

**JOINT DETERMINATION AS TO COMPLETENESS OF THE APPLICATION FOR
CERTIFICATE OF PUBLIC ADVANTAGE SUBMITTED BY MOUNTAIN STATES
HEALTH ALLIANCE AND WELLMONT HEALTH SYSTEM ON FEBRUARY 16, 2016**

1. On February 16, 2016, Mountain States Health Alliance and Wellmont Health System (hereinafter the “Applicants”) submitted an Application for Certificate of Public Advantage pursuant to Tenn. Code Ann. § 68-11-1303 to the Tennessee Department of Health (the “Department”). The Application submitted by the Applicants on February 16, 2016 was not complete.
2. After the Applicants provided additional submissions in response to requests from the Department, the Department deemed the application complete on September 15, 2016, pursuant to Tenn. Rules & Regs. Ch. 1200-38-01-.02(3). Pursuant to this regulation and Tenn. Code Ann. § 68-11-1303, once the Department deems the application complete, the Commissioner of the Department has 120 days to either grant or deny the application.
3. Tenn. Rules & Regs. Ch. 1200-38-01-.02(3) also provides that the Department may request additional information from the applicants prior to issuing a final decision. The Applicants have continued to submit documents to the Department and certain confidential information to the Attorney General’s office to supplement their application after it was deemed complete.
4. The 120-day statutory deadline for the grant or denial of the application expires on January 13, 2017. The Applicants have requested the opportunity to make further submissions to their Application for the Department’s consideration. Accordingly, the Applicants have requested that the Commissioner withdraw the September 15, 2016, decision deeming the Application complete.

5. Based on the unique facts and circumstances of this Application and the additional submissions that the Applicants have made to date, the Commissioner has determined that, in order to consider further submissions, it is appropriate to grant the Applicants' request to withdraw the previous decision deeming the Application complete and allow the Applicants to make additional submissions to their application.

Accordingly, the Commissioner hereby determines, based on the above findings and the agreement of the Applicants, that the September 15, 2016, decision deeming the application complete is withdrawn, that the application remains incomplete, and that the statutory 120-day deadline to act on the application has not begun to run.



JOHN J. DREYZEHNER, MD, MPH, FACOEM
Commissioner
Tennessee Department of Health



ALAN LEVINE
on behalf of
Mountain States Health Alliance



BART HOVE
on behalf of
Wellmont Health System

Date: 1-13-17