# TRANSMITTAL SHEET FOR NOTICE OF INTENDED ACTION

Control 410 Department or Agency State Healt	h Planning and Development
Agency (Certificate of Need Review Board)	and Development
Rule No410-1-705	
Rule Title: Letter of Intent	
New X Amend Repeal	Adopt by Reference
Would the absence of the proposed rule significantly harm or endanger public health, welfare, or safety?	
Is there a reasonable relationship between the state's police power and protection of the public health, safety, or welfare?	the YES
Is there another, less restrictive method of regulation available that cou adequately protect the public?	ldNO
Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved and, if so, to what degree?	ng NO
Is the increase in cost, if any, more harmful to the public than the harm that might result from the absence of the proposed rule?	NO
Are all facets of the rulemaking process designed solely for the purpose and so they have, as their primary effect, the protection of the public?	e of, YES
***********	* * * * * * * * * * * * * * * * * * *
Does the proposed rule have an economic impact?	YESYES
If the proposed rule has an economic impact, the proposed rule is require note prepared in accordance with subsection (f) of Section 41-22-23, Co	red to be accompanied by a fiscal ode of Alabama 1975.
************	*******
Certification of Authorized Official	
I certify that the attached proposed rule has been proposed in full comple Chapter 22, Title 41, Code of Alabama 1975, and that it conforms to all the Administrative Procedure Division of the Legislative Reference Services	applicable filing requirements of
Signature of certifying officer about M. Lamb	ect
Date 5/18/12	

DATE FILED (STAMP)

## ECONOMIC IMPACT STATEMENT FOR APA RULE (Section 41-22-23 (f))

Contr	ol No Department or Agency <u>State Health Planning and Development Agency</u> <u>Certificate of Need Review Board</u> .	
Rule 1	No & Title: 410-1-705 Letter of Intent	
New _	Amend X Repeal Adopt by Reference	
	This rule has no economic impact.	
X	This rule has an economic impact, as explained below:*	
1.	NEED/EXPECTED BENEFIT OF RULE:	
	This rule provides for the imposition of a fee utilized to fund the State Health Planning and Development Agency's operations. The fee is authorized by Act 2012-294, which was signed into law by Governor Robert Bentley on May 8, 2012.	
2.	COSTS/BENEFITS OF RULE AND WHY RULE IS THE MOST EFFECTIVE, EFFICIENT, AND FEASIBLE MEANS FOR ALLOCATING RESOURCES AND ACHIEVING THE STATED PURPOSE:	
	None	
3.	EFFECT OF THIS RULE ON COMPETITION:	
	None	
4.	EFFECT OF THIS RULE ON COST-OF-LIVING AND DOING BUSINESS IN THE GEOGRAPHICAL AREA WHERE THE RULE IS TO BE IMPLEMENTED:	
	None	
* The rule imposes a small filing fee on certain health care providers. It is not anticipated that the fee will have a material economic impact on health care delivery.		

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5.	EFFECT OF THIS RULE ON EMPLOYMENT IN THE GEOGRAPHICAL AREA WHERE THE RULE IS TO BE IMPLEMENTED:
	None
6.	SOURCE OF REVENUE TO BE USED FOR IMPLEMENTING AND ENFORCING THIS RULE:
	None
7	
7.	THE SHORT-TERM/LONG-TERM ECONOMIC IMPACT OF THIS RULE ON AFFECTED PERSONS, INCLUDING ANALYSIS OF PERSONS WHO WILL BEAR THE COSTS AND THOSE WHO WILL BENEFIT FROM THE RULE:
	None
8.	LINICEDETA DUTUES A SS O STATES AND
0.	UNCERTAINTIES ASSOCIATED WITH THE ESTIMATED BENEFITS AND BURDENS OF THE RULE, INCLUDING QUALITATIVE/QUANTITATIVE BENEFITS AND BURDEN COMPARISON:
	None
9.	THE EFFECT OF THE PARTY AND THE
9.	THE EFFECT OF THIS RULE ON THE ENVIRONOMENT AND PUBLIC HEALTH:  None
10.	DETRIMENTAL EFFECT ON THE ENVIRONMENT AND PUBLIC HEALTH IF THE RULE IS NOT IMPLEMENTED:
	None



## STATE HEALTH PLANNING AND DEVELOPMENT AGENCY

100 NORTH UNION STREET, SUITE 870 MONTGOMERY, ALABAMA 36104

#### **NOTICE OF INTENDED ACTION**

AGENCY NAME:

STATE HEALTH PLANNING AND DEVELOPMENT AGENCY

(Certificate of Need Review Board)

RULE NO. & TITLE: 410-1-7-.05 Letter of Intent

#### **INTENDED ACTION:**

The State Health Planning and Development Agency and the Certificate of Need Review Board propose to amend the above-styled section of the *Alabama Certificate of Need Program Rules and Regulations*.

#### SUBSTANCE OF PROPOSED ACTION:

This amendment will require a processing fee to be submitted with each letter of intent submitted to the Agency, as authorized by Act 2012-294, which was signed into law by Governor Bentley on May 8, 2012.

## TIME, PLACE, MANNER OF PRESENTING VIEWS:

In response to this Proposed Rule, all interested persons are invited to submit data, views, comments and/or arguments, orally or in writing. Any and all such data, comments, arguments and/or requests to orally address the Certificate of Need Review Board shall be made in writing on or before July 6, 2012, and shall be made to:

Nicole Horn, Executive Secretary State Health Planning and Development Agency P. O. Box 303025 Montgomery, Alabama 36130-3025

On July 18, 2012, at 10:00 a.m., the Certificate of Need Review Board shall conduct a public hearing in the State Capitol, Capitol Auditorium, 600 Dexter Avenue, Montgomery, Alabama, at which time it shall consider the Proposed Amendment, along with all written and oral submissions respecting the Proposed Amendment. Only those interested persons who have made timely written requests will be afforded the opportunity to speak.

Copies of the proposed changes are available for review at 100 North Union Street, RSA Union Building, Suite 870, Montgomery, Alabama. Phone (334) 242-4103 or visit the office Monday through Friday from 8:00 a.m. to 5:00 p.m., excluding State holidays.

# $\frac{FINAL\ DATE\ FOR\ COMMENT\ AND\ COMPLETION\ OF\ NOTICE:}{July\ 6,\ 2012}$

# CONTACT PERSON AT AGENCY:

Nicole Horn 100 North Union Street RSA Union, STE 870 Montgomery, AL 36104 (334) 242-4103

Alva M. Lambert, Executive Director

## 410-1-7-.05 <u>Letter of Intent</u>

- A letter of intent shall be submitted by the applicant at least thirty (30) days prior to submission of a formal application, and shall be accompanied by a processing fee of \$250.00.
- (2) The letter of intent must be in writing and must contain as a minimum the information addressed in 3 (a) (f) of 410-1-7-.04. All letters of intent should be directed to the Executive Director of the State Agency.
- (3) The letter of intent must include the anticipated date of filing the formal application with the State Agency.
- (4) A letter of intent shall remain effective for a period of six (6) months from the date of receipt by the State Agency. If no application is received by the State Agency within the six-month period, the letter of intent will be rendered null and void.
- (5) For those projects eligible for batching, use of the letter of intent in 410-1-7-.19 should be noted.

Author: Alva M. Lambert

Statutory Authority: § 22-21-275 (17), Code of Alabama, 1975.

History: