



---

**LISA PIERCEY, MD, MBA, FAAP**  
COMMISSIONER

**BILL LEE**  
GOVERNOR

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

**AGENDA**

**BOARD FOR LICENSING HEALTH CARE FACILITIES**

**JUNE 3, 2020**

**IRIS CONFERENCE ROOM, FIRST FLOOR**  
**9:00 a.m.**

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

---

- I. WELCOME NEW BOARD MEMBERS:**
- II. CALL THE MEETING TO ORDER AND ESTABLISH A QUORUM.**
- III. REPORTS.**
  - A. EMS REPORT** – Robert Seesholtz, Trauma System Manager, EMS
  - B. NURSE AIDE REPORT** – Wanda King, Program Manager, CNA
  - C. OFFICE OF GENERAL COUNSEL REPORT** – Caroline Tippens,  
Senior Associate General Counsel
  - D. OFFICE OF HEALTH CARE FACILITIES REPORT** – Vincent Davis, Director  
Health Care Facilities

#### IV. LICENSE STATUS REQUESTS.

**A. BAPTIST TRINITY HOME CARE-PRIVATE PAY DIVISION, MEMPHIS (HHA #242)**

This home health agency is requesting a second extension waiver for their license to remain on inactive status through June 3, 2021. Baptist-Trinity sought a partner to collaborate with on the future operations of its home care service which was unsuccessful. Baptist-Trinity is now evaluating the possibility of combining its home health offerings with the telemedicine capabilities of its parent Baptist Memorial to provide needed at-home care for patients impacted by COVID-19 quarantine restrictions. This facility's license was placed on inactive status for one (1) year on June 6, 2018 which expired June 6, 2019; and an extension inactive waiver status for an additional twelve (12) month was granted June 9, 2019 which expires June 9, 2020.

**REPRESENTATIVE(S):** Travis B. Swearingen, Attorney

**B. DECATUR COUNTY GENERAL HOSPITAL, PARSONS (HOSP #28)**

This forty (40) bed facility is seeking to place their license on inactive status. Due to its current financial situation the facility cannot continue to operate. Decatur County General Hospital is entering into a purchase agreement in the asset of the hospital which includes the license. The hospital closed their door on April 14, 2020.

**REPRESENTATIVE(S):** Mayor Mike Creasy, Matthew Courtner, Attorney and Geoffrey Lindley, Attorney

**C. JACKSON PARK CHRISTIAN HOME, NASHVILLE (NH #55)**

This twenty-eight (28) bed nursing home facility is seeking its seventh extension of their license to remain on inactive status for an additional one (1) year to June 2021. Signature continues its effort to find either a viable purchaser, or a viable development opportunity for the facility's beds with another replacement facility. Jackson Park Christian Home's license was placed on inactive status for twelve (12) months on May 2, 2012; an extension waiver for inactive status was granted for an additional twelve (12) months on May 1, 2013; a second extension was granted on May 8, 2014 for an additional twelve (12) months; a third extension was granted on May 6, 2015 for an additional twelve (12) months; a fourth extension was granted on May 4, 2016 for an additional twelve (12) months; a fifth extension was granted on June 7, 2017 for an additional twelve (12) months; a sixth extension was granted on June 6, 2018 for two (2) additional months which expires June 2020.

**REPRESENTATIVE(S):** Chris Puri, Attorney

**D. MEMORIAL/MISSION OUTPATIENT SURGERY CENTER, CHATTANOOGA (ASTC #147)**

This ambulatory surgical treatment center is seeking a sixth waiver request to remain on inactive status until June 2021. Leadership at Memorial/Mission made substantial efforts in evaluating potential options for reactivating but due to the COVID-19 pandemic, those efforts have been shelved as all stakeholders work to deal with the

current crisis. Continuation of inactive status will hopefully permit the pandemic to subside to allow the necessary parties to reconvene to finalize plans for the facility. This facility's license was placed on inactive status for twelve (12) months on May 6, 2015 which expired May 6, 2016; an extension inactive waiver status for additional twelve (12) months was granted on May 5, 2016 which expired June 7, 2017; an second extension inactive status for additional twelve (12) months was granted on June 7, 2017 which expired June 7, 2018; and a third extension inactive waiver status for additional twelve (12) months was granted on June 6, 2018 for additional twelve (12) months which expires June 6, 2019; and a fourth extension was granted for June 5, 2019 for twelve (12) months which will expire on June 3, 2020. .

**REPRESENTATIVE(S):** Travis B. Swearingen, Attorney

**E. NASHVILLE METRO CARE & REHABILITATION CENTER, NASHVILLE (NH#47)**

This one hundred eleven (111) bed skilled nursing home facility is requesting an additional twenty-four (24) months extension to remain on inactive until the next board meeting in June 2022. The facility is under financial defaults with the Bank of Oklahoma (BOKF) and is now in the process of remarketing the facility assets and seeking a new purchaser who will redevelop and reopen the facility.

**REPRESENTATIVE(S):** Chris Puri, Attorney

**F. SAPLING GROVE ASC, BRISTOL (ASTC #116)**

This ambulatory surgical treatment center is requesting a one (1) year extension of their license to remain on inactive status. The entity that previously owned the facility transferred sole ownership of the facility to Wellmont Health System, an affiliate of Ballad Health. Sapling Grove ASC license is requesting to remain on inactive status for an additional year to allow Ballad Health can make a determination as to the future use of the facility.

**REPRESENTATIVE(S):** Dan Elrod, Attorney

**G. SISKIN HOSPITAL'S SUBACUTE REHABILITATION PROGRAM, CHATTANOOGA (NH #382)**

This twenty-nine (29) bed nursing home facility is requesting a third extension waiver for their license to remain on inactive status through June 2021. Siskin continues to explore options for these beds, but a definitive plan has not yet been developed. Siskin Subacute was placed on inactive status for one (1) year on June 7, 2017 which expired June 7, 2018; an extension inactive status waiver was granted June 7, 2018 which expired June 7, 2019; a second extension inactive status for one (1) year on June 7, 2019 which expires June 7, 2020.

**REPRESENTATIVE(S):** Dan Elrod, Attorney

**H. UPPER CUMBERLAND HOSPICE AND PALLIATIVE CARE, LLC, CHATTANOOGA #9**

Upper Cumberland Hospice and Palliative Care, LLC, Cookeville, a residential hospice facility is requesting a third extension waiver for their license to remain on inactive status for an additional one (1) year. Upper Cumberland Hospice and Palliative Care LLC, Cookeville was placed on inactive status on February 8, 2017 for twelve (12) months which expired on February 2018; an extension inactive status was granted for twelve (12) months on February 8, 2018 which expired on February 7, 2019; an second extension inactive status was granted for twelve (12) months was granted on June 5, 2019 which will expire on June 5, 2020.

**REPRESENTATIVE(S):** Tracy Wood, President and CEO

**I. WAYNE COUNTY NURSING HOME, WAYNESBORO #277**

This forty-six (46) bed nursing home is seeking a fourth extension waiver for their license to remain on inactive status for an additional two (2) years through June 2022. Waynesboro Healthcare, LLC, Cleveland was granted a 24-month extension of their CON to April 1, 2019 and the organization decided to withdraw their CON pending relocation and replacement of beds. Waynesboro has decided to seek a new CON to relocate and replace the 46 beds which will give them time to finalize the scope, obtain the project costs, and complete construction. As the CON project moves forward, Wayne County Nursing Home would like to keep the 46 beds on inactive status. This facility's license was placed on inactive status on September 10, 2014 which expired on May 10, 2015, an extension waiver was granted on September 7, 2016 which expired February 8, 2017, and a second extension was granted on February 8, 2017 which expires on June 6, 2019.

**REPRESENTATIVE(S):** Chris Puri, Attorney, Kelli A. Canan, Director of Licensure and Certification and Tom Johnson

**V. WAIVER REQUESTS.**

**A. DELTA SPECIALTY HOSPITAL, MEMPHIS (HOSP #106)**

This two hundred twenty-three (223) bed facility is seeking to waive the hospital designation of a general hospital to require a radiological unit. Delta Specialty Hospital is asking for clarity of the definition rule for general hospital designation Hospital Rule 1200-08-.01-.01(37) and Hospital Rule 1200-08-01-.06(7)(a) regarding radiologic services.

**REPRESENTATIVE(S):** Andre' K. Cromwell, Chief Executive Officer

**B. HCA HEALTHCARE**

These rehab programs have been at a high occupancy over the past year including the first quarter of 2020. Due to the current national pandemic, the need for rehab services has increased.

1. **TriStar Southern Hills Medical Center, Nashville (HOSP #21)** – This 126 bed hospital is requesting to increase their rehab services bed count for one (1) additional bed. The total licensed rehab beds complement will be seventeen (17) beds upon approval. This request is made pursuant to the Tennessee Health Services and Development Agency statute T.C.A. §68-11-1607(g).
2. **TriStar Horizon Medical Center, Dickson (HOSP #29)** – This 157 bed hospital is requesting to increase their rehab services bed count for one (1) additional bed. The total licensed rehab beds complement will be thirteen (13) beds upon approval. This request is made pursuant to the Tennessee Health Services and Development Agency statute T.C.A. §68-11-1607(g).
3. **Parkridge Medical Center, Inc., Chattanooga (HOSP #66)** – This 621 bed hospital is requesting to increase their rehab services bed count for one (1) additional bed. The total licensed rehab beds complement will be thirteen (13) beds upon approval. This request is made pursuant to the Tennessee Health Services and Development Agency statute T.C.A. §68-11-1607(g).
4. **TriStar Skyline Medical Center, Nashville (HOSP#23)** – This 385 bed hospital is requesting to increase their rehab services bed count for four (4) additional beds. The total licensed rehab beds complement will be forty-five (45) beds upon approval. This request is made pursuant to the Tennessee Health Services and Development Agency statute T.C.A. §68-11-1607(g).
5. **TriStar Summit Medical Center, Hermitage (HOSP#33)** – This 218 bed hospital is requesting to increase their rehab services bed count for two (2) additional beds. The total licensed rehab beds complement will be twenty-one (22) beds upon approval. This request is made pursuant to the Tennessee Health Services and Development Agency statute T.C.A. §68-11-1607(g).

**REPRESENTATIVE(S):** Johnny Harrison, Regional Vice President  
HCA POST Acute Services

**C. ORTHODYNAMICS COMPANY, INC., NOBLESVILLE, IN**

This home medical equipment (HME) provider is seeking to waive the HME Rule 1200-08-29-.06(5) physical location requirement for the HME licensure category of providers and appeal to the Board for consideration of the unique needs of the patients they serve and the Tennessee hospitals they support.

**REPRESENTATIVE(S):** Dan Ehman, COF, Vice President

**D. VANDERBILT UNIVERSITY HOSPITAL, NASHVILLE (HOSP #27)**

Vanderbilt University Hospital, Nashville, is requesting a 5<sup>th</sup> waiver request to continue to allow the use of the area on the first floor temporarily as an observation unit and to waive the space requirements of the rooms and cubicles located in the observation unit; and must submit a report at the June 3, 2020 board meeting to update on the continued temporary usage of this area. Vanderbilt University Medical

Center continues to use a portion of the first floor temporarily as an observation unit in accordance to the granted waiver and intends to continue such use for additional two (2) more years.

**REPRESENTATIVE(S):** Travis Swearingen, Attorney, Butler Snow and Ginna Felts, Vice President, Business Development

- E. WILLIAMSON MEDICAL CENTER, FRANKLIN (HOSP #)** –This 185 bed hospital is requesting to increase their acute beds count for eighteen (18) additional beds. The total licensed acute beds complement will be one hundred ninety-five (195) beds upon approval. This request is made pursuant to the Tennessee Health Services and Development Agency statute T.C.A. §68-11-1607(g).

**REPRESENTATIVE(S):** Julie Miller, Chief Operating Officer

## **VI. DISCUSSION(S).**

- A.** Riverdale Assisted Living Facility, Memphis #370 – A representative must appear before the Board to give a progress report according to the Commissioner’s Order.
- B.** Tennessee Community Organizations (TNCO) a provider organization which includes providers licensed as Professional Support Services (PSS) Agencies has concerns regarding having a nurse delegated for tasks but is not PSS license will it be required to have such a license. TennCare DIDD/Choices views delegated tasks as nursing services are required to have a PSS license and/or Home Health Agency license.

**REPRESENTATIVE(S):** Melanie A. Keller, President/CEO

- C.** IDT composition rule clarification of ACLF Rule 1200-08-25-.12(5)(a).
- D.** Belmont Village, Memphis #102 – This facility’s survey was conducted 12/11/19 resulting in the submission of three (3) unacceptable plans of correction (POC) to the West Tennessee Regional Office (WTRO). A fourth POC was submitted to and reviewed by the WTRO. This POC was slated for presentation and review at the 3/24/20 ACLF Standing Committee. The COVID-19 pandemic caused the cancellation of the ACLF Standing Committee. Therefore, the WTRO accepted the fourth submitted POC and completed a desk review for compliance. Belmont Village was deemed back in compliance on April 7, 2020.
- E.** Apple Grove Alzheimer’s & Dementia, Memphis #301 – This facility’s life safety survey was conducted on 1/6/20 resulting in the submission of three (3) unacceptable plans of correction (POC) to the West Tennessee Regional Office (WTRO). A fourth POC was submitted to and reviewed by the WTRO. This POC was slated for presentation and review at the 3/24/20 ACLF Standing Committee. The COVID-19 pandemic caused the cancellation of the ACLF Standing Committee. Therefore, the WTRO accepted the fourth submitted POC with an onsite visit to occur once the

relaxation of COVID-19 pandemic restrictions occurs. Until this time, the facility remains out of compliance.

**REPRESENTATIVE(S):** Kimily Taylor, Administrator

- F. Nursing Homes Residents – Voters List.
- G. Revisit-Approved Interpretative Guidelines regarding the COVID-19 Crisis waivers in effect until the June 3, 2020 Board meeting.
- H. CST Communication & Swallowing Therapies, Knoxville #295 –Unacceptable Plan of Correction #3 was submitted on July 31, 2019 for licensure. A plan of correction (POC) #4 is required and must be submitted by May 22, 2020. Failure to submit a POC will result in referral to the Board according to State of Tennessee T.C.A. §68-11-213(k)(1) & (2) and a representative must appear before the Board. As of today’s date no POC or communication has been received from this facility.

**REPRESENTATIVE(S):** Jennifer Mize, Administrator

- I. THCA-COVID-19 Discussion.
- J. Carriage Court of Memphis, Memphis #61 (ACLF) – Request to Lift Probation.

**REPRESENTATIVE(S):** Chris Puri, Attorney

- K. The Terrace at Mountain Creek, Chattanooga #257 (ACLF) – Request to Lift Probation.

**REPRESENTATIVE(S):** Chris Puri, Attorney

- L. Approval of the Joint Annual Report on the Status of Children’s Emergency Care Alliance of Tennessee (CECA TN) 2020.

**REPRESENTATIVE(S):** Natasha Kurth, Executive Director  
Children’s Emergency Care Alliance of Tennessee (CECA TN)

**VII. APPROVAL OF MINUTES.**

- A. February 5, 2020 – Board Meeting
- B. March 13, 2020 – Emergency Telephonic Board Meeting
- C. April 1, 2020 – Emergency Called Telephonic Board Meeting

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

**A. SPECIAL CONSIDERATION**

1. **(INITIALS)**
  - (a) **Home Medical Equipment**  
CCS Medical, Knoxville

**B. RATIFICATION.**

1. **QUALIFYING APPLICATIONS (Approval)**

**(INITIALS)**

- (a) **Ambulatory Surgical Treatment Centers**  
Meadowview ASC, LLC, Kingsport
- (b) **Assisted Care Living Facility**  
Clarendale at Bellevue Place, Nashville  
The Lantern at Morning Pointe Alzheimer's Center, Spring Hill  
Tradition of Mill Creek, Brentwood
- (c) **End Stage Renal Dialysis Clinics**  
Pure Life Renal of Cool Springs, LLC, Brentwood
- (d) **Home Medical Equipment**  
CCS Medical, Knoxville  
Otto Bock Orthopedic Services, LLC, Mt. Juliet
- (e) **Hospice Services**  
Goshen Hospice and Palliative Care, Memphis
- (f) **Professional Support Services**  
BetterLives, LLC, Knoxville  
Providence Care, Inc., Nashville

2. **(CHOWS)**

- (a) **Assisted Care Living Facility**  
Maple Court, Powell  
Raintree Terrace, Knoxville
- (b) **Hospitals**  
Perry Community Hospital, Linden

**IX. LICENSE STATUS UPDATES.**

**CONTINUOUS CARE SERVICES, LLC, HERMITAGE (HHA-48)**

This home health agency has structural damage to their office due to the tornado that happened on March 3, 2020. This agency is unable to work in their current location and is working diligently to find another space to move into soon as possible and will notify the



department when a location is found. Continuous Care Services, LLC is functioning as usual and patients are being seen and phones have been forwarded and answered appropriately.

**EAGLE CREST ASSISTED LIVING, CHATTANOOGA (ACLF #318)**

This sixteen (16) bed assisted living was involved in a tornado. All residents were evacuated to Majestic Manor in Rock Spring, GA temporarily. The facility is back open and the residents have returned back to the facility May 4, 2020.

**MERITAN, INC., MEMPHIS (PSS #329)**

This Professional Support Services Agency is not providing any nursing or therapy services to DIDD clients since July 23, 2019. Meritan Inc. has closed their agency effective May 5, 2020.

**UNITY MEDICAL CENTER, MANCHESTER (HOSP #17)**

This forty-nine (49) hospital bed facility is seeking to reopen an existing 4 bed ICU. This original unit was opened in 1999 but was eventually converted to a sleep lab. In reviewing current ICU requirements in the FGI Guidelines for Design and Construction of Health Care Facilities Unity were alerted to the need for a waiver on the following: (1) Request waiver for minimum square footage of critical care room - A2.2-2.6.2.2. \*In renovation rooms must have a minimum clear floor area of 150 square feet; (2) Request waiver for minimum clearances. A2.2-2.6.2.2 \*Clearances-all adult critical care patient rooms shall have the following minimum clearances: 1 foot from head or bed to wall, 5 feet from the foot of bed to the wall, 5 feet on the transfer side, and 4 feet on the non-transfer side; (3) Request waiver for janitorial/EVS room-A2.2-2.6.8.14. \*An environmental services room shall be provided that meets the requirements in section 2.1-2.8.14; (4) Request waiver for clean supply area-A2.2-2.6.8.11. \*A clean supply room shall be provided in each critical care unit; (5) Request waiver for minimum 13 foot headwall width - A2.2-2.6.2.2. \*Each critical care patient room shall have a minimum headwall width of 13 feet; (6) Request waiver for dedicated staff lounge on ICU-A2.2-2.6.9.1 \*Staff lounge facilities shall be provided in or adjacent to the critical care area. The facility is not ready to present at this time due to the happening of COVID-19 and requests to move to the October agenda.

**\*FACILITY CLOSURES**

See attachment.

**X. BOARD POLICY CONSENTS.**

**A. THE FOLLOWING NURSING HOMES ARE REQUESTING TO WAIVE NURSING HOME REGULATIONS 1200-08-06-.04(1) FOR A TENNESSEE LICENSED NURSING HOME ADMINISTRATOR UNTIL A PERMANENT REPLACEMENT IS HIRED OR RECEIVES HIS/HER LICENSE IN TENNESSEE BY BOARD POLICY #81:**

1. Dickson Health and Rehab, Dickson #72  
- Tyler J, Tempest, Temporary Administrator
2. Midtown Center for Health and Rehabilitation, Memphis #255  
- Luanne Porter Comperry, Temporary Administrator

3. Signature HealthCare of South Pittsburg Rehab & Wellness Center, South Pittsburg #176 - Preston Harness, Temporary Administrator
4. Boulevard Terrace Rehabilitation and Nursing Center, Murfreesboro #217  
- Christine Wilson, Temporary Administrator

**B. THE FOLLOWING FACILITIES ARE REQUESTING APPROVAL TO PERMIT A NURSING HOME ADMINISTRATOR TO SERVE AS ADMINISTRATORS BOTH A NURSING HOME AND RESIDENTIAL HOMES FOR AGED AND/OR ASSISTED CARE LIVING FACILITY ACCORDANCE WITH BOARD POLICY #39:**

1. Princeton Transitional Care & Assisted Living, Johnson City (NH-337) & (ACLF-486)  
- Dale Slivka, Administrator

**XI. ORDERS.**

**A. Consent Orders.**

Revised 6/2/2020