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<p>1 OF 1</p> <p>LTR</p> <p>ANGELA AUSTIN 423-302-6515 JOHNSON CITY MEDICAL CENTER 100 NORTH STATE OF FRANKLIN RD JOHNSON CITY TN 37604</p> <p>SHIP TO: COMMISSIONER RALPH ALVARADO, MD TN DEPT OF HEALTH 710 JAMES ROBERTSON PKWY ANDREW JOHNSON TOWER, 5TH FLOOR NASHVILLE TN 37243-1219</p>	<p>TN 371 9-02</p>  	<p>UPS NEXT DAY AIR SAVER 1P</p> <p>TRACKING #: 1Z 313 025 13 9458 2049</p>		<p>BILLING: P/P</p> <p>Department Number: 40926</p> <p>CS 24.9.00. WNTNV50 40 DA 09/2024*</p> 
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Alan Levine
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balladhealth.org

October 2, 2024

The Honorable Karen Shelton, MD, FACOP
State Health Commissioner
Virginia Department of Health
109 Governor Street
Richmond, VA, 23219

The Honorable Ralph Alvarado, MD, FACP
State Health Commissioner
Tennessee Department of Health
710 James Robertson Parkway, 5th Floor
Nashville, TN 37243

Re: Notification of Force Majeure Event resulting in a Material Adverse Event

Dear Commissioners:

We are writing pursuant to the Tennessee Terms of Certification ("TOC") and the Virginia Cooperative Agreement ("CA") to provide notice under Article 1 of the TOC and Condition 17 of the CA relating to the occurrence of a Material Adverse Event.

As you are aware, Hurricane Helene caused, and is still causing, unimaginable destruction and disruption as the storm passed through the Appalachian Highlands. On Friday, September 27th, Ballad Health (Ballad) activated its Corporate Emergency Operations Center (CEOC) in order to respond to issues caused by severe weather from the remnants of the storm. Flooding, high winds, and utility outages created problems throughout the Ballad Service Area. In fact, Ballad Health lost one of its employees to drowning.

The following are closures or changes to Ballad services due to the impact from Helene as of October 1, 2024:

Unicoi County Hospital is closed until further notice

On Friday morning, Unicoi County Hospital in Erwin, Tennessee, was engulfed by extremely dangerous and rapidly moving water after the Nolichucky River overran its banks. All patients and team members were successfully rescued from the hospital through the use of rescue

helicopters and boats. Affected patients were transferred to Johnson City Medical Center, and their families updated. The hospital remains closed until further notice. Ballard will assess the damage once it is safe to do so. We will ensure all current and future patients can access care at neighboring facilities. A temporary medical response unit is now located in the auditorium parking lot of Unicoi County High School in Erwin in order to provide access to first aid, triage and stabilization. Ballard Health team members will be staffing the unit around the clock. I have made contact with the Health Facilities Commission to engage their help in securing necessary approvals for the establishment of a temporary freestanding emergency department to be located at existing office space in Erwin. This process has commenced.

Sycamore Shoals Hospital services temporarily suspended, to resume accepting inpatients Wednesday

Due to rising flood waters, on Friday, Ballard Health took the proactive measure of safely evacuating 39 inpatients and suspended all operations except the Emergency Department. Inpatients were transferred to other hospitals throughout the Ballard system. On Wednesday, October 2, the hospital will resume accepting inpatients. Surgical procedures will resume on Thursday.

Greeneville Community Hospital services are suspended

Services at Greeneville Community Hospital were suspended on Friday after the facility suffered a major disruption to its water supply. All inpatients were successfully transferred to Holston Valley Medical Center. All services remain suspended at Greeneville Community Hospital except for the Emergency Department which will remain open for local emergencies. Emergency obstetric services are still being provided at Greeneville Community Hospital for patients who are in active labor or have an emergent situation.

Laughlin Healthcare Center is closed

Laughlin Healthcare Center in Greeneville, Tennessee, also suffered a major disruption to its water supply. Thirty-three patients were successfully evacuated from Laughlin Healthcare Center to Wexford House in Kingsport, Tennessee. Patients' families have been notified. Laughlin Healthcare Center will remain closed until utilities and the water supply in Greeneville stabilize.

Elective procedures will resume where possible

Elective procedures were temporarily postponed at all Ballard facilities on Friday. Elective procedures resumed on Monday, September 30 at facilities that were able to perform them. Patients will be contacted in the event their procedure needs to be rescheduled.

Ballad Health Medical Associates (BHMA) services in Unicoi County, Tennessee are impacted

BHMA clinics in Unicoi County are closed while emergency personnel survey the extensive damage across the county.

Ballad Health Medical Associates sites remain open

Except for Unicoi County, all BHMA offices were open Monday, September 30.

The impact of Hurricane Helene qualifies as a material adverse event under both the TOC and the CA. We, in our capacities as the Chief Executive Officer and Chief Financial Officer of Ballad Health, respectively, certify that the foregoing notice is true and correct in all material aspects to the best of our knowledge after due inquiry.

The damage caused by Hurricane Helene may affect Ballad's ability to meet certain conditions of the TOC and the CA long-term. Ballad is focused on responding to the needs of our patients and communities at this time. Once the damage has been fully assessed, Ballad will notify you of the provisions of the TOC and CA that may need our mutual attention under Section 8.02 of the TOC and Condition 49 of the CA as a result of the damage.

Ballad is sincerely appreciative of the Tennessee National Guard and the Virginia State Police who helped rescue patients and staff members who were stranded at Unicoi County Hospital on Friday. We also want to thank you for what you and your Departments are doing to help our region respond to the aftermath of Helene.

We will keep you and your staff updated on our recovery efforts and we will engage with you at the appropriate time to discuss the implications of this event for the TOC and CA.

Sincerely,

A handwritten signature in blue ink, appearing to read "Alan Levine".

Alan Levine
Chairman & CEO

A handwritten signature in blue ink, appearing to read "Shane Hilton".

Shane Hilton
Chief Financial Officer

cc: Jonathan Skrmetti
Tennessee Attorney General and Reporter

Kevin Kreutz
Tennessee Deputy Attorney General

Allyson Tysinger
Virginia Senior Assistant Attorney General

JW Randolph, Deputy Commissioner for Health Strategy and Regulation
Tennessee Department of Health

Joe Hilbert, Deputy Commissioner for Governmental and Regulatory Affairs
Virginia Department of Health

Elizabeth Jones, Director of Health Planning
Tennessee Department of Health

Jim Mathis, Director of COPA
Tennessee Department of Health

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

Judi Knecht, Assistant Director of COPA
Tennessee Department of Health

Joe Landsman
Tennessee COPA Monitor

Kevin Meyer, COPA Analyst
Virginia Department of Health

Julie Bennett, Chief Legal Officer and Corporate Secretary
Ballad Health

Andy Wampler, General Counsel
Ballad Health

Marvin Eichorn, EVP, Chief Administrative Officer
Ballad Health

Claire Haltom
Baker Donelson

