

**HEALTH SERVICES AND DEVELOPMENT AGENCY**  
**MINUTES**  
**FEBRUARY 25, 2009**

**AGENCY MEMBERS PRESENT**

Koella, Carl, III, Chair  
Handorf, Charles, M.D., Vice Chair  
Atchley, Bryan  
Bishop, Jimmy  
Burns, Charlotte  
Gaither, Keith, designee for the TennCare Director  
Jones, Clark  
Lammert, Gregory  
Morris, John, designee for the Commissioner of Commerce and Insurance  
Weaver, Faye, designee for the Comptroller of the Treasury

**AGENCY STAFF PRESENT**

Hill, Melanie, Executive Director  
Bobbitt, Melissa, Administrative Services Assistant III  
Brogden, Reid, General Counsel  
Christoffersen, Jim, Deputy General Counsel  
Craighead, Alecia, Statistical Analyst III  
Earhart, Phillip, Health Planner III  
Farber, Mark, Assistant Executive Director  
Finchum, Rhonda, Office Manager  
Wells, Phil, Health Planner III

**GUESTS PRESENT**

Addison, Wayne, Controller, DDMS  
Alexander, Dave A., M.D.  
Allred, Baley, Esq., Corporate Counsel, Volunteer Staffing Agency d/b/a Quality Private Care.  
Awh, Mark, M.D.  
Babb, Kaprecia, Administrative Director, Scott Appalachian Industries, Inc  
Baker, E. Graham, Esq.  
Barnes, Jonathan, Maxim Healthcare  
Bearce, Dorothy  
Beazley, W. Cooper, M.D.  
Bernard, Michael, NNOC  
Boles, Michelle  
Bone, Hal, CPC, Inc.  
Boone, Kathy, Director of Operations, RHA/DDMS  
Bowman, Joe, CFO, StoneCrest Medical Center  
Bratton, Michael, Middle Tennessee Medical Center  
Brown, Bri  
Brown, William, M.D., Vice President, Middle Tennessee Medical Center  
Campbell, Susan B., M.D., Middle Tennessee Neonatology Association  
Chapman, Michael, RN, NNOC  
Calhoun, Shelly, Harwell Howard Hyne Gabbert & Manner, P.C.  
Capers, Travis, COO, Southern Hills Medical Center  
Coasts, Bryant, CEO, RHA/Trenton MR, Inc.

Collins, Josh, Waller, Landsen, Dortch & Davis  
Corritore, Danell, Department of Health  
Cross, Alix Coulter, Esq., Harwell Howard Hyne Gabbert & Manner, P.C.  
Culp, Joe, Department of Health  
Damons, Joanna, Commission on Policy and Planning, Division of Mental Retardation Services  
Deml, Rachel, Nurse Manager, NICU/Nursery, Middle Tennessee Medical Center  
DeRegis, Michelle, Director, Clarksville Imaging Center  
Duncan, Bruce, National HealthCare Corporation  
Edwards, Karen, Tennessee Department of Mental Health and Developmental Disabilities  
Ellis, Toya, Therapy Director, Scott Appalachian Industries, Inc  
Eno, Loyd W.  
Ettew, Joann, Administrator/COO, Centennial Women's/StoneCrest Medical Center  
Ferraro, S., Bass, Berry & Sims  
Fultz, Karen, CFO, Tennessee Orthopaedic Alliance, P.A.  
Gooch, Warren, Esq., Kramer Rayson, LLP  
Gordon, Robert C., D.C.  
Hamburger, Norman, M.D., Genesis Women's Care  
Hamilton, Eddie, M.D., CEO of Centennial Pediatrics  
Hamrang, Gina, M.D., Genesis Women's Care  
Harkness, Eric, Planning & Research Coordinator, State Health Planning Division  
Hayes Angela  
Heatherly, Neil, CEO, StoneCrest Medical Center  
Hill, Ronald, Vice President for Strategic Development, Vanderbilt University Medical Center  
Holland, Jenese  
Houchin, Barbara, Executive Director, Saint Thomas Health Services  
Huggins, Mike, Tennessee Hospital Association  
Hyams, Michael, The CALM of Brentwood  
Jacobs, Keith, Maxim Healthcare  
King, Donna  
Latham, Larry, M.D., Assistant Commissioner, Division of Mental Retardation Services  
Lay, Allyn, Legal Counsel, Scott Appalachian Industries, Inc  
Lensgraf, A. Douglas, D.C  
Looney, Kim Harvey, Esq., Waller, Lansden, Dortch & Davis  
Lovell, Tammy  
Loving, David, CAO, Mercy Health Partners  
Lunn, Rodney  
MacDonald, Ted S., CEO, Tennessee Orthopaedic Alliance, P.A.  
Martinez, Concepcion G., MD, FFAFP, Medicos La Familia  
Matijevich, Eli, Senior Vice President, Mercy Health Partners  
Maxwell, Tina  
McCluggage, Ellen, CNO, StoneCrest Medical Center  
McEwen, Charles  
McEwen, Kay  
McGregor, Kathy, RN, National Nurses Organizing Committee  
McIntosh, Janet, DON, Maternal Child Department, Middle Tennessee Medical Center  
McLaughlin, Amy  
McLemore, Wayne L., M.D., Five Rivers Orthopaedic Association  
Merville, LaDonna, Hospital Alliance of Tennessee  
Meeks, Casey M.  
Meyers, Janet, Assistant Vice President, Womens Services, HCA  
Milligan, Corbi D., M.D.  
Mills, Thom, Administrator, All Care Plus, Inc. d/b/a Quality Home Health  
Morgan, Angela, Director of Maternity, StoneCrest Medical Center  
Mullins, Michael, CEO, Gateway Medical Center  
Nutt, Stephen D., D.C  
O'Shaughnessy, Gary, D.O.  
Ockerman, Jeff, Director, State Health Planning Division

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Poland, Gary W., RT, Tennessee Orthopaedic Alliance, P.A.  
Poling, Becki, Director Hospital Services, Tennessee Department of Mental Health and Developmental Disabilities  
Potter, Jeff, Mercy Health Partners  
Read, Cheryl  
Richardson, Selena  
Riley, Louis T., M.D., Lite Seasons OB-GYN  
Rodney, William, M.D., Medicos La Familia  
Rosso, Robert, CEO, Premier Medical Group  
Seals, Jean  
Scarvey, Tim, Vice President of Development, TriStar Health System  
Sloan, Sheena, CPC, Inc.  
Smelser, Matt  
Smelser, Pat  
Starnes, Dan, RAD Association of Clarksville  
Stephenson, Kate, Esq., Trauger & Tuke  
Strong, Cynthia, Quality Home Health  
Swan, Michael, M.D.  
Swatley, Terry, President, DDMS  
Taylor, Jerry W., Esq., Farris, Mathews, Branan, Bobango, Hellen & Dunlap, PLC  
Thompson, Ann R., RN, BSN, MBA, Director of Licensure, Department of Health  
Trauger, Byron R., Esq., Trauger & Tuke  
Walker, David M., D.C.  
Wellborn, John L., Consultant, Development Support Group  
West, Larry, Executive Director, Scott Appalachian Industries, Inc.  
West, William H., Esq., Baker, Donelson, Bearman, Caldwell & Berkowitz  
Whittle, Dan

**Chairman Koella, called the meeting to order at 8:30 a.m. in Meeting Rooms D-F of The Sommet Center, Nashville, Tennessee.**

**DIRECTOR'S ANNOUNCEMENTS**

Melanie Hill, Executive Director, made general announcements.

**OTHER BUSINESS**

- 1) State Health Plan – Jeff Ockerman, Director, Division of Health Planning, Finance & Administration discussed the status of the state health plan.

**CERTIFICATE OF NEED APPLICATIONS**

*Mark Farber summarized the following CON applications:*

**StoneCrest Medical Center - (Smyrna, Rutherford County) - Project No. CN0809-072**

The construction of a six (6) bed neonatal intensive care (NICU) nursery and the initiation of intermediate NICU services. StoneCrest Medical Center is a licensed seventy-five (75) bed general hospital. It is now implementing a Certificate of Need to expand to 101 hospital beds. This proposed project will add another six (6) licensed NICU beds, increasing the hospital's approved complement to 107 licensed beds, at which time Southern Hills Medical Center (another hospital owned and managed by HCA) will delicense its six (6) bed NICU nursery, reducing its hospital license from 120 to 114 hospital beds. The project does not contain major medical equipment or initiate or discontinue any other health service, or change any other licensed beds in the area. Project Cost \$2,774,900.00.

**DEFERRED FROM THE DECEMBER MEETING**

Jerry W. Taylor, Esq., representing the applicant, addressed the Agency. Speaking in support of the project were: Neil Heatherly, CEO, StoneCrest Medical Center; Susan B. Campbell, M.D., Middle Tennessee

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Neonatology Association; Gina Hamrang, M.D., Genesis Women's Care; Louis T. Riley, M.D., Lite Seasons OB-GYN; Norman Hamburger, M.D., Genesis Women's Care; Eddie Hamilton, M.D., CEO of Centennial Pediatrics; Corbi D. Milligan, M.D.; Donna King; Angela Hayes; Dan Whittle; Angela Morgan, Director of Maternity; and Tavis Capers, COO, Southern Hills Hospital. Present in support were: Ellen McCluggage, CNO, StoneCrest Medical Center; Janet Meyers, Assistant Vice President, Womens Services, HCA; Joann Ettew, Administrator/COO, Centennial Women's/StoneCrest Medical Center; Joe Bowman, CFO, StoneCrest Medical Center; and John L. Wellborn, Consultant.

Those speaking in opposition were: Warren L. Gooch, Esq. representing Baptist Hospital and Middle Tennessee Medical Center; Michael Swan, M.D.; Kathy McGregor, RN, National Nurses Organizing Committee; Concepcion G. Martinez, M.D., FAAFP, Medicos La Familia; William Rodney, M.D., Medicos La Familia; Janet McIntosh, DON, Maternal Child, Middle Tennessee Medical Center; Barbara Houchin, Executive Director, Saint Thomas Health Services; and William Brown, M.D., Vice President, Middle Tennessee Medical Center. Present in opposition were: Michael Bratton, Middle Tennessee Medical Center; and Rachel Deml, Nurse Manager, NICU/Nursery, Middle Tennessee Medical Center.

Mr. Taylor rebutted.

Mr. Gooch summated for the opposition.

Mr. Taylor summated for the applicant.

Mr. Atchley moved for approval of the project based on: 1) Need – This does not increase the number of NICU beds in the region it is just replacing six (6); 2) Economic Feasibility – The project is economically feasible; and 3) The project does contribute to the orderly development of adequate and effective health care by providing NICU beds in a facility with the levels of births they have in this community. Mr. Morris seconded the motion. The motion FAILED [4-5-1]. **DENIED**

AYE: Atchley, Lammert, Bishop, Morris,

NAY: Jones, Gaither, Weaver, Burns, Koella

ABSTAINED: Handorf

Dr. Handorf moved for denial of the project based on: 1) Need – The need has not been established based upon presence of Level II B beds in the community available to the patients. Ms. Weaver seconded the motion. The motion CARRIED [7-3-0]. **DENIED**

AYE: Jones, Gaither, Weaver, Handorf, Bishop, Burns, Koella

NAY: Atchley, Lammert, Morris

### **Scott Appalachian Industries, Inc. - (Huntsville, Scott County) - Project No. CN0810-075**

The establishment of a home health agency to provide services to citizens of Morgan and Scott counties. Scott Appalachian Industries, Inc. (SAI) currently provides caregiving, nursing, therapy, transportation, and many more services to local citizens as well as citizens in Fentress and Morgan counties. SAI is located at 591 E. Monticello Pike, Huntsville (Scott County), TN 37756. Project Cost \$3,000.00.

DEFERRED FROM THE JANUARY MEETING

Kaprecia Babb, Administrative Director and Toya Ellis, Therapy Director, addressed the Agency on behalf of the project. Larry West, Executive Director, spoke in support of the project and Allyn Lay, Legal Council was present.

Speaking in opposition was Jerry W. Taylor, Esq. representing Buckeye Quality Home Health Agency, Inc./Quality Private Duty Care and All Care Plus d/b/a Quality Home Health. Present in opposition were: Thom Mills, Administrator, All Care Plus, Inc. d/b/a Quality Home Health; and Baley Allred, Esq., Corporate Counsel, Volunteer Staffing Agency d/b/a Quality Private Care.

Ms. Babb rebutted.

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Joanna Damons, Commission on Policy and Planning, Department of Mental Retardation responded to questions from the members.

Mr. Taylor provided summation for the opposition.

Mr. West provided summation for the applicant.

Dr. Handorf moved for denial of the project based on: 1) Need – The lack of demonstrated need. Mr. Atchley seconded the motion. The motion CARRIED [6-3-1] **DENIED**

AYE: Gaither, Weaver, Atchley, Handorf, Lammert, Burns

NAY: Bishop, Morris, Koella

ABSTAINED: Jones

*Mr. Gaither left the meeting.*

**Baptist Hospital West - (Knoxville, Knox County) - Project No. CN0811-108**

The initiation and relocation of mobile lithotripsy services on the campus of Baptist Hospital West (10820 Parkside Drive, Knoxville, (Knox County), Tennessee 37934). Upon initiation of this service, lithotripsy services will be discontinued at Baptist Riverside (f/k/a Baptist Hospital of East Tennessee). This project will not increase or decrease any licensed bed complement. No other major medical equipment will be involved and no other health services are being proposed. Project Cost \$432,000.00.

Warren L. Gooch, Esq., representing the applicant, addressed the Agency. Present in support of the project were: Eli Matijevich, Senior Vice President, Mercy Health Partners; and David Loving, CAO, Mercy Health Partners.

Dr. Handorf moved for approval of the project based on: 1) Need – The need is established and ongoing in the community; 2) Economic Feasibility – The project is financially feasible based on cash reserves of the parent organization; and 3) The project does contribute to the orderly development of adequate and effective health care because of redeployment of services throughout the Mercy Health System. Mr. Atchley seconded the motion. The motion CARRIED [9-0-0]. **APPROVED**

AYE: Jones, Weaver, Atchley, Handorf, Lammert, Bishop, Burns, Morris, Koella

NAY: None

**MINUTES (Taken out of order)**

The minutes of the January 28, 2009, meeting were accepted by unanimous voice vote.

**MUA Medical Clinic of Nashville, LLC - (Brentwood, Davidson County) - Project No. CN0811-111**

The establishment of a specialty ambulatory surgical treatment center (ASTC) providing only manipulation under anesthesia (MUA) services. The new ASTC will be located in an existing office building. The applicant will provide only MUA services, and no actual surgical procedures will be performed. There are no beds and no major medical equipment involved with this project. No other health services will be initiated or discontinued. Project Cost \$661,750.00.

E. Graham Baker, Jr., Esq., representing the applicant, addressed the Agency. Robert C. Gordon, D.C. spoke on behalf of the project. Speaking in support were: David M. Walker, D.C.; Tina Maxwell; Wayne L. McLemore, M.D., Five Rivers Orthopaedic Association; and Stephen D. Nutt, D.C. Present in support of the project were: A. Douglas Lensgraf, D.C; Michael Hyams, The CALM of Brentwood; and Gary O'Shaughnessy, D.O.

Dr. Handorf moved for approval of the project based on: 1) Need – There is a group of select patients who need this service and having it available in Tennessee is very worthwhile; 2) Economic Feasibility – The project is economically feasible, cost is reasonable and established; and 3) The project does contribute to the orderly development of adequate and effective health care by taking care of patients in all walks of life,

including those on TennCare. **CONDITION: Limited to manipulation under anesthesia (MUA) services.** Mr. Jones seconded the motion. The motion CARRIED [9-0-0]. **APPROVED**

AYE: Jones, Weaver, Atchley, Handorf, Lammert, Bishop, Burns, Morris, Koella  
NAY: None

**MUA Medical Clinic of Knoxville, LLC - (Knoxville, Knox County) - Project No. CN0811-112**

The establishment of a specialty ambulatory surgical treatment center (ASTC) providing only manipulation under anesthesia (MUA) services. The new ASTC will be located in an existing office building. The applicant will provide only MUA services, and no actual surgical procedures will be performed. There are no beds and no major medical equipment involved with this project. No other health services will be initiated or discontinued. Project Cost \$584,852.00.

E. Graham Baker, Jr., Esq., representing the applicant, addressed the Agency. Tina Maxwell and David M. Walker, D.C. spoke in support of the project. Present in support were: Robert C. Gordon, D.C.; A. Douglas Lensgraf, D.C.; Michael Hyams, The CALM of Brentwood; Gary O'Shaugnessy, D.O.; Wayne L. McLemore, M.D., Five Rivers Orthopaedic Association; and Stephen D. Nutt, D.C.

Dr. Handorf moved for approval of the project based on: 1) Need – The need has been established by the testimony of the patients; 2) Economic Feasibility – The project is economically feasible through cash reserves; and 3) The project does contribute to the orderly development of adequate and effective health care through licensure. Mr. Jones seconded the motion. **CONDITION: Limited to manipulation under anesthesia (MUA) services.** The motion CARRIED [9-0-0]. **APPROVED**

AYE: Jones, Weaver, Atchley, Handorf, Lammert, Bishop, Burns, Morris, Koella  
NAY: None

**Tennessee Orthopaedic Alliance, P.A. - (Clarksville, Montgomery County) - Project No. CN0811-115**

The acquisition of magnetic resonance imaging (MRI) equipment and the initiation of MRI services. TOA is a private physicians practice and there is no healthcare institutional licensure involved. No other major medical equipment or initiation of services or discontinuance of any other health services are involved with this project. Project Cost \$2,366,825.00.

Alix Coulter Cross, Esq., representing the applicant, addressed the Agency. Speaking in support of the project were: W. Cooper Beazley, M.D.; Mark Awh, M.D.; and Gary W. Poland, RT. Present in support of the project were: Ted S. MacDonald, CEO; Dave A. Alexander, M.D.; and Karen Fultz, CFO.

Opposing the project were: William H. West, Esq. representing Gateway Medical Center; Michelle DeRegis, Director, Clarksville Imaging Center; Robert Rosso, CEO, Premier Medical Group; and Michael Mullins, CEO, Gateway Medical Center.

Ms. Cross, Mr. Poland and Dr. Beazley rebutted.

Mr. West provided summation for the opposition.

Ms. Cross provided summation for the applicant.

Dr. Handorf moved for approval of the project based on: 1) Need – The need is established based on the increase in need for specialty services in musculoskeletal imaging; 2) Economic Feasibility – The project is economically feasible based on the equipment, and real estate land lease; and 3) The project does contribute to the orderly development of adequate and effective health care given their historical TennCare participation, indigent care and because of the improvement in specialized care. Mr. Atchley seconded the motion. The motion CARRIED [7-2-0]. **APPROVED**

AYE: Jones, Weaver, Atchley, Handorf, Bishop, Morris, Koella  
NAY: Lammert, Burns

**RHA/Trenton MR, Inc. - (Dyer, Gibson County) - Project No. CN0810-086**

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The establishment of a four (4)-bed\* ICF/MR home to house the relocation of four (4) ICF/MR beds from the Margie and Thomas Winfrey Center at 2055 Highway 45 Bypass, Trenton (Gibson County), TN 38382, to Lots 6 and 7 of the Dyer Station Estates subdivision on Peck's Switch Cove, Dyer (Gibson County), TN 38330. The project includes a relocation of existing ICF/MR beds. No additional new beds will be added. Services provided through this project will include life care support for individuals with mental retardation, appropriate therapies, community integration opportunities and life skills development. Project Cost \$713,552.00. \* These beds will not be subject to the 40 bed ICF/MR Bed Pool for 2008-2009.

William H. West, Esq., representing the applicant, addressed the Agency. Speaking in support of the project were: Terry Swatley, President, DDMS; Larry Latham, M.D., Assistant Commissioner, Division of Mental Retardation Services; and Kathy Boone, Director of Operations, RHA/DDMS. Present in support of the project were: Bryant Coasts, CEO, RHA/Trenton MR, Inc.; and Wayne Addison, Controller, DDMS.

Speaking in opposition of the project were: Tammy Lovell and Dorothy Bearce. Present in opposition were: Loyd W. Eno; Kay and Charles McEwen.

Mr. West rebutted.

Ms. Bearce provided summation for the opposition.

Mr. West provided summation for the applicant.

Ms. Weaver moved for approval of the project based on: 1) Need – There is a need, based on the fact that the Federal Courts, and State laws all require that these individuals be integrated into the community and that the institution that they are residing in be de-institutionalized; 2) Economic Feasibility – The project is economically feasible with bonds being used to pay for these homes; and 3) The project does contribute to the orderly development of adequate and effective health care. Dr. Handorf seconded the motion. The motion CARRIED [5-3-1]. **APPROVED**

AYE: Gaither, Weaver, Atchley, Handorf, Bishop, Morris

NAY: Jones, Burns, Koella

ABSTAINED: Lammert

#### **RHA/Trenton MR, Inc. - (Dyer, Gibson County) - Project No. CN0810-087**

The establishment of a four (4)-bed\* ICF/MR home to house the relocation of four (4) ICF/MR beds from the Margie and Thomas Winfrey Center at 2055 Highway 45 Bypass, Trenton (Gibson County), TN 38382, to Lots 9 & 10 of the Dyer Station Estates subdivision on South Peck Switch Cove, Dyer (Gibson County), TN 38330. The project includes a relocation of existing ICF/MR beds. No additional new beds will be added. Services provided through this project will include life care support for individuals with mental retardation, appropriate therapies, community integration opportunities and life skills development. Project Cost \$708,092.00. \* These beds will not be subject to the 40 bed ICF/MR Bed Pool for 2008-2009.

William H. West, Esq., representing the applicant, addressed the Agency. Speaking in support of the project were: Terry Swatley, President, DDMS; Kathy Boone, Director of Operations, RHA/DDMS; Wayne Addison, Controller, DDMS; and Larry Latham, M.D., Assistant Commissioner, Division of Mental Retardation Services. Bryant Coasts, CEO, RHA/Trenton MR, Inc. was present in support of the project.

Dorothy Bearce and Kay McEwen spoke in opposition of the project. Present in opposition were: Loyd W. Eno; Tammy Lovell; and Charles McEwen.

Mr. West rebutted.

Ms. Bearce provided summation for the opposition.

Mr. West provided summation for the applicant.

Mr. Lammert moved for denial of the project based on: 1) The project does not contribute to the orderly development of adequate and effective health care due to the close proximity of this house to the prior application that was approved. Dr. Handorf seconded the motion. The motion CARRIED [6-3-0]. **DENIED**

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AYE: Jones, Gaither, Atchley, Handorf, Lammert, Burns, Koella  
NAY: Weaver, Bishop, Morris

*Mr. Morris left meeting.*

**RHA/Trenton MR, Inc. - (Humboldt, Gibson County) - Project No. CN0810-088**

The establishment of a four (4)-bed\* ICF/MR home to house the relocation of four (4) ICF/MR beds from the Margie and Thomas Winfrey Center at 2055 Highway 45 Bypass, Trenton (Gibson County), TN 38382, to Lots 49 & 50 of the Hunter's Ridge subdivision located on Hunter's Ridge Drive, Humboldt (Gibson County), TN 38343, near the intersection of Hunter's Ridge Drive and Dove Hollow Drive. The project includes a relocation of existing ICF/MR beds. No additional new beds will be added. Services provided through this project will include life care support for individuals with mental retardation, appropriate therapies, community integration opportunities and life skills development. Project Cost \$726,012.00. \* These beds will not be subject to the 40 bed ICF/MR Bed Pool for 2008-2009.

William H. West, Esq., representing the applicant, addressed the Agency. Speaking in support of the project were: Kathy Boone, Director of Operations, RHA/DDMS; Wayne Addison, Controller, DDMS. Present in support of the project were: Terry Swatley, President, DDMS; Bryant Coasts, CEO, RHA/Trenton MR, Inc.; and Larry Latham, M.D., Assistant Commissioner, Division of Mental Retardation Services.

Speaking in opposition of the project were: Matt Smelser and Pat Smelser.

Mr. Atchley moved for approval of the project based on: 1) Need – there is a need based on the relocation of the residents from the orders by the Courts in the State of Tennessee; 2) Economic Feasibility – The project is economically feasible; and 3) The project does contribute to the orderly development of adequate and effective health care. Ms. Weaver seconded the motion. The motion CARRIED [6-2-0]. **APPROVED**

AYE: Gaither, Weaver, Atchley, Handorf, Lammert, Bishop, Burns  
NAY: Jones, Koella

**RHA/Trenton MR, Inc. - (Humboldt, Gibson County) - Project No. CN0810-089**

The establishment of a four (4)-bed\* ICF/MR home to house the relocation of four (4) ICF/MR beds from the Margie and Thomas Winfrey Center at 2055 Highway 45 Bypass, Trenton (Gibson County), TN 38382, to Lots 51 & 52 of the Hunter's Ridge subdivision located on Dove Hollow Drive, Humboldt (Gibson County), TN 38343, near the intersection of Hunter's Ridge Drive and Dove Hollow Drive. The project includes a relocation of existing ICF/MR beds. No additional new beds will be added. Services provided through this project will include life care support for individuals with mental retardation, appropriate therapies, community integration opportunities and life skills development. Project Cost \$720,552.00. \* These beds will not be subject to the 40 bed ICF/MR Bed Pool for 2008-2009.

William H. West, Esq., representing the applicant, addressed the Agency. Present in support of the project were: Terry Swatley, President, DDMS; Kathy Boone, Director of Operations, RHA/DDMS; Bryant Coasts, CEO, RHA/Trenton MR, Inc.; Wayne Addison, Controller, DDMS; and Larry Latham, M.D., Assistant Commissioner, Division of Mental Retardation Services.

Speaking in opposition of the project were: Matt Smelser; and Pat Smelser.

Dr. Handorf moved for denial of the project based on: 1) The project does not contribute to the orderly development of adequate and effective health care as it must be even-handed. The density of having two (2) of these homes directly across the street from one another is disruptive to the community and therefore disruptive to the orderly development of healthcare. Mr. Lammert seconded the motion. The motion CARRIED [5-3-0] **DENIED**

AYE: Jones, Handorf, Lammert, Burns, Koella  
NAY: Weaver, Atchley, Bishop

**RHA/Trenton MR, Inc. - (Trenton, Gibson County) - Project No. CN0810-090**

The establishment of a four (4)-bed\* ICF/MR home to house the relocation of four (4) ICF/MR beds from the Margie and Thomas Winfrey Center at 2055 Highway 45 Bypass, Trenton (Gibson County), TN 38382, to Site A, 2055 Highway 45 Bypass, Trenton. (Gibson County), TN 38382. This project includes a relocation of existing ICF/MR beds. No additional new beds will be added. Services provided through this project will include life care support for individuals with mental retardation, appropriate therapies, community integration opportunities and life skills development. Project Cost \$743,192.00. \* These beds will not be subject to the 40 bed ICF/MR Bed Pool for 2008-2009.

William H. West, Esq., representing the applicant, addressed the Agency. Present in support of the project were: Larry Latham, M.D., Assistant Commissioner, Division of Mental Retardation Services; Terry Swatley, President, DDMS; Kathy Boone, Director of Operations, RHA/DDMS; Bryant Coasts, CEO, RHA/Trenton MR, Inc.; and Wayne Addison, Controller, DDMS.

Dr. Handorf moved for approval of the project based on: 1) Need – There is a need for these facilities and the patients are there at this time; 2) Economic Feasibility – The project is economically feasible based on cash exempt bonds; and 3) The project does contribute to the orderly development of adequate and effective health care to allow the patients to integrate as much as possible in the community. There is no community opposition. Mr. Atchley seconded the motion. The motion CARRIED [8-0-0]. **APPROVED**

AYE: Jones, Weaver, Atchley, Handorf, Lammert, Bishop, Burns, Koella  
NAY: None

#### **RHA/Trenton MR, Inc. - (Trenton, Gibson County) - Project No. CN0810-091**

The establishment of a four (4)-bed\* ICF/MR home to house the relocation of four (4) ICF/MR beds from the Margie and Thomas Winfrey Center at 2055 Highway 45 Bypass, Trenton (Gibson County), TN 38382, to Site B, 2055 Highway 45 Bypass, Trenton. (Gibson County), TN 38382. This project includes a relocation of existing ICF/MR beds. No additional new beds will be added. Services provided through this project will include life care support for individuals with mental retardation, appropriate therapies, community integration opportunities and life skills development. Project Cost \$748,652.00. \* These beds will not be subject to the 40 bed ICF/MR Bed Pool for 2008-2009.

William H. West, Esq., representing the applicant, addressed the Agency. Wayne Addison, Controller, DDMS and Terry Swatley, President, DDMS spoke on behalf of the project. Present in support of the project were: Larry Latham, M.D., Assistant Commissioner, Division of Mental Retardation Services; Kathy Boone, Director of Operations, RHA/DDMS; and Bryant Coasts, CEO, RHA/Trenton MR, Inc.

Mr. Atchley moved for approval of the project based on: 1) Need – This project is needed according to the Court and Legislative mandates; 2) Economic Feasibility – The project is economically feasible; and 3) The project does contribute to the orderly development of adequate and effective health care. Ms. Weaver seconded the motion. The motion CARRIED [8-0-0]. **APPROVED**

AYE: Jones, Weaver, Atchley, Handorf, Lammert, Bishop, Burns, Koella  
NAY: None

#### **GENERAL COUNSEL'S REPORT**

*Chairman Koella summarized the following request for modifications:*

**The Pavilion – CPC f/k/a Mitchell Manor - (Lebanon, Wilson County) - Project No. CN0702-018**

Request for a six (6) month extension of the expiration date from July 1, 2009 to January 1, 2010. This project was approved at the May 23, 2007 meeting for the replacement and relocation of the nursing home and the addition of eighteen (18)\* Medicare certified skilled nursing home beds to the existing forty-two (42) beds, for a total of sixty (60) dually certified nursing home beds. The nursing home was acquired by Community Progress Committee, Inc., the current licensee, effective August 3, 2007. The new facility will be managed by Stein & Associates, LLC. These beds were subject to 125 Nursing Home Bed Pool for 2006-2007 and the project cost is \$5,477,592.00.

Jerry W. Taylor, Esq., representing the applicant, addressed the Agency.

Mr. Koella moved for approval for a twelve (12) month extension of the expiration date from July 1, 2009 to July 1, 2010. Ms. Weaver seconded the motion. The motion CARRIED [8-0-0] by Unanimous voice vote.

**APPROVED**

AYE: Jones, Weaver, Atchley, Handorf, Lammert, Bishop, Burns, Koella

NAY: None

**ADJOURNMENT**

There being no further business, the meeting adjourned.

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Melanie M. Hill, Executive Director

MMH/mab