

March 3, 2022

The Honorable Lisa Piercey, MD, MBA, FAAP  
State Health Commissioner  
Tennessee Department of Health  
710 James Robertson Parkway  
Nashville, TN 37243

Re: Restated 35% Waiver

Dear Commissioner Piercey:

Ballad Health ("Ballad") has identified the need to restate the original waiver numbers (Full-time equivalents and corresponding percentages) for some specialties to ensure the waiver accurately reflects the employed physicians that were in place as of January 31, 2018.

Below are two tables that represent the original waiver amounts, an explanation of changes and the restated waiver amounts for the affected specialties. Of the affected specialties, two are now exempted (Cardiothoracic Surgery and Hematology/Oncology). Ballad has reviewed these changes with the Tennessee COPA Monitor.

**Table 1: Sullivan County Specialties over 35%**

Specialty	Original Waiver 1.31.2018			Restated Waiver 1.31.2018			
	Waiver FTE	Waiver %	Explanation	Independent	Employed	Total	% of Employed/Total
Endocrinology	2.0	100%	HVMC should've been zero; only one endocrinologist (BRMC) privileged as of 1/31/18.	-	1.0	1.0	100%
Gynecologic Oncology	1.0	100%	Counted twice (gyn onc and surgery onc).	-	-	-	0%
Infectious Disease	2.0	100%	There was an independent provider at HVMC that was not captured, resulting in a different %.	1.00	2.0	3.00	67%
Internal Medicine	7.0	54%	Four internal medicine physicians were counted but did not have privileges so need to be removed.	9.60	3.0	12.60	24%
Physical Medicine and Rehabilitation	1.0	50%	HVMC should have reflected 1.2 FTEs; Dr. Frye's 1 day per week in Kingsport was not included.	2.00	1.2	3.2	38%

Neurology	8.0	88%	There were 4 employed neurohospitalists that should be removed as they do not have office hours resulting in 0 FTEs.	1.10	4.0	5.1	78%
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**Table 2: Washington County Specialties over 35%**

Specialty	Original Waiver 1.31.2018			Restated Waiver 1.31.2018			
	Waiver FTE	Waiver %	Explanation	Independent	Employed	Total	% of Employed/Total
Cardiothoracic Surgery	3.00	42.9%	Independents were counted incorrectly. Should not have been included.	0.00	3.00	3.00	100%
Cardiovascular Disease	6.35	47%	Was not originally included but have added Dr. Siv as an independent.	8.00	6.35	14.35	44%
Hematology/Oncology	3.90	60%	There were physicians working under a PSA that were counted as independents that should not have been included.	0.62	3.90	4.52	86%

We appreciate your attention to this request. Please let us know if you need any additional information.

Sincerely,

Alan Levine  
Chairman and Chief Executive Officer

cc: The Honorable Colin M. Greene, MD, MPH, State Health Commissioner  
Virginia Department of Health

Janet M. Kleinfelter  
Tennessee Deputy Attorney General

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Jim Mathis, COPA Director  
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Joe Hilbert, Deputy Commissioner for Governmental and Regulatory Affairs  
Virginia Department of Health

Erik Bodin, Director, Office of Licensure and Certification  
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