

October 14, 2019

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[balladhealth.org](http://balladhealth.org)

The Honorable Lisa Piercey, MD, MBA, FAAP  
Commissioner  
Tennessee Department of Health  
710 James Robertson Parkway  
Nashville, TN 37243

Re: Request for Physician Waiver (Neurosurgery Coverage)

Dear Commissioner Piercey,

Ballad Health ("Ballad") has identified an immediate need for additional neurosurgery coverage at Johnson City Medical Center ("JCMC") and is requesting a waiver under Section 5.05(e) of the Terms of Certification. The neurosurgery services at JCMC are supported by providers from Ballad Health Medical Associates ("BHMA").

For purpose of history, this neurosurgical group, prior to our merger, was a private and independent group led by Dr. David Wiles. The group suffered from financial distress and was unable to continue as an independent group. Several of the physicians indicated they would not remain in the community if they were not able to secure employment by Ballad Health. This was obviously a priority for Ballad Health, as at the time, Holston Valley Medical Center ("HVMC") did not have full neurosurgery coverage. A loss of the physicians from Johnson City, some of whom had previously provided trauma and ER coverage at HVMC in addition to JCMC, would have been devastating for the entire region. At that time, we sought, and received, approval from the state to employ the entire group, and Ballad Health formally acquired the practice. Dr. Wiles remained with the group until November, 2018, when he departed the region. BHMA is currently recruiting a replacement for Dr. Wiles. And Ballad Health has also been successful in recruiting and retaining an additional, highly qualified neurosurgeon for HVMC.

It is important that certain neurosurgeons be able to cross cover both HVMC and JCMC, particularly given the ongoing provision of trauma services at both hospitals. Ballad has identified Dr. Jon Taveau to provide cross coverage for these services at JCMC. While we believe this would be on a 0.2 FTE basis, it is certainly possible he could provide more coverage as needed based on patient demand and physician scheduling issues with call. Dr. Taveau is a neurosurgeon employed by Ballad who currently practices full-time at Holston Valley Medical Center ("HVMC"). Dr. Taveau is able and willing to provide coverage for trauma and emergency cases at JCMC in addition to his cases at HVMC. Dr. Taveau is qualified to handle advanced trauma cases that the BHMA neurosurgeons currently covering JCMC are unable to perform.

The most recent Provider Needs Assessment for this region identified a need of 4.7 FTE neurosurgeons for fiscal year 2020. After the departure of Dr. Wiles, only 3 operating neurosurgeons and 1 non-operating neurosurgeon from BHMA support JCMC. Additional neurosurgery coverage at JCMC is required to support the Level I trauma program. Ballad Health currently employs all the neurosurgeons practicing in Johnson City.

Due to these factors, Ballad is respectfully requesting a waiver under Section 5.05(e) of the Terms of Certification to move at least the equivalent of 0.2 FTE of Dr. Taveau's time to JCMC to ensure appropriate coverage for neurosurgery trauma and emergency care as soon as possible.

We appreciate your consideration of this request. Please let us know if you need any additional information.

Sincerely,



Alan Levine

cc: Herbert H. Slatery III  
Tennessee Attorney General

Janet M. Kleinfelter  
Deputy Attorney General

Jeff Ockerman, Director, Division of Health Planning  
Tennessee Department of Health

Larry Fitzgerald  
Tennessee COPA Monitor

M. Norman Oliver, MD, MA, Commissioner  
Virginia Department of Health

Erik Bodin, Director, Office of Licensure and Certification  
Virginia Department of Health