

Pursuant to Article Eight of the TOC, the Department of Health and the Tennessee Attorney General's Office have determined that Ballad's compliance with the following provisions of the TOC should be temporarily suspended:

- Article Three: Monetary Obligations
 - Sections 3.02 – 3.05 Monetary Commitments; however Ballad will be required to submit updated plans upon timeframes TBD
 - Section 3.07 – Facility Maintenance and Capital Expenditures
 - Section 3.08(b) – Employee Pay/Benefits Equalization
 - Section 3.08(c) – Career Development
 - Section 3.08(d) – Employee Retention/Termination/Severance

- Article Four: Non-Monetary Obligations
 - Section 4.02(c) – Data Collection: Reports to the Department
 - Section 4.02(d) – Quality Reporting to the Public
 - Section 4.03(c) – Deletion or Repurposing of Other Service Lines of Non-Hospital Facilities
 - Section 4.05 – Bond Issuance and Indebtedness

- Article Five: Managed Care Contracts and Pricing Limitations
 - Section 5.04 – Competing Services
 - Section 5.5(e) – 355 Rule
 - Section 5.06 – Vendor Contracts; but only for purposes of obtaining necessary supplies to deal with the public emergency
 - Addendum One – but only to the extent that payors agree to voluntarily prepay or otherwise financially support Ballad's public emergency relief efforts.

Additionally, to the extent that any physician services are obtained during the period of the public emergency, Ballad should attempt to negotiate temporary arrangements to the greatest extent possible.

- Article Six: Active Supervision
 - Section 6.04 – Reporting Requirements

Ballad's compliance with these provisions is temporarily suspended only during the period of public emergency and reasonable recovery period thereafter. The "period of public emergency" is defined as that time period that there is a Governor's Executive Order declaring a state of emergency in effect, and the "reasonable recovery period" will be determined on a term-by-term basis upon the conclusion of the public emergency.

Additionally, Ballad's score for FY20 for purposes of determining ongoing public advantage will be based on its performance through March 1, 2020.