

HEALTH FACILITIES COMMISSION

MEETING MINUTES

June 28, 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
Vince Pinkney, Vice-Chairman and Designee for TennCare
Laura Beth Brown
Douglas Scarboro
Joe Grandy
Charley Jerman
Mark Wainner
Nicole Shaffer, Designee for Comptroller

COMMISSION MEMBERS ABSENT

Dr. Kenneth Patric
Lisa Jordan, Designee for Department of Commerce, and Insurance
Greg Duckett

COMMISSION STAFF PRESENT

Phillip Earhart, Deputy Director
Jim Christoffersen, General Counsel
Alecia Craighead, Data and Analysis Administrator
Joel Clinton, Statistical Research Analyst
Thomas Pitt, HSD Examiner
Consuelo Baker, Executive Administrative Assistant and HR Liaison
Grace Langeland, Internal Audit Director
Katie Thomas, Project & Policy Administrator
Ann Reed, Assistant Director of Licensure and Regulation

COURT REPORTER

April Daniel

GUESTS PRESENT

Bill Jolley
Charlotte Burns
Anna Lee Cochrill
Lisa Gardi
Katie Dietrich
Drew Tyrer
Jon Grayson
Byron Trauger
Bryce Fitzgerald
Connor Best

Bill West
Grant Rutledge
Patrick Rafferty
David Whelan
Drew Donford
Josh Nichols
Katelyn Sciara
John Baldwin
Byron Trauger
John Porada
Catherine Harvey
Derek Adams
Brooke Chapin
Pastor Henry Coles
Dr. Matt Ducey
Mitch Edgeworth
Shannon Fitzpatrick
Mark German
Dr. Brad Hoover
Steve Johnson
Dr. Sareda Nur
Clark Spoden
Robert Verell
Jeff Whitfield
David Windroa
Kristen Davis
Phillip Mazzuca
Randy Rusche
Nora Klein
Cory Davis
Elizabeth Davis
Julie Miller
Joe Hagan
Anika Schultz
Victoria Doughrity
Christopher Ahn
Robert Suggs
Kristen O'Connor
Davy Cooley
Marlesha Lawrence
Dana Maynor
Robin Channell
Olivia Velaquez
Ryan Mcguire
Anthony Dinsay
Amit Parmar
Robert Calhoun
Twan Lansden
Tricia Brooks
Nancy Ricotta
Susan Blaine
Gary Blanie
Kelley Clarke
Jennifer Garrett
Jason Haggard
Ashley Bright
David Windrow
Randall Taylor

Megan Bebringer
Gina Felts
Mike Brent
Naomi Loocke
Justin Coury
Travis Swearingen
Kim Looney
Kennedy Caldwell
Ameahro Elsamadge
George Holmes
Wendy Free
Angela Hill
Jeff Whitfield
Chad Cashion
Adam Hollinger
Steven Johnson
Derrick Satterfield
Mary Ellen Brill
Tracy Allen
Amanda Donnelly
Amanda Erickson
Renee Pinto
Carlos Pinto
Kathy Swalls
Mary Maas
Lindsey E. Ray
Abigail Haggard
Chris Bentten
Derek Adams
Penny Judd

CALL TO ORDER:

The meeting was called to order at 9:00 a.m. by Mr. Chinn with the following members present: Shaffer, Jerman, Brown, Scarboro, Wainner, Grandy, Pinkney, and Chinn. A quorum was established with eight members being present.

DIRECTOR'S ANNOUNCEMENTS

The July 26, 2023, meeting will be held at the Cordell Hull State Legislative Office Building, Nashville, TN.

APPROVAL OF MINUTES

Mr. Chinn presented the May 28, 2023, minutes for approval.

Ms. Brown moved for approval with Mr. Scarboro providing the second.

The motion CARRIED [8-o-o] 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.

One Certificate of Need application was considered under the regular CON agenda.

Thomas Pitt introduced the following (1) application under consideration and with one (1) being approved.

1. **TriStar Southern Hills Medical Center – Nolensville Freestanding Emergency Department, Nolensville (Williamson County), TN – CN2304-010**

Request: For the establishment of a freestanding emergency department (“FSED”) in the town of Nolensville in Williamson County, Tennessee. The FSED will consist of approximately 11,900 square feet with 12 exam rooms, including 1 trauma room, a lab, and imaging department, a nurse’s station, and associated support spaces. The proposed project will be located on Ava Place near the intersection of Burkitt Place Drive and Nolensville Road with the entrances to the facility expected to come off of Ava Place, in Nolensville, TN 37135 on approximately 2.8 acres more or less as further described as a portion of lot 3 of the Final Plat of Burkitt Commons II, of record in Plat Book P74, Page 90 in the Register’s Office of Williamson County, Tennessee. The service area includes the following ZIP Codes in Davidson County, Tennessee 37013 and 37211, and the following ZIP Codes in Williamson County, Tennessee: 37135 and 37027. The applicant is owned by HCA Healthcare, Inc. Estimated project cost: \$16,995,153.

Speaking on behalf of the applicant was Clark Spoden, and Drew Tyrer with TriStar Southern Medical Center – Nolensville (FSED).

OPPOSITION: Williamson Medical Center.

Speaking on behalf of the opposition was Bill West representing Williamson Medical Center.

RECUSED: Brown

Mr. Pinkney moved for approval with Mr. Scarboro providing the second.

Seven members voted to approve the application— Shaffer, Jerman, Wainner, Grandy, Scarboro, Pinkney and Chinn. The motion CARRIED [7-0-0].

GENERAL COUNSEL’S REPORT

**A. Westlawn Surgery Center – CN1911-046A
Request For Change of Ownership.**

Mr. Pinkney moved for approval with Mr. Jerman providing the second.

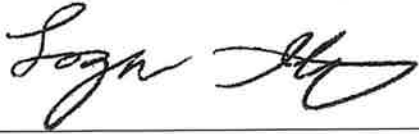
Eight members voted to approve the request for Change of Ownership— Shaffer, Scarboro, Grandy, Brown, Jerman, Wainner, Pinkney and Chinn. The motion CARRIED [8-0-0].

RULEMAKING: N/A

OTHER BUSINESS-Legislature Update

ADJOURNMENT

There being no further business, the meeting adjourned.

A handwritten signature in black ink, appearing to read "Logan Grant", written over a horizontal line.

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.

