

CONTESTED CASES
October 2016

Erlanger Behavioral Health, LLC
CN1603-012A
Docket No.: 25.00-139628J

Parkridge Valley Child and Adolescent Services and Parkridge Valley Adult and Senior Services have appealed the *Approval* of Erlanger Behavioral Health, LLC's application for the establishment of an eighty-eight (88) bed mental health hospital and initiation of inpatient psychiatric and substance abuse services in Chattanooga, TN.

Jerry W. Taylor of Burr & Forman represents Parkridge Valley Child and Adolescent Services and Parkridge Valley Adult and Senior Services

William H. West of Baker, Donelson, Bearman, Caldwell & Berkowitz represents Erlanger Behavioral Health, LLC

SBH-Kingsport, LLC
CN1312-050D
Docket No.: 25.00-126908J

SBH-Kingsport, LLC has appealed the *Denial* of its application for the establishment of a 72 bed free standing mental health hospital and initiation of inpatient psychiatric and substance abuse services. The proposed mental health hospital would consist of 28 inpatient beds for psychiatric care for children ages 5-17, 18 inpatient beds for adult psychiatric care for adults ages 18-64, 16 inpatient beds for geropsychiatric care for ages 55+, and 10 adult chemical dependency beds. The proposed project would accept voluntary and/or involuntary admissions.

The contested case was held July 27-31, 2015. An Initial Order granting the CON was issued by the ALJ, which Woodridge Psychiatric Hospital has requested that the HSDA review. The HSDA upheld the Initial Order at its June 22, 2016 meeting. The HSDA's Final Order has been appealed to the Davidson County Chancery Court.

William H. West of Baker, Donelson, Bearman, Caldwell & Berkowitz represents SBH-Kingsport, LLC

Dan H. Elrod, Brian Jackson, and Travis B. Swearingen of Butler Snow represent Woodridge Psychiatric Hospital

Southern Hills Surgery Center
CN1411-047A
Docket No.: 25.00-131649J

Saint Thomas Campus Surgicare, LP, Baptist Surgery Center, LP, Baptist Plaza Surgicare, LP, Franklin Endoscopy Center, LLC, and Physicians Pavilion, LP have appealed the *Approval* of Southern Hills Surgery Center's application for the relocation and replacement of an ASTC.

The trial had been set for May 16-20, 2016, but has been delayed pending resolution of the Interlocutory Appeal filed by SHSC that will be heard at the Agency's October 2016 meeting.

HCA Health Services of Tennessee, Inc.
d/b/a TriStar Southern Hills Medical Center
Emergency Department at I-65
CN1412-050D
Docket No.: 25.00-130740J

TriStar Southern Hills Medical Center has appealed the *Denial* of its application for the establishment of a freestanding emergency department.

The contested case has been set for January 9-13 and 17th, 2017.

Jerry W. Taylor of Burr & Forman represents HCA Health Services of Tennessee, Inc.
d/b/a TriStar Southern Hills Medical Center

William H. West of Baker, Donelson, Bearman, Caldwell & Berkowitz represents Williamson Medical Center

Brian Jackson, and Travis B. Swearingen of Butler Snow represent Vanderbilt University Medical Center

Tri-Cities Holdings, LLC d/b/a Trex Treatment Center
CON #1303-005D
Docket No.: 25.00-122076J

Tri-Cities Holdings, LLC d/b/a Trex Treatment Center had appealed the *Denial* of its application for the establishment of a nonresidential substitution-based treatment center for opiate addiction in Johnson City. Tri-Cities Holdings, LLC d/b/a Trex Treatment Center filed a Motion to Dismiss Appeal without Prejudice, which would permit the revival of the appeal. Agency counsel filed a response seeking dismissal with prejudice, which would end the contested case permanently. An Order was entered, dismissing the contested case with prejudice.

The Tennessee Supreme Court has upheld the revocation of Mr. Dunlap's permission to represent the petitioner in the contested case.

The Federal lawsuits are still pending.