospital, LLC, d/b/a Grandview Medical Center ("Grandview"), which operates Grandview Medical Center, a 434-bed tertiary care hospital located in Jefferson County, in the city of Birmingham. The purpose of this letter is to request your determination, pursuant to rule 401-1-7-.02 of the Alabama Certificate of Need Program Rules & Regulations ("CON Rules"), that Grandview does not require a Certificate of Need ("CON") from the State Health Planning and Development Agency to pursue the construction project described in this letter. In order to assist with this determination, we offer the following information.

Grandview currently operates an emergency department on its main hospital campus with 22 dedicated and enclosed emergency department treatment rooms as well as spaces for treating patients in triage rooms, a "results waiting" lounge, and in open areas of the department as needed to care for the hospital's growing number of patients. Grandview's emergency department has been experiencing consistently high utilization that presents patient throughput and efficiency challenges in the current treatment space. To improve patient throughput in the existing emergency department, Grandview plans to build-out existing shell space already enclosed in the current emergency department footprint to accommodate ten (10) additional dedicated and enclosed emergency department treatment rooms. The build-out and renovation will involve approximately 3,500 square feet.

The proposed construction will not exceed any of the CON expenditure thresholds set forth in Section 410-1-2-.07 of the CON Rules, which effective October 1, 2023 are \$3,322,582 for major medical equipment, \$1,327,734 for new annual operating cost, and \$6,638,679 for other capital expenditures.

This proposed build-out in the emergency department will result in neither an increase in the number of licensed inpatient beds nor a reclassification of beds. Further, the renovation will

not result in the implementation of a new institutional health service or change Grandview's existing service area.

For these reasons, the proposed renovation is not subject to CON review. *See* Ala. Code 1975, § 22-21-263; CON Rules 410-1-2-.07. We therefore respectfully request your determination that Grandview is not required to obtain a CON in order to undertake the renovation described in this letter. We appreciate your consideration of this request, and we welcome the opportunity to address any questions regarding this matter. A check for \$1,000.00 in payment for the applicable fee will be delivered to your office. Thank you very much.

With Best Regards,

A handwritten signature in black ink that reads "Jennifer Clark". The signature is written in a cursive style with a large, looped initial "J".

Jennifer Clark

Affirmation of Requesting Party:

The undersigned, being first duly sworn, hereby makes oath or affirms that he, as Chief Executive Officer of Affinity Hospital, LLC d/b/a Grandview Medical Center, has knowledge of the facts in the attached Request for Reviewability Determination, and to the best of his information, knowledge and belief, such facts are true and correct.

Daniel McKinney
Daniel McKinney
Chief Executive Officer of Affinity Hospital, LLC d/b/a Grandview Medical Center

(SEAL)

SUBSCRIBED AND SWORN to before me this 4th day of December, 2023.

Paul T. Graham
Notary Public
My commission expires: 2/13/2027



Holly S. Hosford
hhosford@bradley.com
205.521.8376



December 27, 2023

RV2024-002
RECEIVED
Dec 28 2023
STATE HEALTH PLANNING AND
DEVELOPMENT AGENCY

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Ms. Emily Marsal, Esq.
Executive Director
State Health Planning and Development Agency
100 North Union Street, Suite 870
Montgomery, Alabama 36104

Re: RV2024-002
Affinity Hospital, LLC d/b/a Grandview Medical Center
Response to Request for Additional Information

Dear Ms. Marsal:

On behalf of Affinity Hospital, LLC d/b/a Grandview Medical Center, I write to respond to your letter dated December 12, 2023.

In your letter, you request a disclosure of financial interests in the entity requesting the reviewability determination held by any other healthcare facilities or groups. Affinity Health Systems, LLC is the sole member of Affinity Hospital, LLC. Affinity Health Systems, LLC is owned by Birmingham Holdings, LLC and Birmingham Holdings II, LLC. Birmingham Holdings, LLC and Birmingham Holdings II, LLC are both wholly owned by Tennyson Holdings, LLC, which is a wholly-owned downstream subsidiary of CHS/Community Health Systems, Inc. No other health care facility or group holds an ownership interest in Affinity Hospital, LLC.

Please do not hesitate to contact me if you have any further questions or need any additional information.

Best regards,

A handwritten signature in black ink that reads "Holly S. Hosford".

Holly S. Hosford