



The Tennessee Open Meetings Act passed by the General Assembly in 1974 requires that meetings of state, city and county government bodies be open to the public and that any such governmental body give adequate public notice of such meeting.

**TENNESSEE DEPARTMENT OF HEALTH
MEMORANDUM**

Date: April 15, 2015
To: Woody McMillin, Director of Communications and Media Relations
From: Wanda E. Hines, Board Administrator

Name of Board or Committee: Board for Licensing Health Care Facilities

Date of Meeting: May 6-7, 2015

Time: 9:00 a.m., Central Standard Time

Place: Iris Conference Room
665 Mainstream Drive, First Floor
Nashville, TN 37243

Major Item(s) on Agenda: See Attached Agenda

This memo shall be forwarded from individual programs to the Public Information Office on the 15th day of the preceding month. The Public Information Office will prepare the monthly list of meetings within the Department and have ready for distribution to state media by the 28th day of the preceding month.



JOHN J. DREYZEHNER, MD, MPH
COMMISSIONER

BILL HASLAM
GOVERNOR

*THE MISSION OF THE TENNESSEE DEPARTMENT OF HEALTH IS TO PROTECT, PROMOTE AND IMPROVE
THE HEALTH AND PROSPERITY OF PEOPLE IN TENNESSEE*

TENTATIVE AGENDA

BOARD FOR LICENSING HEALTH CARE FACILITIES

May 6-7, 2015
IRIS CONFERENCE ROOM, FIRST FLOOR
9:00 a.m.

**PLEASE REMEMBER TO SILENCE YOUR ELECTRONIC DEVICES WHEN
THE BOARD IS IN SESSION**

- 1. WELCOME NEW BOARD MEMBERS:**
- 2. CALL THE MEETING TO ORDER.**
- 3. ESTABLISH A QUORUM.**
- 4. APPROVAL OF MINUTES.**
- 5. REPORTS**
 - A. EMS REPORT - Robert Seesholtz**
 - B. NURSE AIDE REPORT – Wanda King**
 - C. OFFICE OF GENERAL COUNSEL REPORT - Kyonzte' Hughes-Toombs**

6. CONSIDERATION AND RATIFICATION OF LICENSURE APPLICATIONS (CHANGE OF OWNERSHIP (CHOWS) AND INITIALS).

A. CONSIDERATION.

(INITIALS)

Maxim Healthcare Services, Inc., Sullivan-Home Health Agency

B. RATIFICATION.

1. QUALIFYING APPLICATIONS

(INITIALS)

All American Medical, Memphis-Home Medical Equipment Facility
Breathe America Sleep Supplies, LLC, Nashville-Home Medical
Equipment Facility

Burden Drug Center, Inc., Jamestown-Home Medical Equipment Facility
In Touch Elder Care, LLC, Knoxville-Home for the Aged Facility

Jensen Medical, Inc., Hendersonville-Home Medical Equipment Facility
Satellite Healthcare South Germantown, Memphis-End Stage Renal
Disease Facility

Tanya Gibbs, M.S., CCC-SLP, Antioch-Professional Support Services
Coram Alternate Site Services Inc. d/b/a Coram CVS/Specialty Infusion
Services, Shelby-Home Health Agency
Premier Health Care, LLC, Bartlett-Professional Support Services

(CHOWS)

Memphis Gastroenterology Endoscopy Center East, Germantown-Ambu-
latory Surgical Treatment Center

Scooters Unlimited/Jackson Medical Supply, Jackson-Home Medical
Equipment Facility

7. RULEMAKING HEARINGS-Notice of Rulemaking Hearings can be viewed online at:
<http://tnsos.org/rules/RulemakingHearings.php>.

8. DISCUSSION(S).

A. Revisit-Consider definition/language to explain “Beds” when reference in facility
regulation. – Ann Rutherford Reed

B. Revisit-Clarification of rule 1200-08-10-.11(3) which addresses reporting of
communicable disease to the Tennessee Department of Health.

- C. **Revisit-Board Approval for Interpretative Guideline for NFPA 99 17.3.5 Pertaining to Hard Piped Gas and Suction Systems & Ventilator Service(s)/Unit(s).** – Bill Harmon, Facilities Construction Director, TDH
 - D. **Revisit-Assisted Care Living Facility rule 1200-08-25-.16(4) regarding HVAC/Generators in assisted care living facilities.** – Ann Rutherford Reed
 - E. **Consider-Home Care Organization Providing Home Health Services 1200-08-26-.01(48) and 1200-08-26-.05(4) and (8) pertaining to physician who supervises patient care and writes orders.** – Patricia Elliott, MSN, RN
 - F. **Legislative Update** – Jeremy Davis
 - G. **Consider-Prime Dialysis LLC Licensure Determination Request, End Stage Dialysis Clinic vs. Home Health Agency.**
 - H. **Friendship Haven Home for the Aged- Deferral** – Ann Reed
9. **LICENSE STATUS UPDATES.**

CAREALL HOME CARE SERVICES, KNOXVILLE

This Home Health Facility received a second extension for inactive status on January 21, 2015 at the January board meeting which would remain in effect for an additional six (6) months. In March, the facility provided notification that they would be reopening on April 1, 2015.

REVISIT-PIONEER COMMUNITY HOSPITAL OF SCOTT, ONEIDA

This twenty-five (25) bed Critical Access facility is seeking to waive Rule 1200-08-01-.06(9)(b) to have a Certified Dietary Manager through March 1, 2015. Emily Acuff, dietary employee, will be assuming this role until the position can be filled. They are working diligently to hire a Certified Dietary Manager before the March 1st date. Pioneer is required to come back in May to give an update to their status of hiring a Certified Dietary Manager.

Representative(s): Tony Taylor, CEO

10. **LICENSE STATUS REQUESTS.**

VOLUNTEER WOMEN'S MEDICAL CLINIC, KNOXVILLE

This ASTC facility is seeking a second extension waiver for an additional two (2) years for their license to remain on inactive status through January 23, 2017. Volunteer

Women's Medical Clinic, Knoxville, had to close due to Senate Bill 3323 which became law in 2012. This law has now been found to be unconstitutional in several other states which passed the same requirement into law. Ms. Walsh believes the higher courts will rule this way when the case is addressed in the state of Tennessee. She wishes to keep Volunteer Women's Medical Clinic's license on inactive status until this case is heard. Volunteer Women's Medical Clinic was placed on inactive status on February 7, 2013 which expired January 2014; an extension waiver for twelve months was granted on January 23, 2014 which will expire on January 23, 2015. Due to phone difficulties at the January 21, 2015 Board meeting the Board asked Ms. Walsh to come back in May to explain her waiver request.

Representative(s): Deborah Walsh, Executive Director

NOOKIES LOVING CARE, MEMPHIS

This RHA is requesting to change their license to an inactive status to cover a period of one year due to the administrator having health issues.

Representative(s): Steven S. Dortch, Jr., Administrator

JACKSON PARK CHRISTIAN HOME, INC., NASHVILLE

This twenty-eight (28) bed nursing home facility is seeking a fourth extension of their license to remain on inactive status for an additional twelve (12) months. Signature Healthcare, LLC formally completed the change of ownership process for the licensure of the facility from its previous owner and Signature requested to continue the inactive status which May 8, 2014. Signature Healthcare, LLC is currently evaluating the best options for the facility going forward.

Representative(s): Christopher Puri, Attorney

SOUTHERN HILL SURGERY CENTER, NASHVILLE

Representative(s): Jerry Taylor, Attorney

11. WAIVER REQUESTS.

THE FOLLOWING EIGHT (8) NURSING HOMES ARE REQUESTING TO WAIVE NURSING HOME REGULATIONS 1200-08-06-.04(4) FOR A TENNESSEE LICENSED NURSING HOME ADMINISTRATOR UNTIL A PERMANENT REPLACEMENT IS HIRED OR RECEIVES HIS/HER LICENSE IN TENNESSEE.

SIGNATURE HEALTHCARE OF GREENEVILLE, GREENEVILLE

Tyler Fackrell, Interim Administrator-Mr. Fackrell is seeking licensure in Tennessee.

Representative(s): Tyler Fackrell

SIGNATURE HEALTHCARE OF SAINT FRANCIS, MEMPHIS

Larry Reed, Interim Administrator-Mr. Reed is the acting administrator until a permanent licensed Tennessee candidate is found.

SIGNATURE HEALTHCARE OF ST. PETER VILLA, MEMPHIS

Kathy Bryant, Interim Administrator-Ms. Bryant is seeking licensure in Tennessee.

GOLDEN LIVINGCENTER-SPRINGFIELD, SPRINGFIELD

Herschel Sedoris, Interim Administrator-Mr. Sedoris is seeking licensure in Tennessee.

POPLAR POINT HEALTH AND REHABILITATION, LEXINGTON

Had unexpected loss of administrator.

Representative(s): Donna Ables

WHITEHAVEN COMMUNITY LIVING CENTER, MEMPHIS

Elizabeth Fairley, Interim Administrator-Ms. Fairley is acting administrator until a permanent licensed Tennessee candidate is found.

GREEN HILLS HEALTH AND REHABILITATION CENTER, NASHVILLE

Lisa Fitzgerald, Interim Administrator-Ms. Fitzgerald is acting administrator until a permanent licensed Tennessee candidate is found. Ms. Fitzgerald will seek licensure in Tennessee if a permanent licensed Tennessee administrator is not found in thirty days.

BROOKWOOD NURSING CENTER, INC., DECATUR

Juanita Frazier, Interim Administrator- Ms. Frazier will be seeking licensure in Tennessee.

Representative(s): Juanita Frazier

REVISIT-FRIENDSHIP HAVEN HOME FOR THE AGED, CHATTANOOGA

This sixteen (16) bed RHA facility is seeking to waive Home for the Aged rule 1200-08-07(18)b which states, "No bedroom shall have more than two (2) beds". Friendship Haven was previously licensed for 24 beds and wishes to utilize all 24 beds again and will need to be allowed to place more than two (2) beds per bedroom.

Representative(s): David Machoka, President

BLOUNT MEMORIAL HOSPITAL, MARYVILLE

This three hundred and four (304) bed hospital is requesting to waive Hospital regulations 1200-08-01-.05(1) & (5) hospital admission and treatment shall be under supervision of a physician and concerning treatment shall be given or administered to a patient of a hospital except on order of a physician. Blount Memorial Hospital's Outpatient Therapy Centers (dba Total Rehabilitation of Blount Memorial Hospital) therapy services are delivered in five (5) in Blount Memorial Hospital's Therapy Centers, one (1) is located at the hospital location.

Representative(s): Don Heinemann, Chief Executive Officer

12. BOARD POLICY CONSENTS.

A. THE FOLLOWING NURSING HOMES ARE REQUESTING A WAIVER TO PROVIDE OUTPATIENT THERAPY SERVICES AS PROVIDED FOR BY BOARD POLICY #32:

Bradley Healthcare & Rehabilitation Center, Cleveland
Spring City Care & Rehabilitation Center, Spring City
Sommerfield at the Heritage, Brentwood
Briarwood Community Living Center, Lexington
Dyersburg Nursing and Rehabilitation Inc., Dyersburg
Savannah Health Care and Rehabilitation Inc., Savannah
Whitehaven Community Living Center, Memphis

B. THE FOLLOWING FACILITIES ARE REQUESTING TO SHARE SERVICES AS PROVIDED FOR BY BOARD POLICY #52:

C. THE FOLLOWING FACILITIES ARE REQUESTING APPROVAL TO PERMIT AN ADMINISTRATOR TO SERVE BOTH A NURSING HOME AND ASSISTED CARE LIVING FACILITY ACCORDANCE WITH BOARD POLICY #39:

NHC Place Sumner, Gallatin (Nursing Home and ACLF)
Benchmark Healthcare of Puryear, Inc (Nursing Home) and Benchmark Assisted Living, LLC (ACLF)

13. CONTESTED CASE HEARING(S)

14. ORDERS.

A. Consent Orders

B. Orders.

15. REGULATION(S).

A. BOARD APPROVAL FOR RULEMAKING HEARING.