

# HEALTH FACILITIES COMMISSION

## MEETING MINUTES

November 16, 2022

### COMMISSION MEMBERS PRESENT

Rick Chinn, Chairman  
Dr. Kenneth Patric  
Douglas Scarboro  
Charley Jerman  
Greg Duckett  
Nicole Shaffer, Designee for Comptroller  
Lisa Jordan, Designee for Department of Commerce and Insurance  
Vince Pinkney, Vice-Chairman and Designee for TennCare

### AGENCY MEMBERS ABSENT

Joe Grandy  
Laura Beth Brown  
Mark Wainner

### COMMISSION STAFF PRESENT

Logan Grant, Executive Director  
Phillip Earhart, Deputy Director  
Jim Christoffersen, General Counsel  
Lowavia Eden-Hoback, Office and Resource Manager  
Alecia Craighead, Data and Analysis Administrator  
Joel Clinton, Statistical Research Analyst  
Katie Thomas, Interdepartmental Liaison and Communications Officer  
Thomas Pitt, HSD Examiner

### COURT REPORTER

April Daniel

### GUESTS PRESENT

Byron Trauger  
Dan Elrod  
Warren Gooch  
Travis Swearingen  
Ann R. Reed  
Aaron Brown  
John Wellborn  
Randy Davis  
Bill West  
Jim Hobson  
Mayor Larry Smith

### **CALL TO ORDER:**

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

### **DIRECTOR'S ANNOUNCEMENTS**

The December meeting has been canceled because the review cycle would not be completed by the meeting date, so all applications have been deferred to the January meeting.

### **APPROVAL OF MINUTES**

Mr. Chinn presented the October 26, 2022 minutes for approval.

Ms. Jordan moved for approval with Dr. Patric 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 agency 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 application under consideration and it was approved.

#### **Cumberland Medical Center, Crossville (Cumberland County), TN – CN2209-037**

Request: The addition of one stationary 1.5T Magnetic Resonance Imaging (MRI) unit located at 28 Hayes Street, Crossville (Cumberland County), TN 38555. The proposed MRI will be located across the street from the main hospital in a building currently used for other diagnostic imaging services. The applicant currently has two (2) MRI units in the main hospital building. The proposed service area includes Cumberland County, Tennessee. The applicant is owned by Covenant Health. Estimated project cost: \$338,000.

Mr. Scarboro moved for approval with Dr. Patric providing the second.

**Eight members voted to approve the application— Shaffer, Jordan, Pinkney, Patric, Scarboro, Jerman, Duckett, and Chinn. The motion CARRIED [8-0-0].**

**Behavioral Healthcare Center of Clarksville, Clarksville (Montgomery County), TN – CN2203-011**

Request: The establishment of an acute care hospital located at 930 Professional Park Drive, Clarksville (Montgomery County), TN 37040. The applicant proposes to convert its 26-bed mental health facility licensed by the Tennessee Department of Mental and Substance Abuse Services to an acute care hospital licensed by Tennessee Health Facilities Commission. The proposed service area includes Cheatham, Davidson, Dickson, Houston, Humphreys, Montgomery, Robertson, and Sumner Counties. The applicant is owned by Behavioral Healthcare Center of Clarksville, LLC d/b/a Unity Psychiatric Care. The estimated project cost is \$1,244,726.

**WITHDRAWN: 11-3-2022**

**OPPOSITION: Senator Bill Powers, Tennova Healthcare-Clarksville, County Mayor Jim Durrett, Mayor Joe Pitts, and Representative Curtis Johnson.**

**Versa Surgery Center, Memphis (Shelby County), TN – CN2207-032**

Request: The establishment of an ambulatory surgical treatment center (ASTC) limited to the specialty of gynecology. The ASTC will be located at 3251 Players Club Parkway, Memphis (Shelby County), TN 38125. The proposed service area includes Shelby County. The applicant is owned by Versa LLC. The estimated project cost is \$2,992,357.

**WITHDRAWN: 11-11-2022**

**OPPOSITION: Methodist Healthcare-Methodist Hospitals, Memphis Surgery Center, and Baptist Memorial Hospital-Memphis, Baptist Memorial Hospital for Women, Baptist Memorial Hospital-Collierville, and Baptist Memorial Health Services Inc.**

**GENERAL COUNSEL'S REPORT**

**Magnolia Regional Health Center, Selmer (McNairy County), TN – CN1907-027A**

Request: 12 month Extension.

Ms. Jordan moved for approval with Dr. Patric providing the second.

**Eight members voted to approve the application—Shaffer, Jordan, Scarboro, Duckett, Jerman, Pinkney, Patric and Chinn. The motion CARRIED [8-0-0].**

**OTHER BUSINESS**

**ADJOURNMENT**

There being no further business, the meeting adjourned.



Logan Grant, Executive Director

HFC Minutes provide a brief summary of agency actions. A detailed record of each meeting (recording and transcript) is available upon request by contacting the HFC office.

