CERTIFICATE OF NEED REVIEW BOARD
May 15, 2024

The Certificate of Need Review Board held its monthly meeting on Wednesday, May 15, 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. Joseph Weaver

SHPDA Staff
Emily Marsal, Executive Director
Bradford L. Williams
Teresa Lee
Toni Ferguson
Kristin Norman
Melissa Trehern
Jen Magallon

Court Reporter
Dannah Moody

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 9:58 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. Freddy Ard made a motion to approve the agenda, seconded by Dr. Natalie Fox. The motion carried unanimously.

Dr. Swaid requested a motion to approve the minutes from the April 17, 2024 meeting. General Ed Crowell made a motion to approve the minutes, seconded by Ms. Carol Knight. The motion carried unanimously.

Dr. Swaid welcomed everyone and stated that there had been another challenge to CONRB in the legislative arena during this year's session. Mrs. Marsal and others did a good job in being present and representing the value of the CON process. The decision was made that CONRB serves its purpose serving healthcare in the state. With that being said, it is important that this body be purposeful in our actions.

Mrs. Marsal provided an update on the 2024-2027 Alabama State Health Plan. Governor Ivey has signed it and her support is very much appreciated. Many of the changes came from the CONRB so she appreciates this body greatly. The State Health Plan goes into effect on June 14, 2024. Dr. Swaid added that he requests that the SHCC look at establishing a methodology for Freestanding Emergency Departments (FEDs) for future changes to the State Health Plan.

DRAFT

Certificate of Need Program

Contested Case:
AL2023-021, Affinity Hospital, LLC d/b/a Grandview Medical Center, Hoover, AL: Proposes to establish a Freestanding Emergency Department (FED) in the city of Hoover, Shelby County, Alabama. The proposed FED will operate as an extension and part of Grandview Medical Center, an existing four hundred thirty-four (434) bed acute care hospital in Jefferson County, Alabama. **Opposition: BBH SBMC, LLC d/b/a Shelby Baptist Medical Center and St. Vincent's Birmingham filed 7/17/2023 and 7/24/2023, respectively. Contested case requested 7/24/2023 and 7/25/2023. ALJ was assigned 7/31/2023. ALJs recommended order was filed 2/27/2024. Exceptions were filed 3/4/2024.**

Attorney Jennifer Clark, Chief Operating Officer Justin Bryant, Hoover Mayor Frank Brocato, Hoover Fire Chief Joel West, Dr. Miles Cobia, and Dr. Jeremy Rogers spoke on behalf of the project.

Attorneys Brandon Jackson and Jim Hoover and Shelby Baptist CEO Holly Dean spoke against the project representing the intervenors.

After all questions were answered, General Ed Crowell made a motion to uphold the ruling of the ALJ and approve the project, seconded by Mr. Joseph Weaver. Dr. Swaid called for the roll call vote. The motion carried unanimously.

Project Modification:
AL2023-013, Birmingham Operations, LLC d/b/a Harmony at Birmingham, Jefferson County, AL: The applicant seeks a relocation of the senior living community, which includes a thirty-two (32) bed SCALF in the city of Trussville, Jefferson County, Alabama due to difficulties with the existing site.

Attorney Peck Fox spoke on behalf of the project.

Ms. Knight made a motion to approve the project modification, seconded by Mr. Randy Jones. Dr. Swaid called for the roll call vote. The motion carried unanimously.

AL2024-005, QHG of Enterprise, Inc. d/b/a Medical Center Enterprise, Coffee County, AL: Proposes to convert five (5) acute care beds to swing beds at its existing general acute care hospital that currently operates ten (10) swing beds in the city of Enterprise, Coffee County, Alabama. **Opposition: None**

Attorney Holly Hosford, CEO Joey Hester, and Sarah Soeigner, Director of ICU and Swing Bed, spoke on behalf of the project.

After all questions and comments were addressed, Mr. Jones made a motion to approve the project, seconded by General Crowell. Dr. Swaid called for the roll call vote. The motion carried unanimously.

Dr. Swaid thanked the board members who attended the meeting in person. He stated he looked forward to meeting again in person and seeing everyone.

There being no further business before the Board, Dr. Swaid adjourned the meeting at 11:31 a.m.

Prepared by:

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Teresa Lee Date

Approved by:

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