

410-1-4-.02 **Construction or Relocation of Administrative or Branch Office.**

The construction or relocation of an administrative or branch office of a home health agency or in-home hospice provider which: (1) is within the service area for which the provider is the holder of a CON (excluding home health agencies' contiguous county service areas authorized pursuant to § 22-21-265(f), Code of Alabama (1975 as amended)); and (2) at which no patient care is provided, does not constitute the construction, development, acquisition or other establishment of a new health care facility requiring a Certificate of Need under ALA. CODE § 22-21-263(a)(1) (1975 as amended). The home health or hospice agency shall notify SHPDA in writing of its construction or relocation plans at least thirty-five (35) days in advance of the action. As part of such notification, a home health or hospice agency may obtain a reviewability determination letter pursuant to ALA. ADMIN. CODE r. 410-1-7-.02, acknowledging compliance with this rule, with a copy of said letter sent to the Alabama Department of Public Health. Nothing in this rule shall be construed as authorizing the extension of a home health or in-home hospice services beyond those areas authorized under the provider's Certificate of Need or as may be otherwise authorized under Alabama law.

Statutory Authority: § 22-21-263, -275, Code of Alabama, 1975

History: **Filed April 22, 2010; effective May 27, 2010.**