

Tennessee Board for Licensing Health Care Facilities



Newsletter



2012

A regulatory agency of the State of Tennessee

Vol. 3, No. 3

Bureau of Health Licensure and Regulation • Division of Health Care Facilities • 227 French Landing, Suite 501, Heritage Place, MetroCenter, Nashville, TN 37243 Phone: (615) 741-7221, Toll Free: (800) 778-4504 Fax: (615) 741-7051 or (615) 253-8798 - tennessee.gov/health

BOARD MEMBER APPOINTMENTS/REAPPOINTMENTS

The Board for Licensing Health Care Facilities is pleased to announce the appointment of David Rhodes by Governor Haslam on April 27, 2012. Mr. Rhodes serves as the architect representative for the Board for Licensing Health Care Facilities. Mr. Rhodes's appointment runs through April 30, 2015. Ms. Carissa Lynch was reappointed by Governor Haslam on April 27, 2012. Ms. Lynch serves as the doctor of pharmacy representative. Her appointment runs through February 28, 2016.

CURRENT COMPOSITION OF THE BOARD

The Board for Licensing Health Care Facilities is composed of the following members: Larry Arnold, MD, chairman; Sylvia J. Burton, nursing home industry representative; Carissa S. Lynch, Pharm.D., doctor of pharmacy; Janice M. Hill, R.N., hospital operated nursing home administrator; Robert Gordon, hospital administrator; John A. Marshall, hospital administrator; Jennifer Gordon-Maloney, D.D.S., oral surgeon; Roy King, MD, physician-surgeon; Annette Marlar, R.N., registered nurse; Alex Gaddy, nursing home industry representative; Betsy Cummins, home health agency administrator; C. Luke Gregory, RHA./assisted living representative; Jeffrey P. Lawrence, MD, physician of medicine representative; James Weatherington, consumer; Paula L. Collier, consumer; Jim Shulman, Commission on Aging and Disability, ex officio; David Rhodes, architect.

BOARD MEETING DATES

September 12th & 13th, 2012

All board meetings begin at 9:00 a.m., Central Time. Board meetings are held at the board's office and are open to the public. Dates are subject to change, but are listed on the board's website. In the event of an electronic meeting, a conference room is made available to the public and is the location from which the electronic meeting is conducted.

LICENSURE STATISTICS

The Board for Licensing Health Care Facilities has licensed the following number of health care facilities as of June 30, 2012:

Hospitals: 132
Nursing homes: 324
Homes for the aged (RHA): 93
Assisted care living facilities (ACLF): 241
Adult care homes (ACH): 1
Residential hospices: 7
Birthing centers: 4
Home health agencies: 159
Ambulatory surgical treatment centers (ASTC): 164
End stage renal dialysis clinics (ESRD): 165
Home medical equipment providers (HME): 309
Hospices: 59
Professional support service providers (PSS): 124

INACTIVE LICENSES

Southern Hills Surgery Center, Nashville – ambulatory surgical treatment center; third extension of inactive status granted May 4, 2011 thru November 4, 2012. First inactive status granted November 5, 2008. First extension of inactive status granted August 19, 2009. Second extension of inactive status granted May 25, 2010.

Summer Landing Retirement Care Center, Trenton – residential home for the aged; second extension of inactive status granted May 2, 2012 thru May 4, 2013. First inactive status granted May 25, 2010. First extension of inactive status granted May 4, 2011.

Rosewood Manor, Inc., Columbia - nursing home; extension of inactive status granted September 14, 2011 thru September 1, 2013. First inactive status granted March 26, 2010.

Atrium Surgery Center, Chattanooga – ambulatory surgical treatment center; extension of inactive status granted September 14, 2012 for 12 months thru November 2012. First inactive status granted November 10, 2010.

Nashville Rehabilitation Hospital, Nashville – hospital; extension of inactive status granted September 14, 2011 for 12 months thru January 2013. First inactive status granted January 2010.

Jackson Park Christian Home, Inc., Nashville – nursing home; inactive status granted May 2, 2012 for one (1) year.

RATIFIED APPLICATIONS FOR May 2012

INITIALS

Assisted care living facilities:

1. Extended Family Care, LLC and Adult Day Care, Manchester
2. Hearth at Hendersonville, Hendersonville
3. Riverdale Assisted Living Facility, Memphis
4. Rockgate Seniors Residence, Franklin

Home for the aged:

1. Team 9 Home Care 4 the Aged, Antioch

Home medical equipment providers:

1. RGH Enterprises, Inc., Nashville
2. 180 Medical, Inc., Nashville
3. Advanced Diabetic Solutions, LLC, Franklin
4. Alpha-Omega Medical Supply, Cleveland
5. Bioventus, LLC, Memphis
6. Electromed, Inc., Chattanooga
7. Home Care Delivered, Inc., Chattanooga
8. Independence on Wheels, Hohenwald
9. M-D Medical Services, Inc., Memphis
10. Medical Necessities, Inc., Memphis

11. Monroe Medical Equipment Co., LLC, Franklin
12. Navigator Health Management Solutions, Inc., Franklin
13. PromiseCare Pharmacy, LLC, Antioch
14. Sleep Nation, LLC, Nashville
15. United States Medical Supply, Inc., Nashville

Professional support services providers:

1. Elizabeth Martin, Memphis
2. Optimum Health Wellness Center, Inc., Knoxville
3. Home Healthcare Solutions of Davidson, Nashville

Ambulatory surgical treatment center:

1. MUA of Middle Tennessee, LLC, Nashville

CHANGES OF OWNERSHIP (CHOW)

Assisted care living facilities:

1. Belmont Village, Memphis
2. Belmont Village, Nashville
3. Trinity Hills of Knoxville, Knoxville

Ambulatory surgical treatment center:

1. Urology Surgery Center, L.P., Nashville (10/1/11)
2. Urology Surgery Center, L.P., Nashville (1/1/12)

End stage renal disease clinic:

1. Etowah Dialysis, Etowah
2. TN Smokie Mountain Dialysis, Johnson City

Nursing homes:

1. Civic Health and Rehabilitation Center, Memphis
2. Mt. Pleasant Healthcare and Rehabilitation, Mount Pleasant

CHANGE OF INFORMATION

Change in your contact information must be reported (in writing or by e-mail) to the board's office within 30 days! Please include the following:

- Your name and license number;
- Your facility type;
- Your old address and phone number;
- Your new address and phone number, e-mail address, and/or your fax number;
- Your SIGNATURE!

Keeping the board's administrative staff up to date on your facility's location and other important information concerning the operation of your facility facilitates the timely notification to you of important information such as your application for licensure renewal and important statutory and rule changes. You may fax your change to the board's administrative office at (615) 253-8798 or by mail at: 227 French Landing, Heritage Place MetroCenter, Suite 501, Nashville, TN 37243. You also can e-mail the board at: TN.Health@state.tn.us.

Board's Fax Number: (615) 253-8798

Board's Website: www.state.tn.us/health

BOARD APPEARANCE PROCESS

To make an appearance before the Board for Licensing Health Facilities, your facility must make a written request regarding the reason for appearing before the board i.e. waiver request, consent calendar request, etc. The written request must be received in the board's administrative office two (2) weeks prior to the scheduled board meeting date. Address your request to Mrs. Ann Rutherford Reed, R.N., director of the Board for Licensing Health Care Facilities. You may fax your request to the board's administrative office at (615) 741-7051 or (615) 253-8798 or by mail to: 227 French Landing, Heritage Place MetroCenter, Suite 501, Nashville, TN 37243. A letter specifying that your request has been accepted and placed on the agenda will be sent to you with the date, time, place, location and the need of a representative if required to appear before the board. If more information is needed, the department will inform you immediately. **Please note: If you have not received a letter informing you that your facility has been placed on the board agenda following submission of your request, please contact this office immediately.**

If you have any questions or concerns regarding the board agenda or meeting, please contact Wanda E. Hines, board administrator at (615) 741-7586 or wanda.e.hines@tn.gov.

NURSE AIDE REPORT

Currently available is the following data related to the abuse registry. Through April of this year, 1686 persons have been placed on the abuse registry; there are 41,721 active nurse aides in Tennessee; 175 nurse aides have been suspended for failure to pay child support; and 241 nurse aide training programs have full approval in Tennessee. The Board requires that nurse aides make a passing score of 75% and the training programs maintain a pass rate of 70% on both the written and skills portion of the test. In addition to the pass rate requirements, if a training program has a pass rate of less than 70% for two (2) consecutive years the Division is required to ask for additional action against the training program. With approval from the Board for Licensing Health Care Facilities, a request letter will be submitted to the failing training programs for a plan of correction. If a training program chooses to not provide a plan of correction, the training program would be asked to appear before the Board to explain why they are not meeting the required pass rate.

As of April 15th, 2012 Nurse Aide test fees will increase to the following:

Written: \$36.00
Skills: ~~\$54.00~~
Total: \$90.00

This is an increase of \$2 total; \$1 each for the written and skills portion of the test.

EMS REPORT

At the May 2012 Board meeting, the Board was made aware of the trauma center requirement to submit trauma data to the trauma registry on a quarterly basis. One trauma center not only identified as a trauma center, but as a Comprehensive Regional Pediatric Center, Children's Hospital at Erlanger, had not submitted trauma registry data since the end of the last quarter of 2011. Representatives from Children's Hospital at Erlanger were present to address the Board. Erlanger representatives gave background as to why the facility has been delinquent in submitting its trauma registry data and their efforts to submit all remaining data.

The Trauma Site Visit Team has the responsibility of designation and verification of adult trauma centers in the state of Tennessee. EMS representative, Robert Seesholtz, Trauma System Manager, presented a request for a waiver of rule 1200-08-12-.04(4)(a) in the Trauma Center Standards. This would allow the Trauma Site Visit Team an additional year to complete site team visits to five (5) trauma centers, Johnson City Medical Center; U.T. Medical Center; Bristol Regional Medical Center; Athens Regional Medical Center; and Blount Memorial Medical Center. The waiver request was approved unanimously by the Board.

INTERPRETIVE GUIDELINES

The following interpretive guidelines were approved by the Board for Licensing Health Care Facilities at the May 2012 Board meeting.

1. **SUBJECT:** Adequate Medical Screening for Employees language in Standards for Hospitals, 1200-08-01-.04(3); Standards for Nursing Homes, 1200-08-06-.04(10); Standards for Ambulatory Surgical Treatment Centers, 1200-08-10-.04(11); Standards for Residential Hospices, 1200-08-15-.04(12); Standards for Birthing Centers, 1200-08-24-.04(2); Standards for Homecare Organizations Providing Home Health Services, 1200-08-26-.04(11); Standards for Homecare Organizations Providing Hospice Services, 1200-08-27-.04(14); Standards for HIV Supportive Living Facilities, 1200-08-28-.04(12); Standards for End Stage Renal Dialysis Clinics, 1200-08-32-.04(2); Standards for Homecare Organizations Providing Professional Support Services, 1200-08-34-.04(9); Standards for Outpatient Diagnostic Centers, 1200-08-35-.4(11); and Standards for Prescribed Child Care Centers, 1200-08-02-.04(4).

DATE: May 2, 2012

RULES: The following language should be used to interpret the rules: The facility shall adopt the screening standards recommended by the Centers for Disease Control and Prevention for health care workers as defined by the Centers for Disease Control and Prevention.

2. **SUBJECT:** Home Medical Equipment rule, 1200-08-29-(19)(a)10, Diagnostic Equipment
DATE: May 2, 2012
RULES: The following language should be used to interpret the rule: Glucose monitors and glucose monitoring systems are defined as diagnostic equipment under the Home Medical Equipment regulations.
***Confirmation by Board for Licensing Health Care Facilities of January 20, 2010 determination that diagnostic equipment includes glucose monitors/meters. ***

STATUTORY CHANGES OF INTEREST TO TENNESSEE HEALTH CARE FACILITIES

The 2012 Legislative Session has ended and the Board for Licensing Health Care Facilities' administrative staff has monitored several bills that are of interest to the licensed health care facilities in the state of Tennessee. Below is a brief summary of those bills. If you wish to review any of these public chapters in their entirety, please visit: <http://www.tennessee.gov/sos/acts/index.htm> or follow the Public Chapter number link included below by (Ctrl + click).

PUBLIC CHAPTER NO. [0598](#)

This public chapter extends the Board for Licensing Health Care Facilities until June 30, 2016. It also requires that in 2013, the Comptroller of the Treasury shall issue questions to the Board for Licensing Health Care Facilities regarding surveyors in response to the audit conducted by the Centers for Medicare and Medicaid Services.

PUBLIC CHAPTER NO. [0635](#)

This public chapter provides that each license to operate a facility shall expire annually on the anniversary date of its original issuance. During the transition period, renewed licenses may be issued at a prorated monthly renewal fee rate. Effective 7/1/12.

PUBLIC CHAPTER NO. [0649](#)

This public chapter adds a new section, TCA 68-11-205(f), which reads "Nursing homes and affiliates of nursing homes may employ a physician so long as the employment relationship between the physician and the nursing home or affiliate of the nursing home is evidenced by a written contract, job description or documentation, containing language which does not restrict the physician from exercising independent mental judgment in diagnosing and treating patients." The employment relationship is subject to certain conditions. Effective 7/1/12.

PUBLIC CHAPTER NO. [0676](#)

This public chapter adds a new section, TCA 68-11-202(f), which provides that in a gastrointestinal endoscopy clinic that is licensed as an ambulatory surgical treatment center that performs endoscopic procedures, an endoscopy technician, without any other technician, assisting a physician during an endoscopic procedure in that clinic shall be deemed sufficient staffing for the procedure. The law also defines endoscopy technician and the scope of practice for an endoscopy technician. Effective 7/1/12.

PUBLIC CHAPTER NO. [0761](#)

This public chapter amends TCA 68-11-205 and voids contractual restrictions on a physician's right to practice medicine if such physician is employed independently of a bona fide practice purchase and is terminated by the employing entity for reasons other than a breach by the employee.

PUBLIC CHAPTER NO. [0978](#)

This public chapter generally adds certified brain injury specialist in certain cases to authorized adult care home caregivers; it eliminates the requirement that a resident manager live on site where a certified brain injury specialist is present

PUBLIC CHAPTER NO. [1086](#)

This public chapter creates a new licensure classification for traumatic brain injury residential homes. The homes will be single-family residences owned and operated by a traumatic brain injury home provider in which residential care, including assistance with activities of daily living, is provided in a homelike environment to no more than eight (8) disabled adults suffering from the effects of a traumatic brain injury.

PUBLIC CHAPTER NO. [0541](#)

This public chapter amends T.C.A. 68-11-224 to authorize the Department of Intellectual and Developmental Disabilities to allow unlicensed individuals employed by licensed facilities to follow universal "do not resuscitate" orders in certain circumstances. Effective 3/8/12.

PUBLIC CHAPTER NO. [0618](#)

This public chapter amends T.C.A. Title 68, Chapter 11, Part 16 to require HSDA to consider CON application for partial relocation of a nursing home or nursing home beds in the same county under certain conditions. Effective 3-21-12.

PUBLIC CHAPTER NO. [0767](#)

This public chapter amends T.C.A. 68-11-216(b) removing the requirement for BLHCF to report to TN code commission if BLHCF fails to collect sufficient fees and retains requirement the report is to be sent to government ops. Effective 4/19/12.

PUBLIC CHAPTER NO. [0817](#)

This public chapter amends T.C.A. Titles 38, 39, 63, and 68 to require health care providers to report injuries appearing to result from female genital mutilation. Effective 7/1/12.

PUBLIC CHAPTER NO. [0915](#)

This public chapter amends Titles 39, 53, 63, and 71 to authorize hospital quality improvement committees to access the controlled substances database if suspect an employee of self-prescribing medications. Effective 6/12/12.

PUBLIC CHAPTER NO. [0916](#)

This public chapter amends T.C.A. Titles 63 and 68 enacting the “The Henry Granju Act”, to create reporting requirements by provider and Medical Examiners relate to drug overdoses. Effective 5/10/12.

PUBLIC CHAPTER NO. [1008](#)

This public chapter amends T.C.A. Titles 37 and 39 and Title 38, Chapter 11 prohibiting physicians from performing abortions without admitting privileges at a local hospital. In addition, the public chapter requires physicians to notify patient of where the physician has privileges. It also requires a monthly report to the Tennessee Department of Health of each abortion by the facility and where the abortion was performed and signed by the physician who performed the abortion. The public chapter requires the Tennessee Department of Health to annually report to the General Assembly aggregate data from the monthly reports. The public chapter stipulates report requirements. It also requires, in addition to other penalties, that any person, organization or facility convicted of willfully violating any of the provisions of this section to have its license suspended for six months for the first violation, one year for the second violation, and revoked for the third violation. Effective 7/1/12.

PUBLIC CHAPTER NO. [1093](#)

This public chapter amends T.C.A. Titles 36 and 38 which removes the requirement that providers report certain injuries to law enforcement if victim objects. Effective 5/21/12.



**DISCIPLINARY ACTION
2012**

The board took action against the following licensed health care facilities:

FEBRUARY 2012

Licensee: East Tennessee Health Care Center, Madisonville – nursing home

Violation: Deficiencies cited rising to the level of a Type A civil penalty

Action: Assessment of civil penalty in the amount of \$3,600.00 and suspension of admissions

MARCH 2012

Licensee: Bristol Nursing Home, Bristol – nursing home

Violation: Deficiencies cited rising to the level of a Type A civil penalty

Action: Assessment of civil penalty in the amount of \$2,700.00 and suspension of admissions

MAY 2012

Licensee: Schilling Gardens, Collierville – assisted care living facility

Violation: Deficiencies cited rising to the level of civil penalty imposition

Action: Assessment of civil penalty in the amount of \$2,000.00

Licensee: Kennington Pointe, Memphis – assisted care living facility

Violation: Deficiencies cited rising to the level of civil penalty imposition

Action: Assessment of civil penalty in the amount of \$7,500.00

DEFICIENCY FREE SURVEYS

FEBRUARY 2012

AMBULATORY SURGICAL TREATMENT CENTER PROVIDERS:

MUA of Middle Tennessee, LLC
Physician’s Surgery Center of Chattanooga

HOME MEDICAL EQUIPMENT PROVIDERS:

- Advanced Diabetic Solutions
- Medical Necessities, Inc.
- Advantage Healthcare
- American Home Patient, Inc.
- American Oxygen Home Care
- Anderson Drugs & Home Care Center
- Bradley Medical Equipment
- Carr Rehab, Inc.
- Cherokee Medical Supply
- Convalescent Supplies
- Little Drugs
- Lookout Medical Services, Inc.
- Nutritional Support Services
- Ophello Medical Equipment
- Oxygen & Sleep Associates
- RGH Enterprises, Inc.
- Specialty Oxygen Service, Inc.
- Tri-State Respiratory Service, Inc.

PROFESSIONAL SUPPORT SERVICES AGENCY PROVIDERS:

Clara Butler Nursing & Personal Care Services for the Aging & Disabled
Michele Gaur
Nancy Williams
Lighthouse Independent Living, Inc.

ASSISTED CARE LIVING FACILITY PROVIDERS:

Rockgate Seniors Residence

HOME HEALTH AGENCY PROVIDERS:

Amedisys Home Health of Tennessee
Smoky Mountain Home Health

HOSPICE AND RESIDENTIAL HOSPICE PROVIDERS:

Cumberland House Residential Hospice
Hospice of Cumberland County, Inc.

OUTPATIENT DIAGNOSTIC CENTER PROVIDERS:

Summit Open MRI, Inc.

RESIDENTIAL HOME FOR THE AGED PROVIDERS:

Jenn Care, Inc.

MARCH 2012

ASSISTED CARE LIVING FACILITY PROVIDERS:

Apple Grove
The Health Center at Richland Place
Riverdale Assisted Living Facility

HOME MEDICAL EQUIPMENT PROVIDERS:

Independence on Wheels
United States Medical Supply, Inc.
Allied Home Medical, Inc.
Electromed, Inc.
Genesis Home Corporation
Medical Comfort Systems
Mooney's Home Medical Equipment
National CPAP Supplies, LLC

RESIDENTIAL HOME FOR THE AGED PROVIDERS:

Team 9 Home Care 4 the Aged (Antioch)
Alexian Inn

END STAGE RENAL DIALYSIS CLINIC PROVIDERS:

Somerville Dialysis

HOME HEALTH AGENCY PROVIDERS:

Interim Healthcare, Inc.

HOSPICE AND RESIDENTIAL HOSPICE PROVIDERS:

Caris Healthcare (Chattanooga)
Caris Healthcare (Athens)

PROFESSIONAL SUPPORT SERVICES AGENCY PROVIDERS:

Anthony Brent Kirby
Continucare Health Services, Inc.
D&S Residential Services, LP
Home Healthcare Solutions of Davidson
Life Bridges, Inc.
Orange Grove Center, Inc.
Progress, Inc.
Prolex Medical Services, LLC
Prospect, Inc.

APRIL 2012

PROFESSIONAL SUPPORT SERVICES AGENCY PROVIDERS:

Developmental Services of Dickson County
Bridgewater Speech & Hearing
Community Health of East Tennessee
Helping Hands of Hawkins County
Hilltoppers, Inc.
Mountain Visions, Inc.
Nicholson Therapies, Inc.
Omni Visions, Inc. (Nashville)
Premier Support Services, Inc.
Scott Appalachian Industries, Inc.
True Care, Inc.
Volunteers of America of TN

HOME MEDICAL EQUIPMENT PROVIDERS:

Home Medical Care, Inc.
Alpha-Omega Medical Supply
Chattanooga Mobility & Lifts
Hancock Medical Equipment
Healthsource, Inc.
Hi-Tech Healthcare, Inc.
Home Care Delivered, Inc.
KCI USA, Inc. (Chattanooga)
KCI USA, Inc. (Knoxville)
Medical Center Pharmacy, Inc.
Monitor Medical, Inc.
Proline Medical Consultants, Inc.
Specialized Medical Services, Inc.
Canyon Healthcare, LLC

HOSPICE AND RESIDENTIAL HOSPICE PROVIDERS:

Alive Hospice
The Residence at Alive Hospice

ASSISTED CARE LIVING FACILITY PROVIDERS:

Hearth at Hendersonville
Schilling Gardens Assisted Living by Americare

RESIDENTIAL HOME FOR THE AGED PROVIDERS:

The Courtyards

MAY 2012

PROFESSIONAL SUPPORT SERVICES AGENCIES:

Complete Care Choice
Heidi Hosick Joyce
Independent Therapy Network
Speech Pathology Consultants, LLC
Care Choices of TN
Comcare, Inc.
Douglas Cooperative
Focus on Function
Frontier Industries
Fullfillment Tender Care, Inc.
Lakeway Achievement Center
Michael Dunn Center
Omni Visions, Inc. (Greeneville)
Special Needs Nursing
Sunrise Community of TN, Inc.

HOSPICE AND RESIDENTIAL HOSPICE PROVIDERS:

Lincoln Medical Hospital Home Health & Hospice

NURSING HOME PROVIDERS:

NHC Place of Cool Springs

HOME MEDICAL EQUIPMENT PROVIDERS:

Advanced Respiratory, Inc.
Alliance Medical Solutions, LLC
Caremax Home Medical
Center for Lung & Sleep Disorders
Kingwood Medical Equipment
Lowry Medical Supply, Inc.
Middle Tennessee Respiratory
On-Call Medical & Pharmacy
Oxygen Plus Corp
Respiratory Home Care of Bristol, LLC
Southern Orthocare

ASSISTED CARE LIVING FACILITY PROVIDERS:

The Lantern at Morning Pointe Alzheimer's Center

END STAGE RENAL DIALYSIS CLINIC PROVIDERS:

Cookeville Dialysis

HOME HEALTH AGENCY PROVIDERS:

Amedisys Home Care
Guardian Home Care

OUTPATIENT DIAGNOSTIC CENTER PROVIDERS:

Premier Diagnostics Imaging Center

RESIDENTIAL HOME FOR THE AGED PROVIDERS:

Southern Heritage Assisted Living II
Willow Acres
Willow Acres Building #2

JUNE 2012

HOME MEDICAL EQUIPMENT PROVIDER:

A&A Med, LLC
Advanced Medical Solutions, Inc.
Harvey Durham Medical
Med Care Equipment
Rehab Technologies
Medical Express PSI

PROFESSIONAL SUPPORT SERVICES AGENCIES:

Cornerstone
Omni Vision, Inc. West
Arc of Claiborne County
Core Services of NE Tennessee
Envision, Inc.
Greene County Skills, Inc.

ASSISTED CARE LIVING FACILITY PROVIDERS:

Bluff Springs Manor
Chandler House
The Lantern Alzheimer's Center

HOME HEALTH AGENCY PROVIDERS:

East Tennessee Children's Hospital Home Health Care