

# GENERAL COUNSEL'S REPORT

August 26, 2015

A. ADC Recovery and Counseling Center, Memphis (Shelby County), TN — CN1305-018A

On August 28, 2013, by a 9-0-1 vote, the Agency approved this application for the relocation of an existing non-residential substitution-based treatment center for opiate addiction from 3041 Getwell Road, Suite 101, Memphis (Shelby County), TN 38118 to 4539 Winchester Road, Building B, Suite I, Memphis, TN 38118. The estimated project cost was \$961,168.

The parent company, Behavioral Health Group, delayed the implementation of this CON due to prioritization of the relocation of its non-residential substitution-based treatment center for opiate addiction in Jackson, TN.

Construction has begun, with completion expected in mid-September 2015.

ADC Recovery and Counseling Center requests a two month extension of the expiration date from 10/1/15 to 12/1/15.

**BASS BERRY + SIMS**

J. Richard Lodge  
dlodge@bassberry.com  
(615) 742-8254

2015 JUL 20 10:52 AM

July 20, 2015

**Via Hand Delivery**

Ms. Melanie Hill  
Executive Director  
Health Services and Development Agency  
Andrew Jackson Building  
9th Floor, 500 Deaderick Street  
Nashville, TN 37243

**Re: CN1305-018: Request for Extension of Time**

Dear Ms. Hill:

On behalf of ADC Recovery and Counseling Center, this letter requests an extension of time until December 31, 2015, to complete the project. The current expiration date of this Certificate of Need, CN1305-018, is October 1, 2015.

As you are aware, in West Tennessee, affiliates of Behavioral Health Group own and operate non-residential substitution-based treatment centers in Dyersburg, Jackson and three centers in Shelby County. In February 2015, an ice storm in northwest Tennessee forced closure temporarily of the Dyersburg Center, and its patients received treatment at the Jackson center for a period of time. In addition, relocation of the Jackson Center had to be prioritized over the relocation of Memphis centers that are currently relocating due to space concerns and fire marshal considerations at that location. These two factors resulted in the relocation from Getwell Road to Winchester Road, approved by the referenced Certificate of Need, to move to a lower priority status within the company.

Construction on the renovation of the new space on Winchester Road has begun. Completion is expected in mid-September. This request for an extension is to ensure that any unanticipated construction delays do not mean that the Certificate of Need expires before completion should the project not be able to be completed by mid-September 2015.

The project costs have not changed from the costs submitted in the application. All costs included on the project cost chart in the application remain valid.

Enclosed with this request is a check \$375 for the filing fee required by Rule 0720-10-.06 (3)(b).

Ms. Melanie Hill  
July 20, 2015  
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Please let me know if we can provide any additional information that might be helpful to you. We are prepared to respond to any questions that you may have. Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Richard Lodge". The signature is fluid and cursive, with a long horizontal stroke at the end.

J. Richard Lodge

14428541.1



**STATE OF TENNESSEE**  
**HEALTH SERVICES AND DEVELOPMENT AGENCY**  
500 Deaderick Street, Suite 850  
Nashville, TN 37243  
615/741-2364

**PROGRESS REPORT**  
**ANNUAL REVIEW FOLLOWING CERTIFICATION**

Project Name: ADC Recovery and Counseling Center

Certificate of Need #: CN 1305-018A

Legal Owner: VCPHCS I, LLC d/b/a Behavioral Health Group

Approval Date: August 28<sup>th</sup>, 2015

Project Description:

The relocation of an existing non-residential substitution-based treatment center for opiate addiction from 3401 Getwell Road, Suite 101, Memphis (Shelby County), TN 38118, to 4539 Winchester Road, Building B, Suite I, Memphis TN 38118.

Behavioral Health Group is applying for a brief extension for this project, as other operational considerations forced the reprioritization of our spending capital. At present, we are again moving forward with the project. Our contractor reports we are awaiting the stamped and signed construction documents so that we can file for permit, and begin demolition on July 1<sup>st</sup>, 2015.

**\*\*\*\*PLEASE SUBMIT EVIDENCE TO SUPPORT EACH ANSWER\*\*\*\***

In a brief narrative, please describe the current stage of completion for the project (use another sheet of paper if necessary). **Please note that this report will not be considered complete without this information.**

A. CONSTRUCTION PROJECTS

1. Anticipated date of project completion. December 31<sup>st</sup>, 2015
2. Provide written confirmation from the contractor documenting the stage of construction at the current time.

B. NON-CONSTRUCTION PROJECTS

1. Anticipated date of service implementation, acquisition or operation of the facility or equipment as certified. \_\_\_\_\_
2. Provide written confirmation from the institutional representative verifying the occupancy/opening date for the service, equipment, or facility.

  
\_\_\_\_\_  
Signature of Authorized Agent or Chief Operating Officer

6/11/15  
\_\_\_\_\_  
Date

STATE OF TENNESSEE  
Health Services and Development Agency



Certificate of Need No. CN1305-018A is hereby granted under the provisions of T.C.A. § 68-11-1601, *et seq.*, and rules and regulations issued thereunder by this Agency.

To: VCPHCS I, LLC d/b/a Behavioral Health Group  
8300 Douglas Avenue, Suite 750  
Dallas, TX 75225

For: ADC Recovery and Counseling Center

This Certificate is issued for: The relocation of an existing non-residential substitution-based treatment center for opiate addiction from 3041 Getwell Road, Suite 101, Memphis (Shelby County), TN 38118, to 4539 Winchester Road, Building B, Suite I, Memphis, TN 38118.

On the premises located at: 4539 Winchester Road, Building B, Suite 1  
Memphis (Shelby County), TN 38118

For an estimated project cost of: \$961,168.00

The Expiration Date for this Certificate of Need is

October 1, 2015

or upon completion of the action for which the Certificate of Need was granted, whichever occurs first. After the expiration date, this Certificate of Need is null and void.

Date Approved: August 28, 2013

  
Chairman

Date Issued: September 25, 2013

  
Executive Director

