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November 12, 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 (Vascular Surgery Washington and Sullivan County)

Dear Commissioner Piercey:

Shortly after the merger which created Ballad Health ("Ballad"), a need was identified for additional vascular surgery coverage at Johnson City Medical Center ("JCMC"). Ballad addressed the need to ensure consistent patient care for vascular surgery patients by submitting a waiver request for two vascular surgeons practicing at Holston Valley Medical Center, Dr. Steven Hopkins and Dr. Heesuk Yoon, to be granted approval to cover Johnson City Medical Center ("JCMC"). Approval for Drs. Hopkins and Yoon to cover JCMC was granted and then was covered under a larger conditional waiver. In March of 2020, COVID-19 occurred, and the 35% limitation was temporarily suspended. Prior to emerging from the COVID State of Emergency, Ballad is requesting approval for a permanent waiver for our employed vascular surgeons, Drs. Hopkins and Yoon to permanently move to Washington County, Tennessee. For this, Ballad is requesting a waiver under Section 5.05(e) of the Second Amended and Restated Terms of Certification.

This request is to permanently add 2.0 full time equivalent ("FTE") vascular surgeons to Washington County, Tennessee (from 1.0 to 3.0 FTE) and to permanently reduce vascular surgeons by the same 2.0 FTE (from 5.0 to 3.0 FTE) in Sullivan County, Tennessee to account for the move of Drs. Hopkins and Yoon. These surgeons were previously approved under the temporary cross-credentialing waiver. This request is to permanently place Drs. Hopkins and Yoon in Washington County. The most recent needs assessment demonstrates a need to 3.1 FTE physicians in Washington County, and with the permanent placement of Drs. Hopkins and Yoon, we would be at 3.0 FTEs, or adequately staffed. There are plans to bring another surgeon to Sullivan County in January 2022; however, we are already approved for this FTE and so are not including as part this waiver.

Vascular surgery services in Washington County are critical to this state-designated safety net hospital and are supported by BHMA vascular surgeons and one independent surgeon. The independent vascular surgeon in Washington County is aged; and has been reducing his practice hours from 1.0 FTE in January of 2018 to 0.2 FTE currently and only performs some diagnostic reads and no surgery.

Ballad is respectfully requesting a waiver under Section 5.05(e) of the Second Amended and Restated Terms of Certification to add 2.0 FTE vascular surgeons to Washington County, Tennessee and to remove that same 2.0 FTE vascular surgeons from Sullivan County, Tennessee.

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: Allyson Tysinger
Virginia Senior Assistant Attorney General

Janet M. Kleinfelter
Tennessee Deputy 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

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

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

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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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