

**BALLAD HEALTH CONDITIONAL WAIVER
CROSS-CREDENTIALING OF EMPLOYED PHYSICIANS**

WHEREAS, the Tennessee Department of Health (“Department”), Ballard Health, a Tennessee nonprofit public benefit corporation (“Ballad”) and the common parent entity of Applicants for a Certificate of Public Advantage (“COPA”) Mountain State Health Alliance, a Tennessee nonprofit public benefit corporation (“Mountain States”), and Wellmont Health System, a Tennessee nonprofit public benefit corporation (“Wellmont”) entered into that certain Terms of Certification (“TOC”) dated January 31, 2018 governing the COPA; and

WHEREAS, capitalized terms not defined herein shall have the meaning set forth in the TOC;

WHEREAS, the Department approved the application of Mountain States and Wellmont for a COPA on September 19, 2017 (the “Approval Date”) and issued the COPA on January 31, 2018; and

WHEREAS, Section 5.05(e) of the TOC requires that “(n)o more than thirty-five (35%) of the physicians practicing in any specialty at any COPA Hospital that is not a Rural Hospital at any time may be “Employed Physicians” (the “35% limitation”);

WHEREAS, said Section 5.05(e) further states that after the issuance of the COPA, Ballad may apply to the Department for a waiver of this 35% limitation for a specific specialty; and

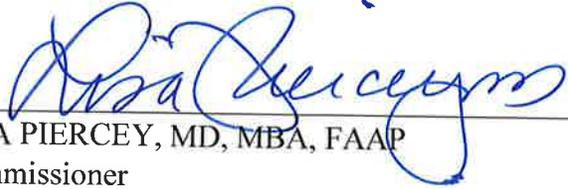
WHEREAS, on April 13, 2018 Ballad sent the Department a written request for a waiver of the 35% limitation for the cross-credentialing at all Ballad hospitals of Employed Physicians (the “Request”), as Ballad’s credentialing of its Employed Physicians at Ballad hospitals where they physicians had not previously been credentialed would exceed the 35% limitation.

WHEREAS on March 5, 2019, the Department issued a Conditional Waiver, effective through February 28, 2020, granting the Request subject to certain Terms and Conditions, including the condition that by April 1, 2020, Ballad shall provide the Department a detailed report of the impact on Independent Physicians of the waiver for review by the Department and further providing that within thirty (30) days of such review the Department will inform Ballad of its decision to extend, modify or terminate the waiver.

WHEREAS, in order to ensure continuity and consistency, Ballad has requested that the Department extend the waiver to the end of this 30-day time period for review of the report submitted by Ballad,

NOW THEREFORE, after review of Ballad's request to extend and pursuant to Sections 5.05(e) and 9.06 of the TOC, the Department hereby grants the Request and extends this waiver through April 30, 2020. This waiver is based on the completeness and accuracy of all relevant information provided by Ballad to the Department, and the Department may revise or withdraw the waiver if it determines that Ballad failed to provide complete and accurate information.

ISSUED this 28th day of February, 2020.

By: 

LISA PIERCEY, MD, MBA, FAAP

Commissioner

Tennessee Department of Health