

*Georgia Department of Community Health
Healthcare Facility Regulation Division-- Application for Variance or Waiver*

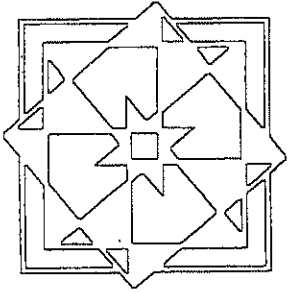
I would like to apply for a variance or waiver and submit the following information for consideration:

1. Name of Licensed Facility: Atlanta Women's Medical Center, Inc.
Address of Licensed Facility: 235 West WieUCA Road
City: Atlanta County: Fulton Zip Code: 30342
Phone Number of Facility: (404) 257-0057
Contact Person or Person Representing the Facility: Elizabeth J. Appley, Attorney at Law
Name of Resident the waiver application concerns (if applicable): N/A
Date of Admission to Facility (if request is made on behalf of a specific resident): N/A
NOTE: Attach recent evidence of medical evaluation to application if application involves the health status of the resident.
2. List the specific rule(s) (citations) for which variance or waiver is being requested (e.g. 111-8-62-.16(1)(b):
Rule 290-5-33-.10(f)
3. Action requested (check one): Variance X Waiver
(A variance is a request to permit some variation from the literal requirements of the rule. A waiver is a request to dispense with compliance with the rule entirely with no alternative standards proposed to be met for the specific rule to be waived.)
4. Facts supporting a claim of substantial hardship for the applicant and which are believed to justify the variance or waiver: This is an application for continuation of an existing waiver that has been in place pursuant to a grant from the Department's predecessor agencies since 1994 for AWMC's current location. The AWMC's building does not have an elevator and it would not be feasible to construct an elevator on this site in order to access the second floor where the clinic facilities are located. AWMC has met all requirements of the waiver since 1994 years without any incident or adverse consequences to patient care.
5. Alternative standards which the applicant agrees to meet instead of the rule: Alternative standards which the applicant agrees to meet instead of the rule are set forth in the attached Memorandum dated August 30, 2005, from Carol Zafiratos, Director of the Health Care Section, Georgia Department of Human Resources Office of Regulatory Services to James E. Courtney, Program Director of the Acute Care Unit, Health Care Section granting the current waiver to the applicant.
6. Explanation as to how the alternative standards will afford adequate protection for the public health, safety and welfare: AWMC has complied with the alternative standards that have been in place throughout the 18 years the waiver has been in place. These alternative standards have afforded adequate protection for the public health, safety, and welfare. Health, safety and care of patients has not been compromised by the absence of an elevator and no negative patient outcomes have occurred relating to the absence of an elevator to transport patients.
7. The reason why the variance or waiver requested would serve the purpose of the underlying statute: The waiver would serve the purpose of the underlying statute by providing access to quality health care in an ambulatory surgical treatment center that has been delivering high quality care over many years notwithstanding the absence of an elevator.
8. The length of time that the variance or waiver is requested to last: Seven years.
9. Date Application Submitted: July 17, 2012

(Departmental use only)

Date application determined complete: _____ by: _____ Appendix 1

2/01/10



ATLANTA
WOMEN'S
CENTER

July 17, 2012

Mr. Brian Looby
Division Chief
Healthcare Facility Regulation
Georgia Department of Community Health
2 Peachtree Street
Atlanta, GA 30303-3142

RE: AWMC Elevator Waiver

Dear Mr. Looby:

As the Medical Director of the Atlanta Women's Medical Center, I have paid strict attention to the procedural requirements in place to accommodate the absence of an elevator, provided in the waiver of Rule 290-5-33-.10(f) of the Rules and Regulations for Ambulatory Surgical Treatment Centers that has been in place since 1993.

It continues to be my medical judgment that the waiver conditions in place allow for patients walking down stairs following the receipt of procedures at the Center to have minimal, if any, risk to the patient. I have not seen a compromise in patient care, nor have any incidents related to stairway access been noted.

I continue to be pleased with the quality of services we offer our patients.

Sincerely,

Kenneth M. Twiddy, M.D.
Medical Director

235 West Wieuca Road
Atlanta, GA 30342
(404) 257-0057
(800) 877-6332
FAX (404) 257-1245