



# HEALTH FACILITIES COMMISSION

## MEETING MINUTES

**March 27, 2024**

**LOCATION:** TN Department of Health Regulation Building, Iris Hearing Room, 665 Mainstream Drive, Nashville, TN 37243

### **COMMISSION MEMBERS PRESENT**

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

### **COMMISSION MEMBERS ABSENT**

### **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  
Lowavia Eden-Hoback, Office and Resource Manager  
Thomas Pitt, HFC Examiner

### **COURT REPORTER**

April Daniel

### **GUESTS PRESENT**

Warren Gooch  
Bryce Fitzgerald  
Ginna Felts  
John Wellborn  
Page Smith  
Travis Swearingen  
Jerry Taylor

Lauren Gaffney  
Jim Drumwright  
Judy Spencer  
Trent Lind  
Blake Estes  
Ruth Portacci  
Joshua Goats  
John Jacob  
Gabe Starace  
Penny Craig  
Andrew Emery  
Ericka Keeling  
Abby Nix  
Paul Trivette  
Judy Tsai  
Jeremy Kourvelas  
Lynn Massingale  
Zoyie Jackson  
Dr. Stephen Loyd, M.D.  
Amanda Karistai  
Megan Almy  
Paige Youll  
Lena Averbuch  
Levi Benson, M.D.

**CALL TO ORDER:**

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

**DIRECTOR'S ANNOUNCEMENTS**

The April 24, 2024, meeting will be held at the TN Department of Health Boards Regulation Building, Iris Hearing Room, Nashville, TN.

**APPROVAL OF MINUTES**

Mr. Chinn presented the February 24, 2024, minutes for approval.

Ms. Brown moved for approval with Ms. Jordan providing the second.

The motion CARRIED [10-0-0] 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.

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

**1. Premier Radiology Clarksville, Clarksville (Knox County), TN – CN2401-001**

Request: For the establishment of a licensed Outpatient Diagnostic Center ("ODC") and the initiation of MRI services with the acquisition of a fixed MRI. The address of the project will be Unaddressed Lot 2 at the intersection of Chesapeake Lane and Dunlop Lane, across Chesapeake Lane from Premier Medical Group's office building, and across Dunlop Lane 0.6 miles from the entrance drive to the Tennova Healthcare Clarksville hospital, Clarksville (Montgomery County), Tennessee 37040. The applicant is owned by Middle Tennessee Imaging, LLC dba Premier Radiology. Estimated project cost: \$15,400,407.

**RECUSED: Brown, Wainner, and Fowler**

**Speaking on behalf of the applicant was Warren Gouch.**

**OPPOSITION: Clarksville Health System, G.P. d/b/a Tennova Healthcare-Clarksville and Clarksville Imaging Center, LLC.**

**Speaking on behalf of the opposition was Page Smith.**

**Mr. Pinkney moved for approval with Ms. Sweitzer providing the second.**

**Six members voted to approve the application— Sweitzer, Grandy, Jerman, Jordan, Pinkney, and Chinn. One member voted to deny the application – Duckett. The motion CARRIED [6-1-0].**

**CONDITION: 1) Limited to one MRI machine, and 2) Mobile MRI Medical Services, LLC (License Number: 00000058) must not operate within 50 miles of Clarksville.**

**2. Cedar Recovery, Knoxville (Knox County), TN – CN2401-002**

Request: For the establishment of a Nonresidential Substitution-Based Treatment Center for Opiate Addiction and the initiation of opiate addiction treatment services located at 4409 Chapman Highway, Suite W, Knoxville (Knox County), Tennessee 37920. The applicant is owned by Cedar Recovery of Middle Tennessee, LLC. Estimated project cost: \$1,154,469.

Speaking on behalf of the applicant was Jerry Taylor.

**OPPOSITION: Behavioral Health Group**

Speaking on behalf of the opposition was Travis Swearingen, and Amanda Karistai.

Mr. Grandy moved for approval with Dr. Fowler providing the second.

Eight members voted to approve the application— Sweitzer, Grandy, Jerman, Jordan, Pinkney, Brown, Fowler and Wainner. Two members voted to deny the application – Duckett, and Chinn. The motion CARRIED [8-2-0].

GENERAL COUNSEL REPORT –

OTHER BUSINESS – Not Applicable

ADJOURNMENT

There being no further business, the meeting adjourned.

*Logan Grant*

---

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.