

**HEALTH FACILITIES COMMISSION  
FEBRUARY 25, 2026  
APPLICATION REVIEW**

NAME OF PROJECT: Heart N Soul Hospice Memphis

PROJECT NUMBER: CN2511-043

ADDRESS: 1255 Lynnfield Road, Suite 258  
Memphis (Shelby County), TN 38119

LEGAL OWNER: Heart N Soul Hospice of Memphis LLC  
1255 Lynnfield Road, Suite 258  
Memphis (Shelby County), TN 38119

OPERATING ENTITY: N/A

CONTACT PERSON: Kim Harvey Looney, Attorney  
K&L Gates LLP  
(615) 780-6727

DATE FILED: December 1, 2025

PROJECT COST: \$48,000

PURPOSE FOR FILING: The addition of 8 counties to an existing hospice license

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## **Staff Review**

*Note to Commission members: This staff review is an analysis of the statutory criteria of Need, Consumer Advantage Attributed to Competition, and Quality Standards, including data verification of the original application and, if applicable, supplemental responses submitted by the applicant. Any Health Facilities Commission Staff comments will be presented as a "Note to Commission members" in bold italic.*

### **PROJECT DESCRIPTION:**

This application is for the addition of the West Tennessee counties of Chester, Crockett, Dyer, Hardeman, Haywood, Lake, Lauderdale and Madison Counties to the applicant's existing 3-county hospice service area (Fayette, Shelby, Tipton) under license #631. The existing address of the applicant is 1255 Lynnfield Road, Memphis (Shelby County), Tennessee 38119.

*Note to Commission members: Lake County is included in the applicant's proposed service area but is exempt from Certificate of Need requirements due to its status as a county designated as economically distressed eligible by the Department of Economic and Community Development pursuant to TCA 67-6-104 that also does not have a hospital that is actively licensed by the Tennessee Health Facilities Commission. For FY2026, those counties are Grundy and Lake Counties.*

### **Executive Summary**

- If approved, the proposed project will begin providing services in the proposed eight-county service area in April 2026.
- The applicant's owners share common ownership in, and operational oversight of a separate Tennessee based entity, Heart and Soul Hospice, LLC (license #624) licensed in Davidson, Robertson, Rutherford, Sumner Williamson and Wilson Counties. Those owners are David Turner, Andre L. Lee and Reverand Sandy McClain, and Tracy Wood.
- The applicants' owners also share ownership to varying degrees in hospice agencies in Seattle and Tacoma, Washington, and Tallahassee, Miami, and Fort Myers, Florida. They also have a CON application pending in Pensacola, Florida.
- There are 12 hospice agencies currently licensed in the proposed service area.
- The applicant states that it will hire dedicated community educators who will be solely focused on this region and will use guided tools to engage with diverse populations in the area. The applicant will conduct in-service presentations and workshops at referral care settings, establish relationships with discharge planners, collaborate with public health nursing agencies and partner with faith-based organizations, community centers, and advocacy groups serving the target population to address specific cultural, linguistic, and informational needs about hospice.
- The applicant will partner with Healthcare First to monitor and analyze its quality assurance and performance improvement program.
- The applicant will offer all four levels of hospice care: Routine Home Care, General Inpatient Care, Continuous Home Care, and Respite Care. The applicant projects that 85% - 90% of hospice care will be provided as Routine Home Care, 3% - 5% as Respite Care, 2% - 3% as Continuous Home Care, and 1% - 2% as General Inpatient Care.
- The applicant identifies (10) agencies in the region that it contracts with currently for GIP and Respite Care including Regional One Hospital in Memphis as well as (6) pending agencies. See Supplemental #1, Question 20, Pages 17 & 18.
- Please see application Item 1E. on Page 6 for the applicant's executive summary overview that includes project description, ownership, service area, existing similar service providers, project cost, and staffing.

**Consent Calendar:**             Yes             No

- Executive Director's Consent Memo Attached:             Yes     Not applicable

### **Facility Information**

- The existing home office for the applicant is located at 1255 Lynnfield Road, Suite 258, Memphis (Shelby County), TN 38119. No patient care will be provided on the premises.
- The project site is currently being leased from the landlord, Lynnfield Office Project, LLC, to Heart and Soul Hospice Memphis LLC. See Attachments 9A Lease Agreement and 10.A. Floor Plan.

### **Ownership**

The applicant is owned by Heart N Soul Hospice of Memphis LLC. The existing ownership structure of the Applicant consists of four owners: Tracy Wood (40%), David Turner (40%), Andre Lee (10%), and Sandy McClain (10%). An organizational chart is included in Attachment 7A.

### **Project Cost Chart**

- The total project cost is \$48,000. Of this amount, the highest line-item costs of the project are Legal, Administrative and Consultant Costs (\$45,000).
- For additional information, please refer to the Project Cost Chart on Page 9 of the original application.

### **NEED**

The applicant provided the following supporting the need for the proposed project:

- Six of the proposed service area counties individually demonstrate a need: Chester County (3), Crockett County (4), Hardeman County (11), Haywood County (8), Lake County (7), and Lauderdale County (8). These counties combined represent a cumulative additional need of (41). The other two counties, which are the most populated in the service area, do not demonstrate a need: Dyer County (-73) and Madison County (-177). The applicant states that because these two counties without a demonstrated need are adjacent to the existing service area, and/or to the other proposed counties in the service area, they should be considered reasonable and operationally appropriate to include them in this project.
- The applicant states that there are inequities in the care received by end-of-life patients in the proposed service area which are largely rural. The applicant cites its experience successfully serving patients across a rural service area of eleven counties based around the Tallahassee FL area. Limited provider options and choice of care models, lack of awareness or education about hospice services and cultural or linguistic barriers to accessing care are cited by the applicant as the

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primary barriers to accessing hospice services among residents of rural areas. The applicant does not define specific minority populations within the service area that it seeks to serve.

- The applicant cites the experience of its principals in performing successful community outreach to underserved communities through its existing hospice operations in Tennessee.
- The applicant states that it has experienced significant growth in its services within its existing three service area counties since becoming Medicare Certified in June 2025. The applicant states that it provided free care to (58) patients prior to becoming Medicare Certified (December 2024 – June 2025) and served an additional (51) patients from (June 2025 – November 2025). The applicant did not receive TennCare Certification until November 15, 2025.

*Note to Commission members: The applicant's original application for its existing three county service area: Shelby, Fayette and Tipton County focused on the African American population as being underserved. For this application the applicant states that it has not considered whether the underserved population in the proposed expansion service area is significantly African American because the state need formula shows a need regardless of any specific population and it was therefore not necessary to examine the population in that level of detail. See Supplemental #1, Question 27, Page 22.*

*(For applicant discussion, see the Application, Item 2.E., Pages 7-8.*

## **SERVICE SPECIFIC CRITERIA AND STANDARD REVIEW**

### **Hospice Services:**

All applicable criteria and standards were met except for the following:

- Did not meet the standard of #17. **Need Formula: "Preference should be given to applications that include in a proposed service area only counties with a Hospice Penetration Rate that is less than 80% of the Statewide Median Hospice Penetration Rate (SMHPR); however an application may include a county or counties that meet or exceed the SMHPR if the applicant provides good reason, as determined by the HSDA, for the inclusion of any such county and: 1) if the HSDA finds that such inclusion contributes to the orderly development of the healthcare system in any such county, and 2) if the HSDA finds that such inclusion is not intended to include a county or counties that meet(s) or exceed(s) the SMHPR solely for the purpose of gaining entry into such county or counties. Letters of support from referring physicians in any such county noting the details of specific instances of unmet need should be provided by the applicant."** *This project proposes to initiate hospice services in an eight-county service area – Chester, Crockett, Dyer,*

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Hardeman, Haywood, Lake, Lauderdale, and Madison Counties, which cumulatively show a surplus capacity of (209) hospice admissions according to the standard of 80% of the Statewide Median Hospice Penetration Rate (SMHPR).

Six of the counties show a need: Chester County (3), Crockett County (4), Hardeman County (11), Haywood County (8), Lake County (7), and Lauderdale County (8) represent a cumulative additional need of (41).

The overall surplus for the eight-county service area is a result of Madison County (-177), and Dyer County (-73), representing Hospice Penetration Rates above the 80% standard. When the surplus of Madison and Dyer Counties (177 + 73 = 250 surplus) subtracted from the need projected in Chester, Crockett, Hardeman, Haywood, Lake and Lauderdale Counties (3 + 4 + 11 + 8 + 7 + 8 = 41 need) the result is an overall surplus of (209) for the combined service area. **See Attachment 1.N. Hospice Services Standards and Criteria, Pages 14-16.**

Please see attached for a full listing of the criteria and standards and the applicant's responses.

### Service Area Demographics

- The proposed service area consists of Chester, Crockett, Dyer, Hardeman, Haywood, Lake, Lauderdale, and Madison Counties. (see Attachment 2N for a county level map).
- The target population is the adult population age 55 and older. (See Attachment 3NB for more demographic details.)

| County                    | 2025 Population  | 2029 Population  | 2025 Population 55+ | 2029 Population 55+ | % Change 55+  | Median Household Income | % of Persons Below Poverty Level | TennCare %    |
|---------------------------|------------------|------------------|---------------------|---------------------|---------------|-------------------------|----------------------------------|---------------|
| Chester                   | 17,587           | 17,696           | 5,627               | 5,844               | 3.86%         | \$60,543                | 15.6%                            | 20.34%        |
| Crockett                  | 14,140           | 14,078           | 4,829               | 4,876               | 0.97%         | \$59,049                | 14.8%                            | 24.46%        |
| Dyer                      | 36,844           | 36,856           | 12,106              | 12,218              | 0.93%         | \$54,973                | 17.9%                            | 27.07%        |
| Hardeman                  | 24,487           | 24,165           | 7,936               | 7,764               | -2.17%        | \$46,173                | 17.3%                            | 26.97%        |
| Haywood                   | 16,437           | 15,960           | 6,065               | 6,094               | 0.48%         | \$43,513                | 22.8%                            | 29.03%        |
| Lake                      | 6,877            | 6,820            | 1,999               | 1,933               | -3.30%        | \$30,500                | 32.3%                            | 26.79%        |
| Lauderdale                | 25,343           | 25,193           | 7,699               | 7,618               | -1.05%        | \$49,205                | 18.7%                            | 27.49%        |
| Madison                   | 98,902           | 99,138           | 37,718              | 33,420              | -11.39%       | \$58,702                | 20.3%                            | 24.84%        |
| <b>Service Area Total</b> | <b>259,810</b>   | <b>259,335</b>   | <b>83,979</b>       | <b>79,767</b>       | <b>-5.02%</b> | <b>\$50,332</b>         | <b>17.9%</b>                     | <b>23.77%</b> |
| <b>Tennessee Total</b>    | <b>7,179,307</b> | <b>7,380,696</b> | <b>2,248,128</b>    | <b>2,352,051</b>    | <b>4.62%</b>  | <b>\$67,631</b>         | <b>14.0%</b>                     | <b>19.65%</b> |

Source: The University of Tennessee Center for Business and Economic Research Population Projection Data Files, Reassembled by the Tennessee Department of Health, Division of Policy, Planning and Assessment, Office of Health Statistics. 2025-2034

- The proposed service area projects a 4-year growth rate (2025-2029) among residents age 55+ and over (-5.02%) which is below the statewide rate of (4.62%).
- The latest 2025 percentage of (23.8%) of service area residents enrolled in the TennCare program is higher than the (19.6%) statewide average. Of the eight

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proposed service area counties, none have a TennCare program enrollment rate below the statewide average.

**TENNESSEE COUNTY MAP**

**Shelby County Service Area Expansion**



- = Existing Licensed Counties (License #631)
- = Proposed Expansion of Shelby County Service Area

**Service Area- Historical Utilization (In-Home Hospice Agencies)**

- Utilization for the (12) licensed in-home hospice agencies which reported serving patients in the service area from 2022-2024 is detailed in the table below:

**Utilization of Service Area In-Home Hospice Agencies 2022-2024**

| Hospice Agency                                  | State ID | 2022         | 2023         | 2024         | Total Patients 2022-2024 | % Change 2022-2024 |
|---|----------|--------------|--------------|--------------|--------------------------|--------------------|
| AccentCare Hospice & Palliative Care of TN, LLC | 79716    | 0            | 0            | 0            | 0                        | 0.00%              |
| Amedisys Hospice Care                           | 79646    | 34           | 1            | 10           | 45                       | -70.59%            |
| Aseracare Hospice – McKenzie                    | 09645    | 354          | 382          | 433          | 1,169                    | 22.32%             |
| Avalon Hospice                                  | 19694    | 538          | 617          | 564          | 1,719                    | 4.83%              |
| Baptist Hospice Union City                      | 66605    | 40           | 27           | 30           | 97                       | -25.00%            |
| Baptist Memorial Home Care & Hospice            | 09625    | 0            | 0            | 5            | 5                        | NA                 |
| Baptist Trinity Home Care & Hospice             | 79616    | 0            | 0            | 0            | 0                        | 0.00%              |
| Caris Healthcare                                | 24606    | 58           | 63           | 96           | 217                      | 65.52%             |
| Compassus - Memphis                             | 79686    | 12           | 6            | 8            | 26                       | -33.33%            |
| Hospice of West Tennessee                       | 57605    | 424          | 416          | 425          | 1,265                    | 0.24%              |
| Legacy Hospice of the South                     | 55605    | 25           | 30           | 66           | 121                      | 164.00%            |
| Tennessee Quality Hospice                       | 57615    | 186          | 200          | 161          | 547                      | -13.44%            |
| <b>TOTAL</b>                                    |          | <b>1,671</b> | <b>1,742</b> | <b>1,798</b> | <b>5,211</b>             | <b>7.60%</b>       |

Source: CN2511-043, Application, Attachment 5N

- From 2022-2024 three hospice agencies represented (79.6%) of the total volume of hospice patients residing in the service area.
- The three highest volume providers were Avalon Hospice – ID 19694 (1,719 patients served – 32.9% of total patients from the service area); Hospice of West Tennessee – ID 57605 (1,265 patients served – 24.2% of total patients from the service area); and Aseracare Hospice – McKenzie – ID 09645 (1,169 patients served – 22.4% of total patients from the service area).
- The number of patients receiving hospice services has increased by (7.6%) from 2022-2024.

**Applicant’s Historical and Projected Utilization**

The applicant’s historical utilization and projected hospice utilization is detailed in the tables below:

**Historical Utilization – Heart and Soul Hospice Memphis**

| Service Area County | Historical Utilization Year 1 (2025) | Total Patients % |
|---------------------|--------------------------------------|------------------|
| Shelby              | 48                                   | 94.1%            |
| Tipton              | 2                                    | 3.9%             |
| Fayette             | 1                                    | 2.0%             |
| <b>Total</b>        | <b>51</b>                            | <b>100%</b>      |

Source: CN2511-043, Application, Page 11

- 94.1% of the applicant’s historical patient utilization originated from Shelby County. Only 3 of 51 total patients were residents of Tipton or Fayette Counties.

**Projected Utilization – Heart and Soul Hospice Memphis**

| Service Area County | Projected Utilization Year 1 (2026) | Total Patients % |
|---------------------|-------------------------------------|------------------|
| Hardeman            | 15                                  | 23.1%            |
| Haywood             | 11                                  | 16.9%            |
| Lauderdale          | 11                                  | 16.9%            |
| Lake                | 10                                  | 15.4%            |
| Crockett            | 6                                   | 9.2%             |
| Chester             | 5                                   | 7.7%             |
| Madison             | 5                                   | 7.7%             |
| Dyer                | 2                                   | 3.1%             |
| <b>Total</b>        | <b>65</b>                           | <b>100%</b>      |

Source: CN2511-043, Application, Page 11

- The applicant projects that (72.3%) patient utilization will originate from a combination of Hardeman County (23.1%), followed by Haywood County (16.9%); Lauderdale County (16.9%); and Lake County (15.4%).

- The applicant states that its average of total days per patient has been 55 days and therefore projects that its projected average will be between 55-60 days per patient on average for this project.

*Note to Commission members: There are no CMS Quality Measures available for the applicant's hospice agency in its current service area. The applicant's affiliate agency in Middle Tennessee reports the percentage of hospice patients by setting as: Assisted Living facility (58%), nursing facility (8%) and (33%) being in-home hospice patients. The applicant states that it does not believe that these historical percentages will exactly mirror the distribution of the proposed service area.*

## **CONSUMER ADVANTAGE ATTRIBUTED TO COMPETITION**

The applicant identifies a range of strategies which it states may be unique among providers in the service area including the following as listed in response to Supplemental #1, Question #12, Pages 11 - 12.

- The applicant states that it offers disease specific programs, 24/7 telehealth, and a rural program.
- The availability of hospice aide services seven days per week.
- The ability to provide continuous care services.
- Community education including advanced directive workshops.
- A transition program serving patients release from a hospital or skilled nursing facility setting into hospice care.
- Higher frequency nursing visits expanded social work and chaplaincy support, grief support programs for family members of patients, including specialized programming for children and veterans.

### **Charges**

- The applicants' proposed charges are listed on page 21. The applicant's unit of measure for calculating charge information is patients.

|                        | <b>Projected Data Chart</b> |               |
|------------------------|-----------------------------|---------------|
|                        | <b>Year 1</b>               | <b>Year 2</b> |
| Gross Charges          | \$6,617.47                  | \$6,422.38    |
| Deduction from Revenue | \$231.61                    | \$224.78      |
| Average Net Charges    | \$6,385.86                  | \$6,197.60    |

Source: CN2511-043, Application, Page 21

- The applicant projects that its Average Net Charges will decrease from \$6,386 per patient in Year 1 (2026) to \$6,198 per patient in Year 2 (2027).

**2024 Comparison of Licensed Hospice Agencies in the Project Service Area  
Net Charge/Patient Day**

| Hospice Agency                                  | State ID     | 2024 Patient Days | 2024 Net Revenue     | Net Charge (Net Revenue/Patient Days) |
|---|--------------|-------------------|----------------------|---------------------------------------|
| Aseracare Hospice-McKenzie                      | 09645        | 119,198           | \$11,722,796         | \$98                                  |
| Baptist Memorial Home Care & Hospice            | 09625        | 8,983             | \$1,355,051          | \$151                                 |
| *Avalon Hospice                                 | 19694        | 667,639           | \$66,938,991         | \$100                                 |
| Hospice of West Tennessee                       | 57605        | 15,533            | \$4,731,450          | \$305                                 |
| Tennessee Quality Hospice                       | 57615        | 71,783            | \$17,435,707         | \$243                                 |
| Legacy Hospice of the South                     | 55605        | 17,738            | \$3,905,029          | \$220                                 |
| AccentCare Hospice & Palliative Care of TN, LLC | 79716        | 2,962             | \$1,119,492          | \$378                                 |
| Caris Healthcare                                | 24606        | 32,722            | \$4,443,085          | \$136                                 |
| Baptist Trinity Home Care & Hospice             | 79616        | 44,114            | \$5,877,986          | \$133                                 |
| Baptist Hospice Union City                      | 66605        | 11,246            | \$1,405,089          | \$125                                 |
| Compassus- Memphis                              | 79686        | 26,531            | \$4,824,631          | \$182                                 |
| Amedisys Hospice Care                           | 79646        | 18,278            | \$1,953,665          | \$107                                 |
| <b>Heart N Soul Hospice Memphis</b>             | <b>79946</b> | <b>1,567</b>      | <b>\$325,134</b>     | <b>\$207.48</b>                       |
| <b>Total</b>                                    |              | <b>1,036,727</b>  | <b>\$125,712,972</b> | <b>\$121</b>                          |

Source: CN2511-043, Application, Attachment 9C

- The applicant’s projected Net Revenue per Patient Day in Year One is higher (\$207.48) than all but four other providers in the service area based upon the 2024 JAR data and below the average rate of all service area providers (\$121). See Attachment 9C for the above referenced tables.

**2024 Comparison of Medicare per Diem Rates by Level of Hospice Care**

| Hospice Agency                                  | State ID     | Routine Hospice Care | Continuous Hospice Care | General Inpatient | Respite Care |
|---|--------------|----------------------|-------------------------|-------------------|--------------|
| Aseracare Hospice-McKenzie                      | 09645        | \$155                | \$500                   | \$950             | \$427        |
| Baptist Memorial Home Care & Hospice            | 09625        | \$166                | \$500                   | \$973             | \$446        |
| *Avalon Hospice                                 | 19694        | \$193                | \$1,368                 | \$1,016           | \$452        |
| Hospice of West Tennessee                       | 57605        | \$186                | \$1,020                 | \$980             | \$446        |
| Tennessee Quality Hospice                       | 57615        | \$183                | \$1,293                 | \$970             | \$432        |
| Legacy Hospice of the South                     | 55605        | \$169                | \$1,330                 | \$999             | \$445        |
| AccentCare Hospice & Palliative Care of TN, LLC | 79716        | \$152                | \$1,354                 | \$1,014           | \$452        |
| Caris Healthcare                                | 24606        | \$192                | \$1,354                 | \$1,015           | \$452        |
| Baptist Trinity Home Care & Hospice             | 79616        | \$168                | \$500                   | \$636             | \$356        |
| Baptist Hospice Union City                      | 66605        | \$165                | \$500                   | \$972             | \$436        |
| Compassus- Memphis                              | 79686        | \$218                | \$1,565                 | \$1,145           | \$508        |
| Amedisys Hospice Care                           | 79646        | \$161                | \$500                   | \$500             | \$434        |
| <b>Heart N Soul Hospice Memphis</b>             | <b>79946</b> | <b>\$188</b>         | <b>\$982</b>            | <b>\$1,099</b>    | <b>\$490</b> |
| <b>Total</b>                                    |              | <b>\$176</b>         | <b>\$1,508</b>          | <b>\$931</b>      | <b>\$441</b> |

Source: CN2511-043, Application, Attachment 9C, JAR 2024 – Schedule D

- The applicants’ reported Medicare Per Diem Rates for Routine Home Care in Year One are higher (\$188) than reported per diem average of other area providers in 2024 (\$176). See Attachment 9C of the application for the above reference tables.

**Project Payor Mix**

|               | Percentage of Gross Operating Revenue |          |            |          |       |       |              |
|---------------|---------------------------------------|----------|------------|----------|-------|-------|--------------|
|               | Medicare                              | Medicaid | Commercial | Self-Pay | Other | Total | Charity Care |
| <b>Year 1</b> | 78.0%                                 | 18.0%    | 3.0%       | 1.0%     | 0.0%  | 100%  | 1.0%         |

Source: CN2511-043, Application, Page 22

- Please refer to Item 10C. in the Consumer Advantage section of the application for specific Payor Mix information.
- A full list of in-network payors is included in response to Item 2.C. on pages 16-17 of the application.
- The applicant states that it intends to contract with three Managed Care Organizations (MCOs) serving the area including Wellpoint, BlueCare, and UnitedHealthcare Community Plan. TennCare Select is not included by the applicant.
- The applicant operates a charitable foundation as a separate legal entity aiding patients in the form of non-clinical support. The applicant anticipates that approximately 10% of patients have received support from this foundation to date.

**Agreements**

- The applicant does not list any proposed transfer agreements.

**Staffing**

The applicant's Year One proposed staffing includes the following:

|                               | Year One    |
|-------------------------------|-------------|
| Direct Patient Care Positions | 6.25        |
| Non-Patient Care Positions    | 2.0         |
| Contractual Staff             | 0.0         |
| <b>Total</b>                  | <b>8.25</b> |

Source: CN2511-043, Application, Page 26.

- Direct Care positions in Year One of the project include the following: Hospice Aide/Homemaker (2.0 FTEs); Nurse, RN (2.0 FTEs); Social Worker (0.75 FTE); LPN/Health Coordinator (0.50 FTE); Clinical Director / Assistant Director (0.25 FTE); Medical Director (0.25 FTE); Chaplain (0.25 FTE); and Bereavement Coordinator (0.25 FTE).
- Non-Patient Care positions include the following: Office Manager (0.5 FTE); Office Personnel (0.5 FTE); Administration (0.5 FTE); Volunteer Coordinator (0.25 FTE); and Nutritionist / Dietician (0.25 FTE).
- The hospice operations will be supported by a Senior Clinical Director overseeing compliance, quality of care and performance standards.

- The applicant states that it will develop its recruitment strategy through a multi-pronged approach which includes developing partnerships with local educational institutions, hosting community-based hiring events at churches, community centers, local gathering places, and through online recruitment and use of job boards, social media, and professional nursing networks.
- The applicant states that it will add additional clinical managers, RNs, hospice aides and other support staff as the program expands.
- The applicant states that its direct care staff will be located within a 60-mile radius of the counties they are responsible for covering.
- Please refer to Item 8Q. on Page 26 and Attachment 1N, Criterion 1, Pages 4 - 6 of the application for additional details regarding project staffing.

**QUALITY STANDARDS**

- The applicant commits to maintaining the following:

| Licensure                    | Certification     | Accreditation                                 |
|------------------------------|-------------------|---|
| Health Facilities Commission | Medicare/TennCare | Community Health Accreditation Partner (CHAP) |

Source: CN2511-043, Application, Page 24.

- The applicant will apply for Licensure through the Health Facilities Commission, and will maintain Certification through Medicare and TennCare, and accreditation through Community Health Accreditation Partner (CHAP).
- The applicant states that it utilizes the services of HealthCare First which is a provider of data analytics, clinical quality reporting, financial management tools, and patient satisfaction survey services for home health and hospice agencies.
- The applicant has not yet submitted data to CMS reporting family caregiver survey or quality of patient care measures. It expects to do so for 2025 in early 2026.
- The applicant states that it will implement a community education plan targeting outreach to primary care providers, home health agencies, community-based organizations, churches, senior centers, community groups, federally qualified health centers, hospitals and emergency departments, and caregiver networks.
- The Applicant states that it will meet State, Federal and National Association for Home Care and Hospice (NAHC) and Community Health Accreditation Partner (CHAP) requirements and guidelines.

*Note to Commission members: One of the co-owners the applicant, Dr. Andre L. Lee (10%) is identified as one of three individual Respondents to a Settlement Agreement entered into between Kentucky, Tennessee, Ohio, California, Kansas, Minnesota and New York, and The New Hope Foundation, Inc., a not-for profit corporation established to promote awareness of the benefit of hospice care for patients and family members*

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*during the end stages of terminal illness, and provide human and supportive services to indigent patients with minimal or no insurance coverage, provide a respite care program for patients and their caregivers and families, and to establish a strong and diverse volunteer bank. The participating States alleged that the Respondents violated applicable laws through misrepresentations, false findings failure to provide adequate oversight of outside contractors and fundraisers, failure to provide adequate oversight of not-for-profit operations and breaches of fiduciary duties.*

*This settlement agreement was not identified by the applicant within this application or in previous applications for the applicant entity from 2020 – current despite its final resolution occurring in 2019. The existence of the settlement was not discovered by HFC staff until after the application was deemed complete. The applicant’s email confirmation and discussion of the fact that the Settlement does involve Dr. Lee is attached separately to the Meeting Packet for CN2511-041 Heart and Soul Hospice, LLC and CN2511-043 Heart N Soul Hospice Memphis. The Settlement Agreement and Attorney General Notice are attached for member reference.*

**Application Comments**

Application Comments may be filed by the Department of Health, Department of Mental Health, and Substance Abuse Services, and the Department of Disability and Aging. The following department(s) filed comments with the Commission and are attached:

- Department of Health
- Department of Mental Health and Substance Abuse Services
- Department of Disability and Aging
- No comments were filed**

Should the Agency vote to approve this project, the CON would expire in **two years**.

**CERTIFICATE OF NEED INFORMATION FOR THE APPLICANT:**

There are no other Letters of Intent, or outstanding applications on file for this applicant.

Denied Applications

|                     |   |
|---------------------|---|
| <b>Project Name</b> | <b>Heart N Soul Hospice of East Tennessee Corp., CN2507-027D</b>  |
| <b>Project Cost</b> | <b>\$220,000</b>  |
| <b>Denied Date</b>  | October 22, 2025  |
| <b>Description</b>  | The establishment of a hospice agency and the initiation of hospice services in Bledsoe, Bradley, Coffee, Franklin, Grundy, Hamilton, Marion, McMinn, Monroe, Sequatchie, Van Buren and Warren Counties. The address of the project will be 200 Martin Luther King Boulevard, Suite 1000, Chattanooga, Hamilton County, |

|                          |  |
|--------------------------|--|
|                          | Tennessee, 37401. The applicant is owned Heart N Soul Hospice of East Tennessee Corp. The existing ownership structure of the Applicant consists of four owners: Tracy Wood (45%), David Turner (35%), Andre Lee (10%), and Sandy McClain (10%). |
| <b>Reason for Denial</b> | Project did not satisfy the need standard.   |

Pending Applications

|                     |  |
|---------------------|--|
| <b>Project Name</b> | <b>Heart and Soul Hospice, LLC, CN2511-041</b>   |
| <b>Project Cost</b> | <b>\$48,000</b>  |
| <b>Meeting Date</b> | February 25, 2026  |
| <b>Description</b>  | The initiation of hospice services in Cannon, Clay, Cumberland, DeKalb, Fentress, Jackson, Macon, Overton, Pickett, Putnam, Smith, Trousdale, and White Counties to its existing 6-county service area under license #624. The principal office location of the applicant is 402 BNA Drive, Suite 305, Nashville (Davidson County), Tennessee 37217. The applicant is owned by Heart and Soul Hospice, LLC, a for profit corporation. The existing ownership structure of the applicant consists of four owners: Tracy Wood (40%), David Turner (40%), Andre Lee (10%), and Sandy McClain (10%). |

**CERTIFICATE OF NEED INFORMATION FOR OTHER SERVICE AREA FACILITIES:**

There are no other Letters of Intent, outstanding applications, denied applications or pending applications for other health care organizations in the service area proposing this type of service.

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