

HEALTH FACILITIES COMMISSION

MEETING MINUTES

February 22, 2023

COMMISSION MEMBERS PRESENT

Rick Chinn, Chairman
Dr. Kenneth Patric
Joe Grandy
Charley Jerman
Mark Wainner
Nicole Shaffer, Designee for Comptroller
Lisa Jordan, Designee for Department of Commerce and Insurance

AGENCY MEMBERS ABSENT

Vince Pinkney, Vice-Chairman and Designee for TennCare
Laura Beth Brown
Douglas Scarboro
Greg Duckett

COMMISSION STAFF PRESENT

Logan Grant, Executive Director
Phillip Earhart, Deputy Director
Jim Christoffersen, General Counsel
Alecia Craighead, Data and Analysis Administrator
Joel Clinton, Statistical Research Analyst
Thomas Pitt, HSD Examiner
Consuelo Baker, Executive Administrative Assistant and HR Liaison
Ann R. Reed, Assistant Director, License and Regulation

COURT REPORTER

April Daniel

GUESTS PRESENT

Michael D. Brent
Wells Trompeter
John Williams
Jerry Taylor
John C Stritikus
William Stuart McKenzie
John Wellborn
Byron Trauger
Chad Coursey
Dwight Musselman
Ben Nordstrom
Amanda Karistai
Tiffany Vargas
Kaitlin Parham
Marcille Durham

GINNA FELTS
JOHN SAVAGE
RENEE BARNES
MITCH BAUMANN
LINDSIE BAZZEL
CLINT CRAWFORD
DR. KENT HOFFMAN
BRAD KIDD

CALL TO ORDER:

The meeting was called to order at 9:00 a.m. by Mr. Chinn with the following members present: Shaffer, Jordan, Jerman, Patric, Wainner, Grandy, and Chinn. A quorum was established with seven members being present.

DIRECTOR'S ANNOUNCEMENTS

The April 26, 2023 meeting will be held at 665 Mainstream Drive, Nashville, TN

APPROVAL OF MINUTES

Mr. Chinn presented the January 25, 2023 minutes for approval.

Dr. Patric moved for approval with Ms. Jordan providing the second.

The motion CARRIED [7-0-0] unanimously by voice vote. **APPROVED.**

CERTIFICATE OF NEED APPLICATIONS

PC 557 eliminated TCA § 68-11-1616, which had provided that “each decision rendered by the Health Facilities Commission shall include written documentation and explanation of the factual and legal basis upon which the commission grants or denies the Certificate of Need.” PC 557 only requires this for applications that are denied.

Therefore, for applications filed on or after the effective date of the relevant portions of PC 557 (10/1/2021), a simple motion to approve an application will suffice, and a motion to deny must include an explanation of the factual and legal basis as to why one or more of the criteria have not been met.

Three Certificate of Need applications was considered under the regular CON agenda.

Phillip Earhart introduced the following three applications under consideration and with two being approved and one being denied.

Fusion Recovery Knoxville, Knoxville (Knox County), TN – CN2211-044

Request: The establishment of a non-residential substitution-based treatment center for opiate addiction to be located at 4232 Asheville Highway, Knoxville (Knox County), TN 37914-3507. The service area includes Blount, Knox and Union Counties. The applicant is owned by Fusion Recovery Centers, LLC. Estimated project cost: \$1,630,000.

OPPOSITION: Behavioral Healthcare Group. Tim Hicks, State Representative.

Dr. Patric moved for denial with Mr. Grandy providing the second.

Seven members voted to deny the application— Shaffer, Jordan, Patric, Wainner, Jerman, Grandy and Chinn. The motion CARRIED [7-0-0].

Oral and Facial Surgery Center of Dickson, PLLC, Dickson (Dickson County), TN – CN2210-038

Request: The establishment of an ambulatory surgical treatment center (ASTC) limited to the specialty of oral and maxillofacial surgeries located at 108 Sunset Drive, Dickson (Dickson County), TN 37055. The proposed service area includes 20 counties located in Middle and West Tennessee. The applicant is owned by Oral and Facial Surgery Center of Dickson PLLC. Estimated project cost: \$2,528,164.

CONDITION: Limited to specialty of oral and maxillofacial surgical procedures.

Ms. Jordan moved for approval with Mr. Wainner providing the second.

Seven members voted to approve the application— Shaffer, Jordan, Patric, Wainner, Jerman, Grandy and Chinn. The motion CARRIED [7-0-0].

IPC Surgery Center, Cleveland (Bradley County), TN – CN2212-047

Request: The establishment of an ambulatory surgical treatment center (ASTC) limited to the performance of pain management procedures. The ASTC will be located at 2550 Business Park Drive NE, Cleveland (Bradley County), TN 37311. The service area includes Bradley, McMinn, Polk and Rhea Counties. The applicant is owned by IPC Surgery Center, LLC. Estimated project cost: \$1,872,368.

RECUSED: Wainner

CONDITION: Limited to the performance of pain management procedures.

Ms. Jordan moved for approval with Dr. Patric providing the second.

Six members voted to approve the application— Shaffer, Jordan, Patric, Grandy, Jerman, and Chinn. The motion CARRIED [6-0-0].

GENERAL COUNSEL'S REPORT

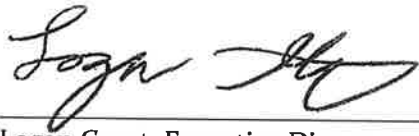
RULEMAKING: Postponed to May 2023 meeting.

A. Revision of Consumer Advantage Standards

OTHER BUSINESS

ADJOURNMENT

There being no further business, the meeting adjourned.



Logan Grant, Executive Director

HFC Minutes provide a brief summary of commission actions. A detailed record of each meeting (recording and transcript) is available upon request by contacting the HFC office.