



HEALTH FACILITIES COMMISSION
MEETING MINUTES
January 24, 2024

LOCATION: Davy Crockett Tower, Hearing Room I-A, 500 James Robertson Parkway, Nashville,
TN 37243

COMMISSION MEMBERS PRESENT

Rick Chinn, Chairman
Vince Pinkney, Vice-Chairman and Designee for TennCare
Joe Grandy
Laura Beth Brown
Charley Jerman
Mark Wainner
Nicole Sweitzer, Designee for Comptroller
Lisa Jordan, Designee for Department of Commerce, and Insurance

COMMISSION MEMBERS ABSENT

Greg Duckett
Dr. Scott Fowler

COMMISSION STAFF PRESENT

Phillip Earhart, Deputy Director
Jim Christoffersen, General Counsel
Alecia Craighead, Data and Analysis Administrator
Joel Clinton, Statistical Research Analyst
Lowavia Eden-Hoback, Office and Resource Manager
Thomas Pitt, HFC Examiner
Ann Reed, Deputy Director of Licensure and Regulation

COURT REPORTER

April Daniel

GUESTS PRESENT

Warren Gooch
Bryce Fitzgerald
Graham Baker
Trent Sansing
Clark Spoden
Travis Swearingen
Jerry Taylor

Byron Trauger
Travis Swearingen
Lucas Fishman
Johnathan Jacobs
Joshua Goats
Jim Drumwright
Joe Hampe
Gina Felts
Erica Pahua
John Wellborn
Abby Nix
Gabe Starace
John Jacobs
Ruth Portacci
Michael Caldwell
Chris Duri

CALL TO ORDER:

The meeting was called to order at 9:00 a.m. by Mr. Chinn with the following members present: Sweitzer, Pinkney, Wannier, Jordan, Brown, Grandy, Jerman and Chinn. A quorum was established with eight members present.

DIRECTOR'S ANNOUNCEMENTS

The January 24, 2024, meeting will be held at the Davy Crockett Tower, Hearing Rm. 1A, Nashville, TN.

APPROVAL OF MINUTES

Mr. Chinn presented the December 13, 2023, minutes for approval.

Mr. Pinkney moved for approval with Ms. Brown providing the second.

The motion CARRIED [8-0-0] 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.

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

Phillip Earhart introduced the following, two (2) applications under consideration and with two (2) being approved.

1. Interim Healthcare of Montgomery County, Clarksville (Montgomery County), TN – CN2311-026

Request: For the establishment of a home care organization and the initiation of in-home hospice services. The hospice's principal office will be located at 540 Heritage Pointe Drive, Clarksville (Montgomery County), Tennessee 37042. The proposed service area will consist of Cheatham, Davidson, Montgomery, Robertson, Rutherford, and Williamson Counties. The applicant is owned in equal partnership between Erica Pahua (50%) and Francisco Pahua (50%). Estimated project cost: \$23,400.

RECUSED: Wainner

Speaking on behalf of the applicant was Erica Pahua.

OPPOSITION: Alive Hospice.

Speaking on behalf of the opposition was Jerry Taylor.

Mr. Pinkney moved for approval with Ms. Brown providing the second.

Seven members voted to approve the application— Sweitzer, Grandy, Jerman, Brown, Jordan Pinkney, and Chinn. The motion CARRIED [7-0-0].

LIMITATION: Limited to Cheatham, Montgomery, and Robertson Counties.

2. Premier Radiology – Mt. Juliet, Mt. Juliet (Wilson County), TN – CN2310-024

Request: For the addition of a second MRI unit to its existing outpatient diagnostic center located at 5002 Crossings Boulevard, Suite 140, Mount Juliet (Wilson County), TN 37122. The service area will consist of Davidson and Wilson Counties. The applicant is owned by Middle Tennessee Imaging, LLC, dba Premier Radiology and will be managed by Phydata, LLC. Estimated project cost: \$1,364,437.

RECUSED: Brown

Speaking on behalf of the applicant was Warren Gooch.

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

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

GENERAL COUNSEL'S REPORT- Not Applicable

RULEMAKING –

- A. Rulemaking for Temporary Healthcare Staffing Agency Rules. Pub. Ch. 0432 creates staffing registry and requires the Commission to have rules in place. The proposed rules would make the Emergency Rules permanent.

Speaking on behalf of the applicant was Chris Duri.

Mr. Pinkney moved for approval with Ms. Jerman providing the second.

Eight members voted to approve the application— Sweitzer, Grandy, Jerman, Brown, Wainner, Jordan, Pinkney, and Chinn. The motion CARRIED [8-0-0].

OTHER BUSINESS – Not Applicable

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.