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July 4, 2025

VIA EMAIL

Ann Rutherford Reed
Deputy Director for Licensure & Regulation
Tennessee Health Facilities Commission
665 Mainstream Drive, 2nd Floor
Nashville, Tennessee 37243
ann.r.reed@tn.gov

**Re: Amerita (CN2503-008) – Home Health Agency Branch Office Location
Waiver Request**

Dear Ms. Reed:

We are writing on behalf of our client, Amerita, Inc. ("Amerita"), to respectfully request a waiver of Tenn. Code Ann. § 68-11-202(e)(2)(C), which requires that a home care organization's branch office be located within 100 miles of the home care organization's parent office. Specifically, Amerita seeks this waiver to establish branch office locations in Kingsport and Nashville, Tennessee, both of which are located more than 100 miles from the parent office. Amerita requests that this waiver request be placed on the Licensure portion of the agenda for the Tennessee Health Facilities Commission's ("THFC") meeting scheduled for July 23, 2025.

Background

The THFC unanimously approved Amerita's Certificate of Need ("CON") application (CN2503-008) for the establishment of a home care organization and the initiation of home health services in an 80-county service area, limited to home infusion and related nursing services for patients of pharmacies owned by Amerita. The parent office will be located in Chattanooga, Tennessee ("Parent Office"). As proposed in the approved application, Amerita seeks approval to establish branch offices in Kingsport ("Kingsport Branch") and Nashville ("Nashville Branch") (collectively, the "Branches") at its existing pharmacy locations.

The Kingsport Branch will be located approximately 200 miles from the Parent Office at 105 Jack White Drive, Suite B, Kingsport, TN 37664. The Nashville Branch will be located approximately 150 miles from the Parent Office at 217 West Maplewood Lane, Nashville, TN 37207.

Compliance with THFC Branch Office Criteria

Tennessee law establishes the following requirements for operating home health agency branch office locations:

(A) A parent office shall develop and maintain administrative controls of the branch office and house the administrative functions of the home care organization. The parent office is ultimately responsible for human resource activities and all financial and contractual agreements for the home care organization, including both parent and branch offices;

(B) The administrator and director of nursing for the home care organization shall be primarily located in the parent office. The home care organization administrator and director of nursing shall make on-site supervisory visits to each branch office at least quarterly;

(C) A branch office is an office that provides services within the geographical area for which the home care organization is licensed. A branch office must be sufficiently close to share administrative services with the parent office. A branch office is deemed to be sufficiently close if it is within one hundred (100) miles of the parent office; provided, that the remaining criteria set forth in this subsection (e) also apply. A branch office that is greater than one hundred (100) miles from a parent office may be considered a branch office by the commission, if it otherwise meets the criteria set forth in this subsection (e);

(D) The parent office [] shall have a clearly defined process to ensure that effective interchange occurs between the parent and branch regarding various functions, including branch staffing requirements, branch office patient census, total visits provided by the branch, complaints, incident reports, and referrals;

(E) The branch office [] shall maintain the same name and standards of practice as the parent office [], including forms, policies, procedures, and service delivery standards. The parent office [] shall maintain documentation of integration between the parent office and its branch offices;

(F) The parent office [] shall maintain regular administrative contact with its branch offices at least weekly. The parent office shall maintain documentation of this contact. The parent office must receive weekly written staffing reports from its branch offices, including information regarding staffing needs, staffing patterns, and staff productivity.

See Tenn. Code Ann. § 68-11-202(e)(2). Amerita affirms that the Parent Office and the Branches will comply with each of the above requirements. Amerita currently provides home infusion services in fifteen other states and has extensive experience coordinating care across multiple locations. This experience positions Amerita to establish a comprehensive system that ensures the Parent Office maintains appropriate oversight and administrative control over the Branches, regardless of distance.

Specifically, Amerita will utilize robust technological infrastructure, including integrated electronic medical records, and well-developed policies and procedures to enable seamless, centralized control over the Branches. These systems will ensure that the Parent Office can effectively supervise and support the Branches, even though they are located more than 100 miles away.

In addition to these day-to-day mechanisms, the Parent Office's administrator and director of nursing will conduct on-site supervisory visits to the Branches at least quarterly. The Parent Office staff will also maintain regular contact with the Kingsport and Nashville Branch staff regarding staffing needs, staffing patterns, and staff productivity. The Branches will maintain comprehensive documentation and conduct rigorous staff education and training to support coordinated operations between the Parent Office and the Branches.

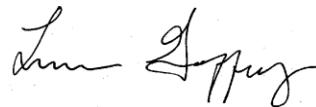
Conclusion

Because the Kingsport Branch and Nashville Branch will fully comply with the home health agency branch office requirements set forth in Tenn. Code Ann. § 68-11-202(e), Amerita respectfully requests that the THFC waive the requirement in Tenn. Code Ann. § 68-11-202(e)(2)(C) that a home health agency branch office must be located within 100 miles of its associated parent office. Although the Kingsport and Nashville Branches will be located more than 100 miles from the Parent Office, they will otherwise meet all criteria for branch offices under Tennessee law.

Amerita respectfully requests the THFC's favorable consideration of this waiver request and asks that it be added to the Licensure portion of the agenda for the THFC's meeting scheduled for July 23, 2025. Counsel for Amerita will attend the July 23rd meeting and is prepared to address any questions the THFC may have concerning this waiver request.

Thank you for your attention to this matter. Please do not hesitate to contact us with any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Lauren Gaffney", written in a cursive style.

Lauren Gaffney

LMG:wta

cc: Caroline Tippens (Caroline.Tippens@tn.gov)