

**Bed Availability Assurance Rule
For
Psychiatric Inpatient Beds**

410-2-4-.10 (5) Existing Psychiatric Inpatient Bed Providers

- (a) Notwithstanding any other provision of this Section 410-2-4-.10, in order to assist those existing psychiatric inpatient bed providers that are experiencing high census levels, which may cause the providers to close or restrict emergency services (“diversions”) or refuse transfers from other providers, which results in negative impacts on patients and their families, existing psychiatric inpatient bed providers may qualify to add psychiatric inpatient beds if they meet one of the following criteria:
- (i) Demonstrates an average occupancy percentage of at least 80 percent for total psychiatric inpatient beds, based on occupancy for seven days a week, for one separate and distinct period of ninety (90) consecutive calendar days of the facility’s most recent fiscal year; or
 - (ii) Demonstrates an average occupancy percentage of at least 80 percent within one of the following categories of psychiatric inpatient beds (child/adolescent, adult, gero-psychiatric), based on that unit’s occupancy for seven days a week, for one separate and distinct period of ninety (90) consecutive calendar days of the facility’s most recent fiscal year and all other category(s) of inpatient psychiatric beds (child/adolescent, adult or gero-psychiatric) used by the inpatient psychiatric bed provider can demonstrate an average occupancy of at least 70 percent for seven days a week, for one separate and distinct period of ninety (90) consecutive calendar days of the facility’s most recent fiscal year.
- (ii) In addition, in order to qualify to add psychiatric beds under this subsection, the provider must not have been granted an increase of psychiatric beds under this section or another section of the State Health Plan within the preceding twelve (12) month period, which time begins to run upon the issuance of a certificate of occupancy issued by the Alabama Department of Public Health, or have a prior approved CON Authorization for psychiatric inpatient beds, which have not been placed into service.
- (b) Existing Psychiatric Inpatient Bed Providers meeting the criteria described in paragraph 1.1 above may seek a CON to add up to ten (10) beds. Such additional beds will be considered an exception to the psychiatric inpatient bed need methodology set forth elsewhere in the Section, provided, however, that any additional beds authorized by the CON Review Board pursuant to this provision shall be considered for purposes of other bed need methodology purposes. In addition to such additional information that may be required by SHPDA, an applicant seeking a CON for additional beds under this section must provide and achieve, as part of its CON application, each of the following:
- (i) Demonstration of compliance with the occupancy rate in paragraph 1.1;
 - (iii) The application for additional psychiatric inpatient beds does not exceed ten (10) psychiatric inpatient beds;
 - (iv) The existing provider has not been granted an increase of psychiatric beds under this section or another section of the State Health Plan within the preceding twelve (12) month period, which

time begins to run upon the issuance of a certificate of occupancy issued by the Alabama Department of Public Health, or have a prior approved CON Authorization for psychiatric inpatient beds, which have not been placed into service;

- (v) The provider must have been licensed by ADPH or Certified by Medicare for at least twelve (12) months as a psychiatric inpatient bed provider;
- (vi) Any psychiatric inpatient beds granted under this section can only be added at or upon the existing main campus of the applicant; and
- (vii) The provider has not converted psychiatric inpatient beds to acute care beds within the last twenty-four (24) month period.

410-2-4-.10 (6) ~~Existing Psychiatric Inpatient Bed Providers.~~ Psychiatric Inpatient Bed Availability Assurance in Counties Without CON Authorized Psychiatric Inpatient Beds

- (a) In those Alabama counties without CON Authorized Psychiatric Inpatient Beds, an existing acute care hospital within the county meeting the requirements of this subsection can apply to add up to 10 psychiatric inpatient beds.
- (b) Such additional beds will be considered an exception to the psychiatric inpatient bed need methodology set forth elsewhere in the Section, provided, however, that any additional beds authorized by the CON Review Board pursuant to this provision shall be considered for purposes of other bed need methodology purposes. In addition to such additional information that may be required by SHPDA, an applicant seeking a CON for additional beds under this section must provide and achieve, as part of its CON application, each of the following:
 - (i) The addition does not exceed ten (10) psychiatric inpatient beds;
 - (ii) The provider must be licensed by ADPH for at least twelve (12) months as a general acute care hospital;
 - (iii) Any psychiatric inpatient beds granted under this section can only be added at or upon the existing main campus of the applicant; and
 - (iv) The provider must not have added any psychiatric inpatient beds within the preceding twelve (12) month period, which time begins to run upon the issuance of a certificate of occupancy issued by the Alabama Department of Public Health, or have a prior approved CON Authorization for psychiatric inpatient beds, which have not been placed into service.