

**CERTIFICATION OF ADMINISTRATIVE RULES
FILED WITH THE LEGISLATIVE REFERENCE SERVICE
JERRY L. BASSETT, DIRECTOR**

(Pursuant to Code of Alabama 1975, § 41-22-6, as amended).

I certify that the attached is/are a correct copy/copies of rule/s as promulgated and adopted on the 20th day of May, 2015, and filed with the agency secretary on the 27th day of May, 2015.

AGENCY NAME: State Health Planning and Development Agency
(Certificate of Need Review Board)

 X Amendment; New; Repeal; (Mark appropriate space)

Rule No. 410-1-8-.08 (1)

(If amended rule, give specific paragraph, subparagraphs, etc., being amended)

Rule Title: Issuance of Certificate of Need

ACTION TAKEN: State whether the rule was adopted without changes from the proposal due to written or oral comments;

No public comments were received; the rule was adopted without changes and as published for comment in the Alabama Administrative Monthly.

NOTICE OF INTENDED ACTION PUBLISHED IN VOLUME XXXIII

ISSUE NO. 6, **DATED** March 31, 2015.

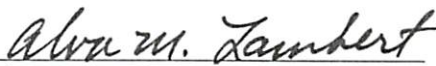
Statutory Rulemaking Authority: Code of Alabama, 1975 §§ 22-21-271, -274 and -275.

(Date Filed)
(For LRS Use Only)

REC'D & FILED

MAY 27 2015

LEGISLATIVE REF SERVICE


Alva M. Lambert, Executive Director
State Health Planning and Development Agency
(Certifying Officer or his or her Deputy)

(NOTE: In accordance with § 41-22-6(b), as amended, a proposed rule is required to be certified within 90 days after completion of the notice.)

410-1-8-.08 Issuance of Certificate of Need

- (1) The Executive Director of the State Agency shall issue a Certificate of Need to the applicant thirty (30) days after the decision of the Certificate of Need Review Board is deemed final, unless the issuance of the Certificate of Need is suspended by the filing of a request for reconsideration pursuant to Sections 410-1-8-.14 and 410-1-8-.15, or request for fair hearing under Section 410-1-8-.17. The thirty (30) day period may be waived or extended with the consent of all parties. In cases where an Administrative Law Judge's (ALJ) proposed Findings of Fact and Conclusions of Law becomes the final decision of SHPDA due to no exceptions being filed, the Executive Director shall issue a certificate of need to the applicant within fifteen (15) days of such decision becoming final.
- (2) A press release of the issuance of a Certificate of Need shall be issued the same day the Certificate of Need is issued to the applicant. The press release will include the following information:
 - (a) name of applicant;
 - (b) name and location of the project;
 - (c) description of the proposal; and
 - (d) the Certificate of Need Review Board's decision.

Statutory Authority: § 22-21-265 and § 22-21-275 (5), Code of Alabama, 1975.

History: Amended: Filed September 19, 1996; effective October 23, 1996. Amended: Filed February 13, 1997; effective March 20, 1997. Amended: Filed May 27, 2015; effective July 1, 2015.