



State of Tennessee
Health Facilities Commission

502 Deaderick Street, 9th Floor, Nashville, TN 37243
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**GENERAL INSTRUCTIONS FOR FILING
LETTER OF INTENT/PUBLICATION OF INTENT
TO FILE A CERTIFICATE OF NEED RELOCATION EXEMPTION**

Please read the following instructions, the Rules and Regulations of the Agency, and Tennessee Code Annotated, §68-11-1601 *et seq.*, prior to preparation of the Letter of Intent/Publication of Intent (LOI/POI).

COMMUNICATIONS: All documents for filing a LOI/POI with the Health Facilities Commission must be received at the Commission office located at the Andrew Jackson Building, Ninth Floor, 502 Deaderick Street, Nashville, TN 37243, during normal business hours (8:00am to 4:30pm CST). For the purpose of filing LOI/POIs, the filing date is the actual date the receipt in the Commission office. In the event that the last appropriate filing date falls on a Saturday, Sunday, or legal holiday, such filing should occur on the preceding business day.

Please Note: Due to COVID-19, effective April 13, 2020, electronic filings can be made in substantial compliance with the Commission rule by scanning and emailing to hsda.staff@tn.gov. The email will serve as proof of the time of filing, which can be made during business hours, listed above.

LETTER OF INTENT: Applications for relocation exemption shall be commenced by the filing of a Letter of Intent. The Letter of Intent must be filed in the form and format as set forth in the application packet.

Any Letter of Intent that fails to include all information requested in the Letter of Intent specific instructions and form, or is not timely filed, will be deemed void and the applicant will be notified in writing. The Letter of Intent may be refiled but, if refiled, is subject to the same requirements as set out above.

PUBLICATION OF INTENT: Simultaneously with the Letter of Intent filing, the Publication of Intent should be published for one day in a newspaper of general circulation in the county where the proposed project is to be located. The Publication of Intent must be in the form and format as set forth in the application packet. The Publication of Intent should be placed in the Legal Section in the space no smaller than four (4) column inches.

1. A “newspaper of general circulation” means a publication bearing a title or name, regularly issued at least as frequently as once a week for a definite price, having a second-class mailing privilege, being not less than four (4) pages, published continuously during the immediately preceding one-year period, which is published for the dissemination of news of general interest, and is circulated generally in the county in which it is published and in which notice is given.
2. In any county where a “newspaper of general circulation” does not exist, the Commission’s Executive Director is authorized to determine the appropriate publication to receive any required Letter of Intent. A newspaper which is not engaged in the distribution of news of general interest to the public, but which is primarily engaged in the distribution of news of interest to a particular group of citizens, is not a “newspaper of general circulation.”

PROOF OF PUBLICATION: Documentation of publication must be filed with the application form. Please submit proof of publication with the application by attaching either the full page of the newspaper in which the notice appeared, with the **mast and dateline intact**, or a publication affidavit supplied by the newspaper.

**INSTRUCTIONS SPECIFIC TO COMPLETION OF
LETTER OF INTENT/PUBLICATION OF INTENT FORMS
A CERTIFICATE OF NEED RELOCATION EXEMPTION**

1. Immediately following identification of the applicant, existing facilities **must identify** the applicant's type of health care institution, (e.g. hospital, nursing home, ambulatory surgical treatment center, outpatient diagnostic center), as defined in Tennessee Code Annotated, §68-11-1602 (8)(A) or as a professional private practice as defined in Tennessee Code Annotated, §68-11-1602 (8)(B)(iii).
2. Ownership type may be included but is not limited to: Sole Proprietorship, Partnership, Limited Partnership (LP), Corporation (Inc.), Governmental (State of Tennessee or Political Subdivision), Limited Liability Company (LLC), Professional Corporation (PC), Professional Limited Liability Company (PLLC), or Joint Venture.
3. Project description should include a brief discussion of the proposed relocation including services affected and the current and proposed project's street address.
4. The location of the proposed project **must be** included with identification of street address, if available, or description of location, e.g. distance from intersection of two roads, and city/town.
5. All LOI/POIs for a relocation exemption **are not required to include** a project cost.