

AGENDA
HEALTH SERVICES AND DEVELOPMENT AGENCY

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

Wednesday, November 18, 2009
8:30 a.m. CST

- I. CALL TO ORDER
- II. DIRECTOR'S ANNOUNCEMENTS
- III. STATE HEALTH PLAN UPDATE
 - A. Update: Jeff Ockerman, Director of Health Planning, Department of Finance & Administration
- IV. CERTIFICATE OF NEED APPLICATIONS

DENIED

Motion: Dr. Handorf
2nd: Ms. Weaver
6-2-0
[nay – Bishop, Koella]

- A. Dayton Medical Investors, LLC d/b/a Life Care Center of Rhea County, Dayton (Rhea County), TN – CN0906-028
The relocation and replacement of an eighty-nine (89) bed nursing home from 7824 Rhea County Hwy., Dayton, (Rhea County), TN 37321, to an unaddressed site on Manufacturers Road, Dayton, (Rhea County), TN. The applicant seeks the addition of thirty (30)* Medicare skilled beds, thus increasing the total of beds from 89 to 119. The facility will be certified for both Medicare and Medicaid. No other services will be initiated or discontinued, and no major medical equipment is requested.

* These beds will be subject to the Nursing Home Bed Pool for 2008-2009
\$ 14,065,577.00

DEFERRED FROM THE SEPTEMBER MEETING

OPPOSITION: Spring City Care and Rehab; Laurelbrook Sanitarium

Deferred to the February Meeting

- B. Surgery Center of Lebanon, Lebanon (Wilson County), TN – CN0906-036
The establishment of an ambulatory surgical treatment center (ASTC) with three (3) operating rooms, and one (1) procedure room.

\$ 4,376,825.00

DEFERRED FROM THE SEPTEMBER MEETING

OPPOSITION: University Medical Center; Lebanon Surgical Center

DEFERRED TO DECEMBER

Motion to defer to December: Dr. Handorf
2nd: Mr. Atchley
8-0-0
Motion to DEFER East Tennessee Diagnostic Center Morristown CN0909-049 | to February: Dr. Handorf
2nd: Mr. Lammert
8-0-0

- C. East Tennessee Radiation Therapy Services, Knoxville (Knox County), TN – CN0907-039
The establishment of an ambulatory surgical treatment center (ASTC) limited to radiation therapy; the acquisition of linear accelerator and related components; and the initiation of outpatient radiation therapy services. The project does not contain any other type of major medical equipment or initiate or discontinue any other health service.

\$ 8,295,094.00

DEFERRED FROM THE OCTOBER MEETING

OPPOSITION: Mercy Health Partners; Blount Memorial Hospital; Morristown Regional Cancer Center; Covenant Health; Thompson Cancer Survival Center

WITHDRAWN D. St. Mary's Health System, Inc. d/b/a St. Mary's Medical Center, Powell (Knox County), TN — CN0908-042
The initiation and relocation of positron emission tomography (PET) imaging services on the campus of St. Mary's Medical Center North (7551 Dannaher Way, Powell (Knox County), TN 37849). Upon initiation of this service, the PET services will be discontinued at St. Mary's Medical Center (900 Oak Hill Avenue, Knoxville (Knox County), TN 37917). This project is a relocation of existing services and will not increase or decrease PET imaging services in the service area. No other major medical equipment will be involved and no other health services are being proposed.
\$ 2,814,337.00
WITHDRAWN

APPROVED
Motion: Mr. Lammert
2nd: Dr. Handorf
7-0-0

E. Woodridge Psychiatric Hospital, Johnson City (Washington County), TN — CN0908-043
The addition of nine (9) psychiatric hospital beds at the Woodridge Psychiatric Hospital a satellite facility of Johnson City Medical Center. The proposed project will increase the hospital's licensed beds from seventy-five (75) to eighty-four (84). This project does not involve the initiation of any new services or involve acquisition of any new major medical equipment.
\$ 19,000.00

Dr. Handorf recused
APPROVED
Motion: Mr. Lammert
2nd: Mr. Bishop
6-0-0

F. iMagDent of Memphis, Memphis (Shelby County), TN — CN0908-044
The establishment of an outpatient diagnostic center (ODC) providing cone beam computed tomography (CBCT) imaging of the craniofacial structures and nasal passages. Patients needing CBCT imaging will be referred to iMagDent of Memphis by dental professionals including oral and maxillofacial surgeons, periodontists, orthodontists, endodontists, prosthodontists, maxillofacial radiologists, and dentists. Medical equipment to be acquired is a cone beam computed tomography imaging unit. There are no inpatient beds involved in this project.
\$ 631,500.00

Dr. Handorf recused
APPROVED
Motion: Ms. Weaver
2nd: Ms. Burns
6-0-0

G. AmeriCare Long Term Specialty Hospital, LLC d/b/a AmeriCare Health and Rehabilitation Center, Memphis (Shelby County), TN — CN0908-045
The partial relocation and replacement of a health care facility, as follows, in accordance with T.C.A. § 68-11-1629: Due to condemnation by the BNSF Railway Company, in circuit court, a portion of the campus where the applicant and its affiliates currently operate their facilities, the applicant requests permission to relocate ninety (90) of the two hundred thirty-seven (237) nursing home beds, which are all currently located at 3391 Old Getwell Road, Memphis (Shelby County), TN, to a new facility to be constructed on an approximately 3.15 acre parcel of land (as yet not subdivided) of a larger approximately 10 acre parcel of land at the northwest corner of Kirby Parkway and Kirby Gate Boulevard, Memphis (Shelby County), TN, in which the site is within the service area of the existing two hundred thirty-seven (237) bed facility, owned by AmeriCare Health Properties, LLC, but leased, licensed and operated by AmeriCare Long Term Specialty Hospital, LLC. The new facility will be owned, operated, and licensed in the name of a separate, but affiliated entity known as Oaktree Health and Rehabilitation Center, LLC and will contain ninety (90) nursing home beds in approximately 49,500 square feet of space.
\$ 8,639,395.00
* These beds will not be subject to the 2009-2010 Nursing Home Bed Pool.
OPPOSITION: Baptist Memorial Health Care Corporation

Dr. Handorf recused
APPROVED
w/conditions
Motion: Mr. Lammert
2nd: Ms. Weaver
6-0-0

H. Memphis Long Term Care Specialty Hospital, Memphis (Shelby County), TN — CN0908-046
The relocation and replacement of a health care facility, as follows, in accordance with T.C.A. § 68-11-1629: Due to condemnation by the BNSF Railway Company, in circuit court, a portion of the campus where the applicant and its affiliates currently operate their facilities, the applicant requests permission to relocate its twenty-four (24) bed long term acute care hospital to a new facility to be constructed on an approximately 3.08 acre parcel of land (as yet not subdivided) of a larger approximately 10 acre parcel of land at the northwest corner of Kirby Parkway and Kirby

Gate Boulevard, Memphis (Shelby County), TN. The real property where the current facility is located is owned by AmeriCare Health Properties, LLC, but leased, Memphis Long Term Care Specialty Hospital, LLC. The new facility will be owned, operated by Memphis Long Term Care Specialty Hospital, LLC and will contain twenty-four (24) long term acute care hospital beds in approximately 30,000 square feet of space.

\$ 7,617,100.00

V. GENERAL COUNSEL'S REPORT

APPROVED

Motion: Mr. Lammert
2nd: Ms. Weaver
7-0-0

- A. Jefferson County Nursing Home, Dandridge (Jefferson County), TN — CN0707-054A
Request for a fifteen (15) month extension of the expiration date of the Certificate of Need from December 1, 2009 to March 1, 2011. This project was approved on October 24, 2007 for the addition of twenty-five (25) skilled beds dually certified for Medicare and Medicaid; new construction of three (3) 5,596 square foot Green Houses; and for renovations of existing spaces. The licensed bed complement increased from 135 to 160. The project cost was \$7,638,208.00.

Dr. Handorf recused

APPROVED

Motion: Mr. Lammert
2nd: Ms. Weaver
6-0-0
1 year extension
from 1/1/10 to 1/1/11

- B. Memphis Long Term Care Specialty Hospital, Memphis (Shelby County), TN — CN0603-019A
Request for a six (6) month extension of the expiration date of the Certificate of Need from January 1, 2010 to July 1, 2010. This project was approved on July 26, 2006 for the establishment of a twenty-four (24) bed long term acute care hospital with a project cost of \$750,000.00. Request for corporate restructuring was granted on March 28, 2007. On April 23, 2008 a four (4) month extension of the expiration date was approved from September 1, 2009 to January 1, 2010.

APPROVED

Motion: Mr. Lammert
2nd: Ms. Weaver
6-0-1
[Abstained – Handorf]

- C. Where the Heart Is, Inc., Eads (Fayette County), TN — CN0503-024A
Request to remove limitation placed on the Certificate of Need “Limited to ventilator dependent geriatric patients and pediatric patients under the age of 21 or if they were patients served by the home health agency before their 21st birthday.” This project was approved on June 25, 2005 for the establishment of a home health care organization providing home health services in Shelby, Tipton, and Fayette counties with the limitation as aforementioned. The project was implemented in August 2005 with a final project cost of \$151,763.00.

APPROVED

Motion: Mr. Lammert
2nd: Mr. Atchley
7-0-1
[Abstained – Handorf]

- D. Ave Maria Home, Bartlett (Shelby County), TN — CN0803-012A
Request for an extension of the expiration date of the Certificate of Need for one (1) year from August 1, 2010 to August 1, 2011. This project was approved on June 25, 2008 for the replacement of the thirty-five (35) bed east wing through new construction of four (4) green house homes consisting of ten (10) beds each. The 75 licensed beds will not change as a result of this project. The project cost was \$6,372,052.00.

- E. Contested Case Update

VI. OTHER BUSINESS

- A. Rulemaking: Promulgation of amendment to HSDA Rule 0720-8-.04(2) to bring copy fees in line with the current version of the Schedule of Reasonable Charges issued by the Office of Open Records Counsel.

VII. MINUTES

VIII. ADJOURNMENT