

# HEALTH SERVICES AND DEVELOPMENT AGENCY

## COMMUNIQUE

MONTHLY PUBLICATION OF  
*HEALTH SERVICES AND DEVELOPMENT AGENCY*

*Andrew Jackson Building, 9<sup>th</sup> Floor*

*502 Deaderick Street*

*Nashville, TN 37243*

*615.741.2364*

# OCTOBER 2016

For Meeting verification/change or agenda information, please call the Agency Office  
or check our website at [www.tn.gov/hsda](http://www.tn.gov/hsda)

### HEALTH SERVICES AND DEVELOPMENT AGENCY

Chair.....Bob Doolittle  
Vice-Chair.....Thom Mills  
Executive Director.....Melanie Hill  
General Counsel.....James Christoffersen

Tennessee Department of Health, Division of Policy, Planning and Assessment.....615/741-1954

Tennessee Department of Mental Health and Substance Abuse Services,

Planning, Research, & Forensics.....615/532-6717

Tennessee Department of Intellectual and Development Disabilities,

Office of General Counsel...615/253-8731 or Main Office....615/532-6530 or 800-535-9725

## CALENDAR

The Health Services and Development Agency will be closed on the following days:

### 2016

Friday, November 11- Veteran's Day  
Thursday, November 24- Thanksgiving Day  
Friday, November 25- Day after Thanksgiving  
Monday, December 26, Day after Christmas

In the event that the last appropriate filing date falls on a Saturday, Sunday, or legal holiday, such filing should occur on the preceding business day.

\*Appeal deadline is 15 days after meeting date.

### 2016 REVIEW CYCLE

<u>2016 Cycle Month</u>	<u>Publication Dates— Letter of Intent</u>	<u>Application Due Date</u>	<u>HSDA Meeting Dates</u>	<u>*End of Appeal Period</u>
June	06/01/2016-06/10/2016	5 days after LOI published	10/26/2016	11/10/2016
July	07/01/2016-07/10/2016	*	10/26/2016	11/10/2016
August	08/01/2016-08/10/2016	*	12/14/2016	12/29/2016
September	09/01/2016-09/10/2016	*	12/14/2016	12/29/2016
October	10/01/2016-10/10/2016	*	2/22/2017	03/09/2017
November	11/1/2016-11/10/2016	*	4/26/2017	03/09/2017

#### STATE OF TENNESSEE POLICY OF NON-DISCRIMINATION

PURSUANT TO THE STATE OF TENNESSEE'S POLICY OF NON-DISCRIMINATION, THE HEALTH SERVICES AND DEVELOPMENT AGENCY DOES NOT DISCRIMINATE ON THE BASIS OF RACE, SEX, RELIGION, COLOR, NATIONAL OR ETHNIC ORIGIN, AGE, DISABILITY OR MILITARY SERVICE IN ITS POLICIES OR IN THE ADMISSION OR ACCESS TO, OR TREATMENT OR EMPLOYMENT IN, ITS PROGRAMS, SERVICES OR ACTIVITIES.

EQUAL EMPLOYMENT OPPORTUNITY/AFFIRMATIVE ACTION INQUIRIES OR COMPLAINTS SHOULD BE DIRECTED TO THE HEALTH SERVICES AND DEVELOPMENT AGENCY EEO/AA COORDINATOR OR OFFICER, HEALTH SERVICES AND DEVELOPMENT AGENCY, ANDREW JACKSON BUILDING, 9<sup>th</sup> FLOOR, 502 DEADERICK STREET, NASHVILLE, TN 37243. TELEPHONE NO.: 615/741-2364. ADA INQUIRIES OR COMPLAINTS SHOULD BE DIRECTED TO THE HEALTH SERVICES AND DEVELOPMENT AGENCY'S ADA COORDINATOR: JAMES CHRISTOFFERSEN, HEALTH SERVICES AND DEVELOPMENT AGENCY, ANDREW JACKSON BUILDING, NINTH FLOOR, 502 DEADERICK STREET, NASHVILLE, TN 37243. TELEPHONE NO.: 615/741-2364.

# HEALTH SERVICES AND DEVELOPMENT AGENCY MEETINGS

THSDA Meetings are scheduled to be held at  
8:30 a.m. CDT/CST  
At the following location:

**OCTOBER-DECEMBER 14, 2016**

Legislative Plaza  
Room 12  
Sixth Avenue North & Union Street  
Nashville, TN

**FEBRUARY 22, 2017**

Location to be announced.

\* Meeting locations are subject to change

\*\* All meetings of the Health Services and Development Agency are posted on the Agency's website at [www.tn.gov/hsda](http://www.tn.gov/hsda)

## **EXECUTIVE DIRECTOR'S ANNOUNCEMENTS:**

### **PLEASE NOTE:**

In order that the Agency members may have sufficient time to review the meeting packet, please submit all support, rebuttal and comments for matters on the Agency's agenda no later than noon (Central Time) on the thirteenth day before the meeting at which that matter will be Heard. The parties are encouraged to provide 15 copies. In accordance with T.C.A., Section 68-11-1609(g)(1), any health care institution wishing to oppose a Certificate of Need application must file a written objection with the Agency and serve a copy on the applicant no later than fifteen days before the agency meeting at which time the application is originally scheduled.



**NO MEETING.**

## APPLICATIONS TO BE HEARD AT OCTOBER MEETING

\*VIP Home Nursing d/b/a CareAll Home Care Services  
4015 Travis Dr, Suite 102  
Nashville (Davidson County), TN 37211  
CN1608-028  
Contact Person: Mary Ellen Foley  
Phone: 731-587-2996

The addition of six counties (Maury, Giles, Lawrence, Wayne, Lewis, and Hickman) to the existing 22 county (Bedford, Cheatham, Davidson, Rutherford, Williamson, Wilson, Clay, Cumberland, Jackson, Overton, Putnam, Macon, Robertson, Sumner, Smith, Trousdale, DeKalb, Van Buren, Warren, White, Perry, and Cannon Counties) licensed service area of VIP Home Nursing and Rehabilitation Services d/b/a CareAll Home Care Services located at 4015 Travis Drive, Suite 102, Nashville, TN 37211. The estimated project cost is \$21,000.

\*Maxlife at Home of Tennessee LLC d/b/a CareAll Home Care Services  
4015 Travis Drive, Suite 103  
Nashville (Davidson County), TN 37211  
CN1608-029  
Contact Person: Mary Ellen Foley  
Phone: 731-587-2996

The relocation of the applicant's principal office from 900 Nashville Highway, Columbia (Maury County) to 4015 Travis Drive, Suite 103, Nashville, TN 37211. The relocation will occur with the surrender of Maury, Giles, Lawrence, Lewis, Wayne, and Hickman Counties from the licensed service area and the transfer of these six counties to the applicant's sister Agency of VIP Home Nursing and Rehabilitation Services, LLC dba CareAll. The remaining service area will consist of Cheatham, Davidson, Rutherford, Williamson, Robertson, Sumner, Hardin, McNairy, Decatur, Perry, Humphreys, and Wilson. The estimated project cost is \$67,054.88.

Tennessee Orthopedics, P.C.  
101 Physicians Way  
Lebanon (Wilson County), TN 37090  
CN1605-019  
Contact Person: Christi Griffin, Esq.  
Phone: 615-668-0462

The establishment of multi-specialty ambulatory surgical treatment center (ASTC) to be located in leased space at 101 Physicians Way, Lebanon (Wilson County), TN 37090. The ASTC will include three operating rooms and one procedure room. The estimated project cost is \$2,726,676. **DEFERRED FROM AUGUST MEETING.**

Middle Tennessee Imaging, LLC d/b/a Premier Radiology  
980 Professional Park Drive, Suite E  
Clarksville (Montgomery County), TN 37040  
CN1605-016  
Contact Person: Robert Limyansky  
Phone: 770-394-8465

The establishment of an outpatient diagnostic center and the initiation of MRI services through the acquisition of a fixed MRI unit. The estimated project cost is \$941,648.

Bartlett ASC, LLC  
0 Kate Bond Blvd  
Bartlett (Shelby County), TN 38133  
CN1605-020  
Contact Person: Kim Looney, Esq.  
Phone: 615-850-8722

The establishment of a multi-specialty ambulatory surgical center (ASTC) providing outpatient surgery services. The estimated project cost is \$9,837,855.48.

AxelaCare Health Solutions LLC.  
5100 Poplar Ave, 27th Floor, Suite 2739  
Memphis (Shelby County), TN 38137  
CN1606-022  
Contact Person: John Wellborn  
Phone: 615-665-2022

The establishment of a home care organization and the initiation of home health services limited to the home infusion of immune globulin pharmaceuticals in 21 West Tennessee counties. The service area includes Benton, Carroll, Chester, Crockett, Decatur, Dyer, Fayette, Gibson, Hardeman, Hardin, Haywood, Henderson, Henry, Lake, Lauderdale, Madison, McNairy, Obion, Shelby, Tipton, and Weakley Counties. The estimated project cost is \$69,628.

## APPLICATIONS TO BE HEARD AT OCTOBER MEETING

Trustpoint Hospital LLC  
1009 North Thompson Lane  
Murfreesboro (Rutherford County), TN 37129  
CN1606-024  
Contact Person: Graham Baker, Esq.  
Phone: 615-370-3380

The addition of 88 hospital beds to the existing 129-bed acute care hospital licensed by the TN Department of Health resulting in a total of 217 licensed beds. The bed breakdown follows: Adult Psychiatric beds will increase from 59 to 111 beds; Physical Rehabilitation beds will increase from 16 beds to 24 beds; Child Psychiatric beds will increase from 0 beds to 14 beds; Adolescent Psychiatric will increase from 0 to 14 beds. The project includes the construction of a new building and renovation of existing facilities. A 32-bed residential care unit (16 adolescent/16 child) that is not subject to CON review will be built and housed onsite and will be licensed separately by the TDMHSAS. The estimated project cost is \$57,320,105.

Compass Intervention Center  
7900 Lowrance Road  
Memphis (Shelby County), TN 38125  
CN1606-025  
Contact Person: Jeremy Pitzer  
Phone: 901-758-2002

The establishment of a 48 bed inpatient mental health hospital for children and adolescents up to age 18 located at 7900 Lowrance Road, Memphis (Shelby County), TN 38125. The estimated project cost is \$12,152,661. **DEFERRED TO DECEMBER MEETING.**

### **GENERAL COUNSEL'S REPORT**

NHC/Maury Regional Transitional Care Center  
5004 Trotwood Avenue  
Columbia (Maury County), TN 38401  
CN1307-025  
Contact Person: Dan Elrod, Esq.  
Phone: 615-890-2020

A 3 month extension is requested , from January 1, 2017 to April 1, 2017.

The establishment of a 112-bed\* Medicare skilled nursing home to be known as NHC/Maury Regional Transitional Care Center pursuant to T.C.A. § 68-11-1627, which permits the replacement of one or more currently licensed nursing homes with one single nursing home. The new facility will be created by relocating and replacing the 92-bed NHC Healthcare, Hillview and the 20-bed Maury Regional Hospital Skilled Nursing Unit to an 11 acre site at 5004 Trotwood Avenue, Columbia (Maury County), TN. The estimated project cost is \$18,161,672.

On October 23, 2013, the Agency approved the request to approve the certificate of need with an expiration date of December 1, 2015. Because of delays related to zoning approvals, sanitary sewer locations and final approval of schematic drawings, the applicant sought an extension of the expiration date until January 1, 2017 which was granted at the August 26, 2015 Agency meeting. The project has experienced additional delays but was 72% complete in July and construction is projected to be complete by November 11, 2016. While it is possible the project will be complete by the expiration date of January 1, there are concerns regarding installations of furnishings and scheduling final inspections for licensure during the holiday season. Therefore, a 3-month extension is requested.

## APPLICATIONS TO BE HEARD AT OCTOBER MEETING

Campbell Clinic Surgery Center  
1410 Brierbrook Road  
Germantown (Shelby County), TN 38138  
CN1208-040  
Contact Person: Brant Phillips, Esq.  
Phone: 615-665-2022

Request for 24 month extension, January 1, 2017 to January 1, 2019.

On November 14, 2012, the Agency unanimously approved the request to expand the surgery center, from 5 surgical rooms (4 operating rooms and 1 procedure room) to 10 surgical rooms (8 operating rooms and 2 procedure rooms), on its present site. It will add approximately 21,000 SF of space to the facility. The estimated project cost is \$13,277,258. The facility is licensed by the Department of Health as an ambulatory surgical treatment center. Its services are limited to orthopaedics and pain management.

On November 19, 2014, the Agency unanimously approved a request for a 24 month extension of the expiration date of the certificate of need, to January 1, 2017, due to 1) assessing needs in light of its acquisition of an additional licensed surgery center, and 2) additional design and approval issues pertaining to the medical office building in which it would be located.

This request for a 24 month extension is due to the continued design and approval issues pertaining to the medical office building in which it would be located, and zoning change and site plan variances it has obtained. The requested time anticipates the possibility of seeking any necessary modifications of the CON.

Waynesboro Health & Rehabilitation Center  
104 J.V. Mangubat Drive  
Waynesboro (Wayne County), TN 38485  
CN1411-045  
Contact Person: Michael Brent, Esq.  
Phone: 423-478-5953

Request for a 24 month extension, From April 1, 2017 to April 1, 2019.

The relocation and replacement of Wayne Care Nursing Home located at 505 South Main Street, Waynesboro (Wayne County), TN, a 46-bed nursing facility, and the construction of an addition to Waynesboro Health and Rehabilitation Center (f/k/a Wayne County Nursing Home), a 109-bed nursing facility located at 104 J.V. Mangubat Drive, Waynesboro (Wayne County), TN 38485. The project will combine the two licensed facilities into one licensed nursing facility by closing the 46-bed facility and combining the beds by construction of an addition to the existing 109-bed facility. Upon completion, Waynesboro Health and Rehabilitation Center will house the combined 155-bed nursing facility, which will become dually certified for participation in Medicare and Medicaid and will include an 18-bed designated Memory Care Unit. The service area is Wayne County. The estimated project cost is \$5,658,318.00.

On February 25, 2015, the Agency unanimously approved the certificate of need with an expiration date of April 1, 2017. The extension is sought primarily due to delays related to architectural and engineering work required to finalize the site development plans and costs, as portions of the initial design proposal created a more challenging construction process than originally anticipated, given some of the limitations of the site. However, the design modifications now anticipated are not expected to increase the overall cost of the project.

## APPLICATIONS TO BE HEARD AT OCTOBER MEETING

McKendree Village, Hermitage (Davidson County), TN  
4343 Lebanon Pike  
Hermitage, TN 37076  
CN1202-010AE  
Contact Person: Byron Trauger, Esq.  
Phone: 615-256-8585

McKendree Village, Hermitage (Davidson County), TN  
4343 Lebanon Pike  
Hermitage, TN 37076  
CN1303-007A  
Contact Person: Byron Trauger, Esq.  
Phone: 615-256-8585

McKendree Village, Hermitage (Davidson County), TN — CN1202-010AEE  
and McKendree Village, Hermitage (Davidson County), TN — CN1303-  
007AE

Request for a 19 month extension, from December 1, 2016 to July 1, 2018.

McKendree Village, Hermitage (Davidson County), TN — CN1202-010AEE  
-The addition of thirty (30)\* Medicare skilled nursing facility nursing home  
beds to the 150 nursing home beds it currently operates. Upon Certificate  
of Need approval and the licensure of this project, McKendree Village will  
operate a 180 licensed bed nursing home facility. McKendree Village will  
provide Medicare/Medicaid skilled nursing facility services in these  
proposed 30 nursing home beds. The estimated project cost was  
\$1,303,000.00

\*Subject to the 2011-2012 Nursing Home Bed Pool.

McKendree Village, Hermitage (Davidson County), TN — CN1303-007AE  
The renovation, construction, and partial repositioning of fifty (50) existing  
dually certified beds in addition to the modification of CN1202-010A  
approved for thirty (30) dually certified nursing home beds. The nursing  
home's licensed bed complement of one hundred eighty (180) beds after  
implementation of CN1202-010A will not change. The estimated project  
cost was \$3,808,150.

- On May 23, 2013, CN1202-010A was approved unanimously to add 30 SNF beds to the existing 150-bed facility. On June 26, 2013, CN1303-007A was approved unanimously for additional improvements to the facility with the understanding that both projects would be undertaken as a single construction project. On November 20, 2013, a 13-month extension of the expiration date was requested for CN1202-010A from July 1, 2014 to August 1, 2015 so that it would coincide with CN1303-007A.
- On May 27, 2015, a 16-month extension of the expiration date was requested for both certificates of need from August 1, 2015 until December 1, 2016. McKendree noted before beginning the renovations it was necessary to make significant renovations to the critical plant infrastructure, including replacement of the central mechanical plant, installation of environmental control technology and replacement of failed roofing systems.
- Construction delay is detailed in Item 2 of the September 30, 2016 letter on behalf of McKendree Village. Renovations that prompted earlier extension requests due to extensive upgrades or replacements are now complete (roof and mechanical supply systems). Subsequent architectural plan revisions and the bidding and negotiating process for construction services are identified as challenges which resulted in increased prices and lengthened schedules which required value engineering and a redesign to complete the project within a reasonable time period and budget.



**NO MEETING.**

## APPLICATIONS TO BE HEARD AT THE DECEMBER MEETING

Compass Intervention Center  
7900 Lowrance Road  
Memphis (Shelby County), TN 38125  
CN1606-025  
Contact Person: Jeremy Pitzer  
Phone: 901-758-2002

The establishment of a 48 bed inpatient mental health hospital for children and adolescents up to age 18 located at 7900 Lowrance Road, Memphis (Shelby County), TN 38125. The estimated project cost is \$12,152,661. **DEFERRED FROM OCTOBER MEETING.**

Unicoi County Memorial Hospital  
Unaddressed Site Temple Hill Road  
Erwin (Unicoi County), TN 37650  
CN1608-030  
Contact Person: Allison Rogers  
Phone: 423-302-3378

The relocation and replacement of Unicoi County Memorial Hospital with a 41,500 square foot 10-bed acute care replacement facility that will include an emergency department with 10 treatment rooms at an unaddressed site on Temple Road, Erwin (Unicoi County), TN. The applicant's service area is Unicoi County. The estimated project cost is \$19,999,141.

TN SM, LLC. d/b/a Providence Surgery Center  
5002 Crossing Circle, Suite 110  
Mt. Juliet (Wilson County), TN 37122  
CN1608-031  
Contact Person: Byron Trauger, Esq.  
Phone: 615-256-8585

The conversion of an existing ambulatory surgical treatment center (ASTC), which is limited to orthopedic and pain procedures, to a multi-specialty ASTC located at 5002 Crossing Circle, Suite 110, Mount Juliet, (Wilson County), TN 37122. The ASTC will include two operating rooms and one procedure room that will be re-designated as part of the proposed multi-specialty ASTC. The estimated project cost is \$235,387.

LP Johnson City, LLC  
401 Princeton Road  
Johnson City (Washington County), TN 37601  
CN1609-032  
Contact Person: Chris Puri, Esq.  
Phone: 615-252-4643

The replacement of 47-bed nursing home per TCA § 68-11-1627 which permits one or more currently licensed nursing homes to be replaced with one single licensed nursing home. The new 47-bed facility will be located on the campus of what was formerly Northside Hospital which is now closed in Johnson City (Washington County), Tennessee. The facility will be created by relocating and replacing two Mountain State Health Alliance Nursing Homes—the 34-bed Princeton Transitional Care and the 13-bed Franklin Transitional Care, with the new 47-bed facility. Princeton Transitional Care is located within Johnson City Medical Center at 400 North State of Franklin Road and Franklin Transitional Care holds an inactive license at that same site. The facility will be managed by Signature HealthCare, LLC (SHC LP Holdings III, LLC.) and Blue Ridge Medical management Corporation. The estimated project cost is \$8,571,736.

Life Options of West Tennessee, Inc.  
Intersection of Old Highway 51 South and Grandview Drive  
Brighton (Tipton County), TN 38011  
CN1609-033  
Contact Person: Chris Puri, Esq.  
Phone: 615-252-4643

The establishment of a new 30 bed nursing home that will consist of three (3) ten bed buildings located at an unaddressed site located at the south end of Grandview Drive, Brighton (Tipton County), TN. The estimated project cost is \$7,685,534.

**NO MEETING.**

**NOTES**

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**APPEALS OF AGENCY DECISIONS**

<b><u>FACILITY</u></b>	<b><u>DOCKET #</u></b>	<b><u>DESCRIPTION</u></b>	<b><u>MEETING DATE</u></b>
Erlanger Behavioral Health, LLC Intersection of North Holtzclaw and Citico Ave Chattanooga, Hamilton County CN1603-012A	25.00-139628J	Appeal of Approval of CON	8/24/2016
HCA Health Services of Tennessee, Inc. d/b/a TriStar Southern Hills Medical Center Emergency Department at I-65 Brentwood, Williamson County CN1412-050D	25.00-130740J	Appeal of Denial of CON	3/25/2015
TriStar Southern Hills Surgery Center Unaddressed site at NE corner of intersection at Old Hickory Blvd. and American General Way Nashville, Davidson County CN1411-047A	25.00-131649J	Appeal of Approval of CON	5/27/2015

## HEALTH SERVICES AND DEVELOPMENT AGENCY MEMBERS

**Robert Doolittle**  
(Consumer, Governor)

**William J. Grandy**  
(Consumer, Lieutenant Governor)

**VACANT**  
(Consumer, Speaker of the House)

**Thom Mills**  
(Home Care)

**Todd Taylor**  
(Nursing Home)

**Paul Korth**  
(Hospital)

**Martin D. Fleming, M.D.**  
(Physician)

**Corey Ridgway**  
(Ambulatory Surgical Treatment Centers)

**Keith Gaither, Designee**  
for Director of TennCare  
**Wendy Long**

**Jaclyn Harding, Designee**  
for Comptroller  
**Justin Wilson**

**Lisa Jordan, Designee**  
for Commerce & Insurance Commissioner  
**Julie Mix McPeak**