

Original Executive Order

EXECUTIVE ORDER NUMBER 23

WHEREAS, under the National Health Planning and Resources Development Act (Public Law 93-641), states are required to administer a certificate of need program for health facilities and activities as outlined in the said federal statute and provided for in Alabama by Act 82-770, and

WHEREAS, under the National Health Planning and Resources Development Act the Governor is authorized to designate an agency of state government to serve as the State's Health Planning and Development Agency;

NOW, THEREFORE, I, George C. Wallace, as Governor of the State of Alabama, under and by virtue of the authority vested in me by law, hereby create a Certificate of Need Review Board which is empowered to consider applications for certificates of need and shall have the authority to administer the certificate of need law (Act No. 82-770) and which shall be the State Health Planning and Development Agency. The State Committee of Public Health shall nominate to the Governor nine (9) persons to be appointed to the Board. The State Committee shall select these nominees according to the following procedure: The Alabama Hospital Association shall recommend three (3) persons from which the State Committee of Public Health shall select and nominate one (1) member; The Alabama Nursing Home Association shall recommend three (3) persons from which the State Committee of

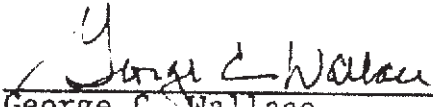
Public Health shall select and nominate one (1) member; The Medical Association of the State of Alabama shall recommend three (3) persons from which the State Committee of Public Health shall select and nominate one (1) member; and the State Committee of Public Health shall nominate six (6) other members of which at least three (3) shall be consumers and not providers of health care. The nine (9) members of the Certificate of Need Review Board shall be appointed to staggered terms of office. All operative appointments to the SHPDA Board heretofore constituted in the Office of the Governor are hereby rescinded.

BE IT FURTHER RESOLVED that under and by virtue of the authority vested in me by Public Law 93-641, I hereby create the Health Planning Agency which shall be under the supervision and control of the "Certificate of Need Review Board" herein established. Be it further ordered that the Health Planning Agency shall be staffed by the Executive Director and professional staff of the former State Health Planning and Development Agency. The State Personnel Board will effectuate changes, if needed, in accordance with this order. The persons nominated by the State Committee of Public Health on February 14, 1984 are hereby appointed to the Certificate of Need Review Board for the terms as designated.

Executive Order Number 7 (June 26, 1979, Fob James), Executive Order Number 22 (February 3, 1984, George C. Wallace), and any other conflicting prior Executive Orders are hereby canceled and rescinded.

IT IS FURTHER ORDERED that this Executive Order take effect immediately.

DONE and  is 20th day of March, 1984.


George C. Wallace

ATTEST:


Secretary of State

Original Executive Order
FIRST AMENDMENT TO EXECUTIVE ORDER NUMBER 23

WHEREAS, Act Number 82-770 (Section 22-21-260 et seq., Code of Alabama, 1975) defines and provides for the composition of the State Health Planning and Development Agency and sets forth the procedure by which appointments to the Agency shall be made by the Governor, and

WHEREAS, Executive Order Number 23, dated March 20, 1984, limited the Governor's role in the appointment process by providing that the State Committee of Public Health nominate to the Governor the nine persons to be appointed to the Certificate of Need Review Board (which is the State Health Planning and Development Agency), and

WHEREAS, said Executive Order Number 23 ordered that the persons nominated by the State Committee of Public Health on February 14, 1984 be appointed as the initial members of the Certificate of Need Review Board, and

WHEREAS, I have determined that the interests of the State Health Planning and Development Agency and the State of Alabama can best be served by reinstating the appointment process originally set forth in Act Number 82-770,

NOW THEREFORE, I, Guy Hunt, as Governor of the State of Alabama, under and by virtue of the authority vested in me by law, hereby amend Executive Order Number 23, dated March 20, 1984, by

deleting that portion of said Executive Order which sets forth the procedure for nomination and appointment of members of the Certificate of Need Review Board.

IT IS FURTHER ORDERED that the procedure for making appointments to the Certificate of Need Review Board (which is the State Health Planning and Development Agency) under Act Number 82-770 (specifically Section 22-21-260 Code of Alabama, 1975) is hereby reinstated.

IT IS FURTHER ORDERED that all operative appointments to the Certificate of Need Review Board heretofore constituted under the authority of said Executive Order Number 23 are hereby rescinded.

In all other respects, Executive Order Number 23, dated March 20, 1984, is hereby ratified and confirmed except where in direct conflict with this Amendment.

This First Amendment to Executive Order Number 23 shall be effective upon its signing.

DONE AND ORDERED this 23rd day of June, 1987.



GUY HUNT
Governor

ATTEST:



Secretary of State

