CERTIFICATE OF NEED REVIEW BOARD
January 17, 2024

The Certificate of Need Review Board held its monthly meeting on Wednesday, January 17, 2024 virtually by web conference. The minimum number of board members required by law were present in room 387 of the RSA Union building located at 100 N. Union Street.

Board Members Present
Dr. Swaid N. Swaid, Chairman
General Ed Crowell, Vice Chairman (in person)
Mr. Freddy Ard
Dr. Natalie Fox
Mr. Randy Jones
Ms. Carol Knight
Mr. Ormand Thompson, III (in person)
Mr. Bill Wallace (in person)
Mr. Joseph Weaver

SHPDA Staff
Emily T. Marsal
Bradford L. Williams
Teresa Lee
Toni Ferguson
Jen Magallon
Kristin Norman
Deidre Quave
Melissa Trehern

Court Reporter
Greta Duckett

Legal Representative
Mark D. Wilkerson, Esquire

A copy of the register of others participating both physically and virtually are on file in the office of the State Health Planning and Development Agency.

Dr. Swaid N. Swaid, Chairman, called the meeting to order at 10:00 a.m. Mrs. Emily Marsal, Executive Director of the State Health Planning and Development Agency, called the roll and a quorum was confirmed. Dr. Swaid requested a motion to adopt the agenda. Mr. Ormand Thompson made a motion to adopt the agenda, seconded by Ms. Carol Knight. The motion carried unanimously.

Dr. Swaid requested a motion to approve the minutes from the October 18, 2023 meeting. General Ed Crowell made a motion to approve the minutes, seconded by Dr. Natalie Fox. The motion carried unanimously.

Dr. Swaid thanked the board members who attended in person so that the meeting could occur as scheduled.

Mrs. Marsal gave an update regarding the State Health Coordinating Council, its committees, and the impending new State Health Plan. She stated the Council has been working diligently on a methodology for Ambulatory Surgery Centers. They have also been addressing inpatient Rehab, birthing centers, and rural emergency hospitals. The next SHCC meeting is scheduled for Tuesday, January 23, 2024.

DRAFT

Certificate of Need Program

Project Modification Request

AL2021-003, Crimson Village, LLC, Tuscaloosa County, AL: The project modification request is for the approval to relocate the Specialty Care Assisted Living Facility (SCALF) beds to two existing facilities, The Tides and The Legacy, operated by Crimson Village due to unforeseen construction issues and obstacles. This modification will not result in a change in the number of SCALF beds in Tuscaloosa County or a change in classification of CON authorized beds.

Attorney Angie Smith, Chief Operating Officer Sam Witmer, and Dr. Peramsetty spoke on behalf of the project.

After all questions were answered, Ms. Knight made a motion to approve the project, seconded by Mr. Randy Jones. Dr. Swaid called for the roll call vote. The motion carried by a vote of 7-1 with Mr. Bill Wallace voting against the motion.

AL2023-018, MBBG, LLC, Huntsville, AL: Proposes to develop a single-specialty Ambulatory Surgery Center (ASC) for gastroenterology procedures on the campus of Crestwood Medical Center in Huntsville, Madison County. **Opposition: The Surgery Center of Huntsville filed opposition on 7/19/2023. A request for contested case hearing was file by the opposition and the applicant on 8/1/2023. An ALJ was assigned on 8/4/2023. The Surgery Center of Huntsville withdrew opposition and the contested case hearing on 10/10/2023. This withdrawal was accepted by the ALJ by order on 10/18/2023.**

Attorney Holly Hosford, Crestwood Medical Center CEO Matthew Banks, and Crestwood Medical Center Chief Development Officer Drew Davenport spoke on behalf of the project.

After all questions were addressed, General Crowell made a motion to approve the project, seconded by Mr. Thompson. Dr. Swaid called for the roll call vote. The motion carried by a vote of 8-0.

Mr. Thompson, Mr. Weaver, and Dr. Fox recused themselves at 10:22 a.m.

AL2023-029, AltaPointe Health Systems, Inc. d/b/a EastPointe Hospital, Daphne, AL: Proposes to add forty (40) inpatient child/adolescent psychiatric beds to a newly constructed addition to an existing facility in Baldwin County. **Opposition: None**

Attorney Jim Williams, Chief Hospital Officer Jarrett Crum, General Counsel Sarah Young of the Baldwin County School Board, and Chief Medical Officer Sandra Parker spoke on behalf of the project.

After all questions and comments were addressed, Mr. Jones made a motion to approve the project, seconded by Mr. Ard. Dr. Swaid called for the roll call vote. The motion carried by a vote of 5-0.

Mr. Thompson, Mr. Weaver, and Dr. Fox rejoined the meeting at 10:33 a.m.

AL2023-030, Crestwood Healthcare, LP d/b/a Crestwood Medical Center, Huntsville, AL: Proposes to renovate and expand the capacity of the hospital's intensive care unit (ICU) from sixteen (16) to twenty-six (26) by transferring ten (10) of the hospital's existing one hundred and eighty (180) licensed acute care beds from another unit to the ICU. **Opposition: None**

Attorney Holly Hosford and Crestwood Medical Center CEO Matthew Banks spoke on behalf of the project.

Mr. Bill Wallace made a motion to approve the project, seconded by Mr. Joe Weaver. Dr. Swaid called for the roll call vote. The motion carried by a vote of 8-0.

Mr. Weaver recused himself at 10:39 a.m.

AL2023-031, Rush Hospital/Butler, Inc. d/b/a Oschner Choctaw General, Butler, AL: Proposes to add five (5) swing beds to its existing fifteen (15) by converting five (5) of its existing acute care beds to swing beds under ALA. ADMIN. CODE r. 410-2-4-.09(1) and (3) of the *2020-2023 Alabama State Health Plan*, for a total of twenty (20) swing beds in Butler, Choctaw County, Alabama. **Opposition: None**

Attorney Colin Luke and Dr. Kawanda Johnson, Hospital Administrator, spoke on behalf of the project.

After all questions were addressed, Mr. Thompson made a motion to approve the project, seconded by Mr. Ard. Dr. Swaid called for the roll call vote. The motion carried by a vote of 7-0.

Mr. Weaver rejoined the meeting at 10:43 a.m.

AL2023-032, East Alabama Medical Center (EAMC), Opelika, AL: Proposes to add six (6) child/adolescent psychiatric beds and six (6) adult psychiatric beds to the existing twenty-eight (28) bed inpatient psychiatric unit at EAMC in Opelika, Lee County, Alabama, pursuant to the Plan Adjustment approved by Governor Ivey on June 16, 2023. The applicant will construct a forty (40) bed freestanding acute care psychiatric hospital at 2513 Village Professional Drive in Lee County for the relocation of the existing psychiatric unit. **Opposition: None**

EAMC Executive Vice President Greg Nichols and Dr. Austin Luker spoke on behalf of the project.

General Crowell made a motion to approve the project, seconded by Ms. Knight. Dr. Swaid called for the roll call vote. The motion carried by a vote of 8-0.

AL2023-033, Gulf Coast Vascular Labs, LLC, Mobile, AL: Proposes to establish a single-specialty peripheral vascular ambulatory surgery center (ASC) in Mobile, Mobile County, Alabama. **Opposition: None**

Attorney Mazie Bryant, Dr. Steve Wilber, and CEO David Sweet spoke on behalf of the project.

Ms. Knight made a motion to approve the project, seconded by Dr. Fox. Dr. Swaid called for the roll call vote. The motion carried by a vote of 8-0.

AL2023-034, Apex MGT, LLC d/b/a Valley Park Manor, Valley, AL: Proposes to expand its Specialty Care Assisted Living Facility (SCALF) by converting fifteen (15) of its existing Assisted Living Facility (ALF) beds to SCALF beds as its existing facility in Valley, Chambers County, Alabama pursuant to the October 7, 2022 Statistical Update to the *2020-2023 Alabama State Health Plan*. **Opposition: None**

Attorney Holly Hosford spoke on behalf of the project.

Mr. Jones made a motion to approve the project, seconded by Ms. Knight. Dr. Swaid called for the roll call vote. The motion carried by a vote of 8-0.

Mr. Wallace recused himself at 11:01 a.m.

AL2023-035, Central Alabama Orthopedic Ambulatory Surgery Center, Homewood, AL: Proposes to develop and operate a multi-specialty Ambulatory Surgery Center (ASC) consisting of sixteen (16) operating rooms, four (4) procedure rooms, pre/post-operative spaces, offices, and workspaces for staff, as well as shelled space for two (2) additional operating rooms in the city of Homewood, Jefferson County, Alabama. The proposed surgery center will be focused mostly on providing orthopedic surgeries, but additional surgeries, such as pain procedures, may also be offered. **Opposition: None**

Attorney Brandon Jackson, Attorney David Hunt, Dr. Lyle Cain, Architect Willie Stokes, and Chief Financial Officer Scott Hughes spoke on behalf of the project.

Dr. Swaid made a note that the language needed to be tightened regarding the focus of the project. Mr. Ard made a motion to approve the project according to Dr. Swaid's instructions and was seconded by Mr. Jones. Dr. Swaid called for the roll call vote. The motion carried by a vote of 7-0.

Mr. Wallace rejoined the meeting at 11:08 a.m.

Dr. Swaid again thanked the board members who attended the meeting in person.

There being no further business before the Board, Dr. Swaid adjourned the meeting at 11:08 a.m.

Prepared by:

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Teresa Lee Date

Approved by:

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Swaid N. Swaid, M.D., Chairman Date