



**Alan Levine**  
 Chairman,  
 President and Chief Executive Officer

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August 25, 2021

The Honorable Lisa Piercey, MD, MBA, FAAP  
 State Health Commissioner  
 Tennessee Department of Health  
 710 James Robertson Parkway  
 Nashville, TN 37243

Re: Request for Physician Waiver for Physical Medicine and Rehabilitation in Sullivan County, Tennessee

Dear Commissioner Piercey:

Ballad Health (“Ballad”) has identified a need for additional Physical Medicine and Rehabilitation (“PM&R”) coverage in Sullivan County, Tennessee and is requesting a waiver under Section 5.05(e) of the Second Amended and Restated Terms of Certification. The outpatient PM&R services in Sullivan County are supported by physiatrists from Ballad Health Medical Associates (“BHMA”) and several independent physician groups. Currently, the BHMA physiatrists serve multiple clinics across the Ballad footprint and operate a post-COVID clinic in Kingsport. Ballad is the only entity providing post-COVID care in the region.

The most recent needs assessment shows that Ballad’s market needs 3.3 to 3.7 FTEs in physiatrists by fiscal year 2023. The current clinicians are operating at 75<sup>th</sup> to 90<sup>th</sup> percentile from a work relative to value unit perspective (“WrVU”) as compared to Medical Group Management Association (“MGMA”) data. There are currently three independent physicians providing PM&R services in Sullivan County, Tennessee for an FTE of 2.2. These physicians primarily operate out of Bristol, Tennessee, while the newly employed physician will spend .6 of their time in the Kingsport area. The remainder of this FTE will be spent in clinics in Big Stone Gap, Morristown, Greeneville and Rogersville. This additional provider will be focused on spine and rehab and will not affect the independent physicians as they are embedded in orthopedic and neurosurgery clinics.

**Table 1: Current and Future State PM&R Sullivan County, Tennessee**

Specialty	Current State				Future State			
	Independent	Employed	Total	Percent of Employed/Total	Independent	Employed	Total	Percent of Employed/Total
Physical Medicine and Rehabilitation	2.20	1.20	3.40	35.3%	2.20	1.80	4.00	45.0%

The addition of this provider will significantly cut down on wait times for patients needing to see a pain specialist. The current appointment wait time is over two weeks, and we believe that some of these patients are seeking care at emergency rooms rather than waiting for appointments. Another consideration is the current rise of COVID cases in the region. The addition of the post-COVID clinic is also impacting the availability of providers to see patients in a timely manner. These patients require additional follow-up appointments to track their progress and treat their post-COVID symptoms and

conditions. The average appointment time for these patients is typically longer, with a post-COVID patient taking up to three 15-minute appointment slots each visit. As COVID numbers continue to grow across the region, we anticipate more patients will be utilizing the post-COVID services offered.

Due to these factors, Ballard is respectfully requesting a waiver under Section 5.05(e) of the Second Amended and Restated Terms of Certification to add an additional .6 FTE to Sullivan County, Tennessee to ensure adequate coverage is available, to keep patients out of the emergency room and assist with COVID-19 patients.

We appreciate your consideration of this request. Please let us know if you need any additional information.

Sincerely,



Alan Levine  
Chairman and Chief Executive Officer

cc: Herbert H. Slatery III  
Tennessee Attorney General and Reporter

The Honorable Norman Oliver, MD, MA, State Health Commissioner  
Virginia Department of Health

Janet M. Kleinfelter  
Tennessee Deputy Attorney General

Allyson Tysinger  
Virginia Senior Assistant Attorney General

Jim Mathis, COPA Director  
Tennessee Department of Health

Judi Knecht, Population Health Program Manager  
Tennessee Department of Health

Larry Fitzgerald  
Tennessee COPA Monitor

Joe Hilbert, Deputy Commissioner for Governmental and Regulatory Affairs  
Virginia Department of Health

Erik Bodin, Director, Office of Licensure and Certification  
Virginia Department of Health

Kevin Meyer, COPA Analyst  
Virginia Department of Health

Dennis Barry  
Southwest Virginia Health Authority

Tim Belisle, EVP & General Counsel  
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Marvin Eichorn, EVP, Chief Administrative Officer  
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Karen Guske, SVP, COPA Compliance Officer  
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