



HEALTH FACILITIES COMMISSION
MEETING MINUTES
October 25, 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
Joe Grandy
Laura Beth Brown
Charley Jerman
Greg Duckett
Dr. Scott Fowler
Lisa Jordan, Designee for Department of Commerce, and Insurance
Nicole Sweitzer, Designee for Comptroller

COMMISSION MEMBERS ABSENT

Vince Pinkney, Vice-Chairman and Designee for TennCare
Mark Wainner

COMMISSION STAFF PRESENT

Phillip Earhart, Deputy Director
Jim Christoffersen, General Counsel
Alecia Craighead, Data and Analysis Administrator
Joel Clinton, Statistical Research Analyst
Lowavia Eden-Hoback, Office and Resource Manager
Thomas Pitt, HFC Examiner
Ann Reed, Deputy Director of Licensure and Regulation

COURT REPORTER

April Daniel

GUESTS PRESENT

Charlotte Burns
Hilary Dennen
Ellis Smith
Dr. Martina Harris
Darrin Ledford
Kerry Hayes
Tim Evans
Clark Spoden

Bill Jolley
Catherine Harvey
Dave Cooley
Steven H Burkett
Daniel C. Winkler
David Whelan
Adam Royer
Gregg Gentry
Chris Cosby
Rob Maloney
Byron Trauger
Jon Grayson
Travis Swearingen
Anna Lee Cochlea
Jerry Taylor
Richard Williams
Christine Smith

CALL TO ORDER:

The meeting was called to order at 9:00 a.m. by Mr. Chinn with the following members present: Sweitzer, Jordan, Fowler, Brown, Duckett, Grandy, Jerman and Chinn. A quorum was established with eight members present.

DIRECTOR'S ANNOUNCEMENTS

The December 13, 2023, meeting will be held at the Cordell Hull State Legislative Office Bldg., Senate Hearing Rm. 1, Nashville, TN.

APPROVAL OF MINUTES

Mr. Chinn presented the September 27, 2023, minutes for approval.

Ms. Jordan moved for approval with Mr. Jerman providing the second.

The motion CARRIED [8-0-0] 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.

Phillip Earhart introduced the following, one (1) application under consideration and with one (1) being approved.

1. Chattanooga East Surgicenter, LLC, Chattanooga (Hamilton County), TN – CN2308-020

Request: For the establishment of a multi-specialty Ambulatory Surgical Treatment Center (ASTC) located at 3745 Jenkins Road, Chattanooga, (Hamilton County), Tennessee, 37421. The ASTC will consist of 5 operating rooms and 4 procedure rooms and provide General Surgery, ENT, GYN Surgery, Orthopedic Surgery, Plastics, Podiatry, Urology, Spinal/Neurosurgery, GI/Endoscopy, and Pain Procedures. The applicant is owned by Chattanooga East Surgicenter, LLC, with an ownership type of Limited Liability Company and will be managed by Chattanooga East Manager, LLC. Estimated project cost: \$23,203,827.

Speaking on behalf of the applicant was Clark Spoden.

Ms. Jordan moved for approval with Mr. Grandy providing the second.

Eight members voted to approve the application—Fowler, Jordan, Brown, Sweitzer, Grandy, Jerman, Duckett and Chinn. The motion CARRIED [8-0-0].

GENERAL COUNSEL'S REPORT-

Oak Ridge Surgery Center, Nashville (Davidson County), TN – CN2007-018A

Request: For approval of change of control for a CON for the establishment of an ASTC, limited to interventional pain management procedures and injections.

Speaking on behalf of the applicant was Jerry Taylor.

Mr. Grandy moved for approval with Mr. Duckett providing the second.

Eight members voted to approve the application—Jerman, Jordan, Brown, Duckett, Sweitzer, Grandy, Fowler, and Chinn. The motion CARRIED [8-0-0].

RULEMAKING - Not Applicable

OTHER BUSINESS – Not Applicable

ADJOURNMENT

There being no further business, the meeting adjourned.



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.