



HEALTH FACILITIES COMMISSION

Certificate of Need

MEETING MINUTES

October 23, 2024

LOCATION: Iris Hearing Room, 1st Floor, 665 Mainstream Drive, Nashville, TN 37228

COMMISSION MEMBERS PRESENT

Rick Chinn, Chairman
Melanie Keller, Vice-Chairman
Tim Evans
James Wright
Barbara Brennan
Michael Denney
Jeremy Biggs
Johnny Lai, Designee for TennCare
Nicole Sweitzer, Designee for Comptroller

COMMISSION MEMBERS ABSENT

Lauren Legate

COMMISSION STAFF PRESENT

Logan Grant, Executive Director
Phillip Earhart, Deputy Director
Jim Christoffersen, General Counsel
Alecia Craighead, Data and Analysis Administrator
Lowavia Eden-Hoback, Office and Resource Manager
Thomas Pitt, HFC Examiner
Ann R. Reed, Deputy Director of Licensure & Regulation
Joel Clinton, Statistical Research Specialist
Caroline Tippens, Director of Licensure & Regulation

COURT REPORTER

April Daniel

CALL TO ORDER:

The meeting was called to order at 9:00 a.m. by Mr. Logan Grant with the following members present: Sweitzer, Keller, Evans, Wright, Brennan, Denney, Biggs, Lai, and Chinn. A quorum was established with Nine members present.

DIRECTOR'S ANNOUNCEMENTS

The December 11, 2024, meeting will be held at the Cordell Hull State Legislative Office Bldg., Senate Hearing Room 1, Nashville TN.

APPROVAL OF MINUTES

Mr. Chinn presented the September 25, 2024, minutes for approval.

Mr. Wright moved for approval with Ms. Brennan 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.

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

Phillip Earhart introduced the following three applications that were under consideration and with three (3) being approved.

1. **Baptist Memorial Hospital-Carroll County Outpatient Cardiac Catheterization Lab, Jackson (Madison County), TN – CN2408-01323**

Request: For the initiation of hospital-based outpatient diagnostic cardiac catheterization services located at 155 Innovation Dr., Jackson (Madison County), Tennessee 38305. The service area for the project is Madison, Gibson, Carroll, Henderson, Chester, Crockett, Hardeman, and McNairy Counties. The applicant is owned by Baptist Memorial Hospital-Huntingdon d/b/a Baptist Memorial Hospital-Carroll County. Estimated project cost: \$736,119.

Ms. Brennan moved for approval with Ms. Keller providing the second.

Eight members voted to approve the application— Sweitzer, Lai, Keller, Wright, Brennan, Denney, Evans, and Biggs. The motion CARRIED [8-0-0].

(+ The following two applications will be heard under Simultaneous Review procedures.)

2. +Sumner Regional Medical Center, White House (Robertson County), TN – CN2407-019

Request For the establishment of a freestanding emergency department (FSED) located at an unaddressed site at the intersection of North Sage Road and Maiden Road, north of Maiden Road and west of North Sage Road, White House (Robertson County), Tennessee 37188. The service area for the project includes the following nine ZIP Codes: 37075 - Hendersonville (Sumner County); 37048 - Cottontown (Sumner County); 37049 - Cross Plains (Robertson County); 37072 - Goodlettsville (Sumner and Davidson Counties); 37073 - Greenbrier (Robertson County); 37141 - Orlinda (Robertson County); 37148 - Portland (Sumner County); 37172 Springfield (Robertson County); and 37188 - White House (Robertson County). The applicant is owned by Sumner Regional Medical Center, LLC. Estimated project cost: \$20,630,528.

RECUSED: Evans, Brennan, Lai

OPPOSITION: TriStar Hendersonville Medical Center

Ms. Keller moved for approval with Mr. Wright providing the second.

Five members voted to approve the application— Sweitzer, Denney, Keller, Wright, and Biggs. The motion CARRIED [5-0-0].

3. +TriStar Hendersonville Medical Group, White House (Robertson County), TN – CN2407-020

Request For the establishment of a freestanding emergency department (FSED) located at an unaddressed site on an approximate three (3) +/- acre tract of vacant land on the north side of TN-258/Raymond Hirsch Parkway, located approximately 650 +/- feet west of the intersection of Raymond Hirsch Parkway and Highway 31W, White House, (Robertson County) Tennessee, 37188. The proposed FSED will consist of approximately 13,087 square feet with 11 exam rooms, including 1 trauma room, a lab, imaging department, a nurse station, and associated support spaces located on a portion (Lot 8) of the property identified as Parcel 0741071 B 07700. The service area is defined by the ZIP codes of White House (37188), Greenbrier (37073), Cross Plains (37049), and Cottontown (37048). Zip codes 37188 (White House), 37073 (Greenbrier), and 37049 (Cross Plains) primarily in Robertson County, and Cottontown (37048) primarily in Sumner County. The applicant is owned by Hendersonville Hospital Corporation and whose ultimate parent company is HCA Healthcare, Inc. Estimated project cost: \$17,832,032.

RECUSED: Evans, Brennan, Lai

OPPOSITION: Sumner Regional Medical Center

Ms. Keller moved for approval with Mr. Sweitzer providing the second.

Five members voted to approve the application— Sweitzer, Denney, Keller, Wright, and Biggs. The motion CARRIED [5-0-0].

The following three applications were deferred to the December 11, 2024, Commission meeting:

4. KabaFusion TN, LLC, Nashville (Davidson County), TN – CN2405-012

Request: For the establishment of a home care organization and the initiation of home health services with a parent office located at 2970 Sidco Drive, Nashville (Davidson County), Tennessee 37204. The proposed project will be limited to providing and administering home infusion and injection products to pharmacy patients of pharmacies which are subsidiaries of KabaFusion Holdings, LLC. The project’s proposed service area will consist of 67 Tennessee counties. Lake and Perry Counties are both CON exempt under the economically distressed designation. The applicant is owned by KabaFusion Holdings, LLC. Estimated project cost: \$116,393.

5. KabaFusion TN, LLC, Nashville (Davidson County), TN – CN2408-021

Request: For the establishment of a home care organization and the initiation of home health services with a home office located at 2970 Sidco Drive, Nashville (Davidson County), TN 37204. The application is limited to providing and administering home infusion and injection products to patients of pharmacies which are subsidiaries of KabaFusion Holdings, LLC. The proposed 28-county service area will consist of Anderson, Blount, Campbell, Cheatham, Claiborne, Cocke, Cumberland, Davidson, Dickson, Fayette, Grainger, Hamblen, Jefferson, Knox, Loudon, Madison, Monroe, Montgomery, Morgan, Roane, Robertson, Rutherford, Scott, Sevier, Sumner, Tipton, Williamson, and Wilson Counties. This application, together with CN2405-012 for 65 counties in Tennessee, which was deemed complete in July 2024, will serve 93 counties of Tennessee. Lake and Perry Counties are currently exempt from the CON process. The applicant is owned by KabaFusion Holdings, LLC. Estimated project cost: \$116,393.

6. Quality Hospice, Jamestown (Fentress County), TN – CN2408-022

Request: For the addition of Anderson, Campbell, Cumberland, Putnam, and Roane Counties to its service area (License #621). The address of the project will be 341 West Central Avenue, Suite B, Jamestown (Fentress County), Tennessee 38556. The applicant is owned by All Care Plus, Inc. Estimated project cost: \$46,000.

OPPOSITION: Hospice of Cumberland County; Covenant Homecare; Gentiva Hospice; and Hospice of Chattanooga Holdings

GENERAL COUNSEL REPORT

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.

