



HEALTH FACILITIES COMMISSION

MEETING MINUTES

July 26, 2023

LOCATION: Cordell Hull State Legislative Office Bldg., Senate Hearing Room I, 425 Rep. John Lewis Way North, Nashville, TN 37243

COMMISSION MEMBERS PRESENT

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

COMMISSION MEMBERS ABSENT

N/A

COMMISSION STAFF PRESENT

Logan Grant, Director
Phillip Earhart, Deputy Director
Jim Christoffersen, General Counsel
Alecia Craighead, Data and Analysis Administrator
Joel Clinton, Statistical Research Analyst
Consuelo Baker, Executive Administrative Assistant and HR Liaison
Grace Langeland, Internal Audit Director
Ann Reed, Assistant Director of Licensure and Regulation

COURT REPORTER

Absent

GUESTS PRESENT

Mike Brent
Bryce Fitzgerald
Drew Grey

Kelly Chumbley
Warren Gooch
Marty Chaffin
Tony Benton
Jeff Bagwell
Travis Swearingen
Devon Johnson
Keith Altshuler
Byron Trauger
Clark Spoden
Blake Estes
Garrett Dewbre
Levi Benson
Abby Nix
Casey Cuthbert-Allman
Paul Peterson
Conner Best
Brady John
Francisco Pahua
Robert Subbs
Peter Kah
Patty Greenberg
Samuel Stern
Rabbi Yitzchok Teichtel
Rabbi Yossi Wilhelm

CALL TO ORDER:

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

DIRECTOR'S ANNOUNCEMENTS

The August 23, 2023, meeting will be held at the Davy Crockett Tower, Hearing Rm. 1A, Nashville, TN.

APPROVAL OF MINUTES

Mr. Chinn presented the June 28, 2023, minutes for approval.

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

The motion CARRIED [9-0-0] 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 were considered under the regular CON agenda.

Phillip Earhart introduced the following (2) applications under consideration and with one (1) being approved and one (1) denied.

1. Shalom Hospice of Greater Knoxville, LLC, Knoxville (Knox County), TN – CN2305-013

Request: For the establishment of a new home care organization and the initiation of in-home hospice services located at 8351 E. Walker Springs Lane, Suite 402, Knoxville (Knox County), Tennessee 37923. The proposed service area includes Anderson, Blount, Jefferson, Knox, Loudon, and Sevier Counties. The applicant is owned by Samuel Stern (10%) and the Stern Family Trust (90%). Estimated project cost: \$490,000.

Speaking on behalf of the applicant was Michael Brent, and Samuel Stern with Shalom Hospice of Greater Knoxville, LLC.

RECUSED: Wainner

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

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

2. Knoxville HMA, LLC dba Tennova Healthcare North Knoxville Medical Center, Knoxville (Knox County), TN – CN2304-011

Request: For the establishment of a freestanding emergency department ("FSED") located at an unaddressed site on Tennova Medical Way (at Middlebrook Pike and Old Weisgarber Road), Knoxville (Knox County), TN 37909. The FSED will be a satellite Emergency Department of Tennova Healthcare North Knoxville Medical Center. The FSED will contain (8) treatment rooms, a medical laboratory, CT, X-ray, and ultrasound. The FSED proposed service area includes the following ZIP Codes in Knox County: 37909, 37919, 37921, 37923, and 37931. The applicant is owned by Knoxville HMA, LLC dba Tennova Healthcare North Knoxville Medical Center. Estimated project cost: \$17,404,071.

Speaking on behalf of the applicant was Warren Gooch.

OPPOSITION: Covenant Health

Speaking on behalf of the opposition was Travis Swearingen representing Covenant Health.

RECUSED: Wainner

Mr. Pinkney moved for denial with Mr. Duckett providing the second.

Five members voted to deny the application— Jordan, Jerman, Brown, Duckett, Pinkney. Three members voted to approve the application—Sweitzer, Grandy, and Chinn. The motion CARRIED [5-3-0].

3. TriStar Hendersonville Medical Center – Gallatin Freestanding Emergency Department, Gallatin (Sumner County), TN – CN2305-012

Request: For the establishment of a freestanding emergency department ("FSED") located on a tract of vacant land that is approximately 2.3 acres in size located at the northeast corner of Harris Lane and Green Lea Boulevard in Gallatin (Sumner County), TN 37066. The FSED will consist of approximately 11,900 square feet with 11 exam rooms, including 1 trauma room, a lab, an imaging department, a nurse station, and associated support spaces. The proposed service area includes ZIP Codes (37066, 37048, and 37075) in Sumner County. The applicant is owned by HCA Health Services of Tennessee, Inc. Estimated project cost: \$16,704,501.

DEFERRED TO AUGUST 23, 2023

GENERAL COUNSEL'S REPORT- Not Applicable

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.