

From: [Neil, Jesse](#)
To: [Thomas P. Pitt](#)
Cc: travis.swearingen@kirkland.com; [Jim Christoffersen](#); [Logan Grant](#); [Looney, Kim H.](#); [Livengood, Brandon M.](#)
Subject: [EXTERNAL] RE: Supplemental Material for Applications CN2511-041 and CN2511-043
Date: Tuesday, March 24, 2026 1:10:13 PM
Attachments: [image003.png](#)
[image001.png](#)
[Heart and Soul Letter to HFC_signed.docx.pdf](#)

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Dear Mr. Pitt,

I hope you are doing well.

As indicated in my letter of last week, I was recently engaged as compliance counsel by Heart and Soul Hospital, LLC and Heart N Soul Hospital of Memphis, LLC (together, the “Companies”) to help address certain matters related to Dr. Andre Lee’s previous relationship to the Companies and, separately, his previous involvement at Heart n Soul Hospice Foundation, Inc. (the “Foundation”). By way of background, my experience is both as a regulator of not-for-profit organizations as Assistant Attorney General in Tennessee, as well as healthcare compliance counsel to healthcare providers in my current private practice.

My client and I want to be as helpful as possible to answer any open questions you or the staff may have in this regard, and as such I am planning to attend tomorrow’s hearing. I planned to share that my client confirmed Dr. Lee is no longer an owner of the Companies. In addition, while the Foundation is completely separate from the Companies, my client can also confirm that Dr. Lee is no longer a member of the Foundation board. I also am pleased to report that the Companies have proactively updated its policies to ensure background information like that relayed to Mrs. Looney on February 18 is identified and managed effectively in the future. Additionally, the Foundation has updated its policies and procedures to identify background matters that would impact or preclude an applicant’s service on its board. That being said, in order to be most helpful to you and your team, I was hoping to connect briefly today to confirm what additional information, if any, you and the Health Facilities Commission would find most relevant in this regard. Of course, if you would like me to answer any specific questions in writing, we would be glad to prepare those as well.

Would you or a member of the staff like to have a call today? If so, I can make myself

available any time after 2:00 PM CST.

We appreciate the opportunity to engage with you as you and the Commission conduct your evaluation of the Companies' applications.

Thank you,
Jesse

Jesse C. Neil
Partner

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From: Livengood, Brandon M. <brandon.livengood@foley.com>
Sent: Friday, March 20, 2026 9:33 AM
To: thomas.p.pitt@tn.gov
Cc: travis.swearingen@kirkland.com; jim.christoffersen@tn.gov; Logan.Grant@tn.gov; Looney, Kim H. <kim.looney@kigates.com>; Neil, Jesse <jesse.neil@foley.com>
Subject: Supplemental Material for Applications CN2511-041 and CN2511-043

Mr. Pitt,

On behalf of Heart and Soul Hospice, LLC and Heart N Soul Hospice of Memphis, LLC (application numbers CN2511-041 and CN2511-043), please find attached a letter from Jesse Neil.

We respectfully request that this letter be included in both entities' Certificate of Need applications.

Please let me know if you have any questions or require any additional information.

Thank you,

Brandon M. Livengood
Associate

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