



**HEALTH FACILITIES COMMISSION**  
**MEETING MINUTES**  
**September 27, 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  
Joe Grandy  
Charley Jerman  
Greg Duckett  
Dr. Scott Fowler  
Lisa Jordan, Designee for Department of Commerce, and Insurance  
Nicole Sweitzer, Designee for Comptroller  
Vince Pinkney, Vice-Chairman and Designee for TennCare

**COMMISSION MEMBERS ABSENT**

Laura Beth Brown  
Mark Wainner

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

**COURT REPORTER**

April Daniel

**GUESTS PRESENT**

Clark Spoden  
Justin Coury  
Barbara Breannan  
Lisa Hochstetler  
Dr. Duane Harrison  
Dr. Mark Sanders  
Jennifer Solorzano  
Paul Frank

Kelley Southard  
Terry Reed  
Sofie Sexton  
Jerry Rollins  
Sarah Pack  
Maureen Cueman  
Byron Trauger  
Rod Karkleroad, RN, MMHC  
Geoffrey Lifferth, MD  
John Ray Pinkston, MD  
Nancy Becker  
Don Sword  
Megan Mason  
Cari Lambrecht  
Derrick Jackson  
Travis Swearingen  
Jerry Taylor  
Darrah Whittaker  
Warren Gooch  
Christopher Pollock  
Bryce Fitzgerald  
Lucas Fishman  
Michael Hogue  
John Wellborn  
Steve Ross  
Chris Schoch  
Brittany Jeffers  
Kevin Summar  
Kyle Williams  
Ginger Nabors  
Stephanie Ducan  
Stephanie Rutledge  
Jennifer M Everett  
Keli Green  
A Gail Benson  
Jennifer Stephens  
Haleigh Gregory  
Laura Medley  
Krista Rollin  
Chad Smith  
Jackie Bradley  
Dustin Mesler  
Tiffany Hester  
Rene Crowder  
Amber Rose  
Amanda Lee  
Eric Hudgins  
Suzanne Geaffers  
Kendra Wiley  
Lucas Blake  
Judi Wright  
Amanda Snyder  
Leslie Hayes  
Anna - Lee Cockrill  
Katie Dieterich  
Lisa Gardi  
Tony Daughtry  
Kristy Wilson

Derek Scott-Templeton  
Janna Gatliff  
Jennifer Solarzano  
Kelly Anderson  
Christy Cooley  
Stephanie Dennis  
Jessie Spangler  
Will Dennis  
Nadine Blair  
Beverly Carter  
Angela Punch  
Jill Coley  
Jamie Green  
Rebecca Anderson  
Carne Austin  
Jennifer Setair  
Heather Hale  
Don Sword  
Megan Mason  
Catherine Harvey  
Elizabeth Sharp  
Alyssa Stevens  
Carolyn Sparks  
Hunter Earnest  
Bill Jolley  
Charlotte Burns  
Nancy Kim  
Sue Dyer  
Alex Perez  
Matt McNeill  
Olivia Velasquez  
Scott Rigsby  
Jessica Kelley  
Shayla Bush  
Amanda McDaniel  
Michelle Burnwell  
Kim Uldrich  
Michelle Gaffney  
Carly Higgins  
Nicky Barron  
Jack A. Settie  
Jared Sterry  
Melony Scott  
Caleb McKenney  
Rev. Willie Accvedo  
Hilary Dennen  
Patty Greenbey  
Kristi Dozier  
Cindy Hansen  
Lisa Hochstetles  
Barbara McFarland  
Patrick Rafferty  
Jodine Crompton  
Mike Portu  
Stephen Beardan  
Amy Pollifrone  
Ashley Edwards  
Karina Perez

Doug Phan  
Jennifer Worsham  
Bethany Hulan  
Michael Rollins  
Chris Warneck  
Louis Keene  
Nadalie Wilkes  
Karem Rollins  
Julianna Newell  
Pam Jackson  
Erin Roberts  
Lawana Leonhaldt  
Sherry Borski  
Jennifer Holder  
Beth Kiper  
Amanda Pruitt  
Toni Reid  
Heather McMurray  
Maureen Cueman  
Miriane Fraak  
Paul S Frawe  
Terry L Reed  
Penny Judd  
Zac Ramsey  
Matt Mulvey  
Heathe Ferrell  
Nancy Becker  
Francisco Pahua  
Harrison Kiser  
Patricia Parler  
Sherri Chaffin  
Bryce Fitzgerald  
Dere Brown  
Suzanna Jones  
Kaitlin Parham  
Billy Route  
Daphne David  
Jessica Schweider  
Robert Scrubbs  
David Cantrell  
Charlie Boyd  
Mike Brent  
Cari Lambredlt  
Erica Pahue  
Angela Rhoads  
Lindsay E. Ray  
Stacy Yokley  
Joannie Border  
Jennifer Pearson  
John Winters  
Lucas Fishman

**CALL TO ORDER:**

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

## **DIRECTOR'S ANNOUNCEMENTS**

The October 25, 2023, meeting will be held at the Cordell Hull State Legislative Office Bldg., Senate Hearing Rm. 1, Nashville, TN.

## **APPROVAL OF MINUTES**

Mr. Chinn presented the August 23, 2023, minutes for approval.

Ms. Jordan moved for approval with Mr. Pinkney 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.

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

Phillip Earhart introduced the following, three (3) applications under consideration and with one (1) being approved, one (1) being partially approved, and one (1) being denied.

1. **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.

**RECUSED: Duckett**

**Speaking on behalf of the applicant was Clark Spoden.**

**OPPOSITION: Sumner Regional Medical Center, LLC d/b/a Sumner Regional Medical Center.**

**Speaking on behalf of the opposition was Byron Trauger representing Sumner Regional Medical Center.**

**Ms. Jordan moved for denial with Mr. Grandy providing the second.**

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

2. Interim Healthcare of Montgomery County, Clarksville (Montgomery County), TN – CN2306-019

Request: For the establishment of a home care organization and the initiation of home health services and in-home hospice services with an office located at 540 Heritage Pointe Drive Suite A, Clarksville (Montgomery County), TN 37042. The proposed service area consists of Cheatham, Montgomery, and Robertson Counties. The applicant is owned in equal partnership between Erica Pahua (50%) and Francisco Pahua (50%). Estimated project cost: \$23,400.

**RECUSED: Duckett and Jerman**

**Speaking on behalf of the applicant was Erica Pahua.**

**OPPOSITION: Alive Hospice, Caris Healthcare, Guardian Hospice of Nashville, LLC, and Guardian Home Care of Nashville, LLC.**

**Speaking on behalf of the opposition was Travis Swearingen representing Caris Healthcare, Jerry Taylor representing Alive Hospice.**

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

**Six members voted to partially approve the application—Fowler, Jordan, Pinkney, Sweitzer, Grandy, and Chinn. The motion CARRIED [6-0-0].**

**Note: The Commission voted to approve for the establishment of a home care organization and the initiation of home health services and voted to deny the Certificate of Need for the initiation of in-home hospice services.**

3. APEX Vascular Outpatient Center, Lenoir City (Loudon County), TN – CN2306-017

Request: For the establishment of an ambulatory surgical treatment center (ASTC) located at 460 Medical Park Drive, Suite 105, Lenoir City (Loudon County), TN 37772. The proposed ASTC will consist of 2 procedure rooms limited to the performance of peripheral vascular surgery and dialysis shunt maintenance. The procedures will be performed by vascular surgeons who are members or employees of the private physician practice, Innovative Vascular, PLLC. The proposed service area consists of Anderson, Knox, Loudon, McMinn, Monroe, and Roane Counties. The applicant is wholly owned by Christopher Pollock, M.D. Estimated project cost: \$2,579,291.

**Speaking on behalf of the applicant was Warren Gooch, And Christopher Polluck.**

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

**LIMITATION: Limited to peripheral vascular surgery and dialysis shunt maintenance performed by vascular surgeons who are members or employees of Innovative Vascular, PLLC.**

Eight members voted to hear the appeal—Jerman, Jordan, Pinkney, Sweitzer, Grandy, Duckett, Fowler and Chinn. The motion CARRIED [8-0-0].

**GENERAL COUNSEL'S REPORT-**

4. Vanderbilt University Medical Center d/b/a Vanderbilt Rutherford Hospital, Nashville (Davidson County), TN – CN2109-026AD, Docket No: 25.00-220022]

Request: by Vanderbilt University Medical Center d/b/a Vanderbilt Rutherford Hospital to review the Administrative Law Judge's Initial Order denying the establishment of a 42-bed community hospital facility and the initiation of diagnostic and therapeutic cardiac catheterization services at an unaddressed site on Veterans Parkway at the southeast intersection of Veterans Parkway and S.R. 840, Murfreesboro (Rutherford County), TN 37218. The review will occur at a future meeting if the Commission grants the request.

Speaking on behalf of the applicant was Travis Swearingen.

**OPPOSITION: William Medical Center, TriStar Stonecrest, and St. Thomas Rutherford Hospital/ St. Thomas Stones River Hospital.**

Speaking on behalf of the opposition was Bill West representing William Medical Center, Clark Spoden representing TriStar Stonecrest, John Winners and Warren Gooch representing St. Thomas Rutherford Hospital/ St. Thomas Stones River Hospital.

Mr. Duckett moved for approval to hear appeal with Mr. Fowler providing the second.

Seven members voted to approve the appeal hearing—Jerman, Jordan, Duckett, Pinkney, Sweitzer, Grandy, Fowler, and Chinn. The motion CARRIED [8-0-0].

**RULEMAKING - 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.

