



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:** May 25, 2018  
**To:** Shelley Walker, Director of Communication and Media Relations  
**From:** Wanda E. Hines, Board Administrator

**Name of Board or Committee:** Board for Licensing Health Care Facilities Board Meeting  
**(Call-in Number: 1-888-757-2790 passcode: 152602#)**

**Date of Meeting:** June 6, 2018  
**Time:** 9:00 a.m.  
**Place:** Iris Conference Room  
665 Mainstream Drive, First Floor  
Nashville, TN 37243  
**Major Item(s) on Agenda:** See attachment.

**LINK TO LIVE VIDEO STREAM:**

**June 6, 2018**

**<https://web.nowuseeit.tn.gov/Mediasite/Play/7be546b140ad4690a4ddcc4d575de18a1d>**

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.

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**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*

**BOARD FOR LICENSING HEALTH CARE FACILITIES**

**JUNE 6, 2018**

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

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

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- 1. CALL THE MEETING TO ORDER AND ESTABLISH A QUORUM.**
- 2. REPORTS.**
  - A. EMS REPORT** – Robert Seesholtz
  - B. NURSE AIDE REPORT** – Wanda King
  - C. OFFICE OF GENERAL COUNSEL REPORT** – Caroline Tippens
- 3. RULEMAKING HEARING**-Notice of Rulemaking Hearings can be viewed online at:  
[http://publications.tnsosfiles.com/rules\\_filings/04-11-18.pdf](http://publications.tnsosfiles.com/rules_filings/04-11-18.pdf)
  - A.** 1200-08-01 Standards for Hospitals  
1200-08-01 -.05 Admissions, Discharges and Transfers  
  
1200-08-10 Standards for Ambulatory Surgical Treatment  
1200-08-.10-.06 Basic Services  
  
1200-08-29 Standards for Home Care Organizations Providing Home Medical  
Equipment  
1200-08-29-.01 Definitions  
1200-08-29-.06 Basic Agency Functions  
1200-08-29-11 Records and Reports  
  
1200-08-34 Standards for Home Care Organizations Providing Professional Support  
Services  
1200-08-34-.02 Licensing Procedures

**4. BOARD APPROVAL FOR THE FOLLOWING INTERPRETATIVE GUIDELINES**

- A. Interpretative Guidelines- Use of ‘Physician’ Term – ACLF 1200-08-25-.08(5)(a)(b) & 1200-08-25-.08(9)(a).

**5. LICENSE STATUS REQUESTS.**

**NASHVILLE METRO CARE & REHABILITATION CENTER, NASHVILLE**

This one hundred eleven (111) bed skilled nursing home facility is seeking to place their license on inactive status for a period of two (2) years.

**REPRESENTATIVE(S):**

**SISKIN HOSPITAL’S SUBACUTE REHABILITATION PROGRAM, CHATTANOOGA**

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

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

**MEMORIAL/MISSION OUTPATIENT SURGERY CENTER, CHATTANOOGA**

This ambulatory surgical treatment center is requesting a third extension waiver for their license to remain on inactive status. Leadership of Memorial/Mission continues to explore various options for reactivating the facility’s license. Continuation of inactive status will allow opportunity to fully evaluate the circumstances under which it may be reactivated. This facility’s license was placed on inactive status on May 6, 2015 for twelve (12) months; an extension waiver was granted on May 5, 2016 for additional twelve (12) months; and a second extension waiver was granted on June 7, 2017 which expires June 2018.

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

**CHRISTIAN CARE CENTER OF MEDINA, MILAN f/k/a MILAN HEALTH CARE CENTER, MILAN**

This sixty-six (66) nursing home bed facility is requesting an extension waiver for their license to remain on inactive status through June 2019. A certificate of need (CON) application seeking authorization for its relocation and construction of a replacement facility has been filed with Health Services and Development Agency (HSDA). The CON application will be considered at the HSDA meeting on June 27, 2018.

**REPRESENTATIVE(S):** Jerry Taylor, Attorney

**JACKSON PARK CHRISTIAN HOME, NASHVILLE**

This twenty-eight (28) bed nursing home facility is seeking its sixth extension of their license to remain on inactive status for an additional twenty-four (24) months to June 2020. This facility ceased operations on February 29, 2012, because the operation of the twenty-eight (28) bed facility was economically unfeasible. Signature continued to evaluate the best options for the licensed facility going forward, and Signature has updated the Board during that period. 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 June 2017; and a fifth extension was granted June 7, 2017 for an additional twelve (12) months which will expire June 2018.

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

**BAPTIST TRINITY HOME CARE-PRIVATE PAY DIVISION, MEMPHIS**

This home health agency is seeking to place their license on inactive status to allow time to consider the potential future operations of the agency. Baptist Trinity has not been requested to provide any patient care in several months and is uncertain if there will be a need for its services in the future.

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

**6. WAIVER REQUESTS.**

**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.**

- (1) Gallatin Center for Rehabilitation and Healing, LLC, Gallatin  
- Carl F. Cottill, Temporary Administrator
  
- (2) Little Creek Sanitarium, Knoxville  
- Bruce Myers, President
  
- (3) Lauderdale Community Living Center, Ripley  
- Thomas Charlese Isaak, Jr., Temporary Administrator

**B. OTHER WAIVER REQUEST(S)**

**SOUTHERN TENNESSEE REGIONAL HEALTH SYSTEM-PULASKI, PULASKI**

This ninety-five (95) bed hospital facility is seeking to waive building code 2.1-2.4.3 which requires a seclusion room for short-term occupancy. Their psychiatric unit is a geriatric unit where they do not use seclusion with this population of patients and never used the dedicated seclusion room since the unit opened in 1996. The intention of this waiver is to use this room to better meet the needs of the population served in the geriatric psychiatric setting.

**REPRESENTATIVE(S):** Jim Edmondson, FACHE, Chief Executive Officer

**STARR REGIONAL MEDICAL CENTER-ETOWAH**

Starr Regional Medical Center, Etowah was approved to allow these beds to be included in their license for a period of two (2) years so they can evaluate long-term plans and options for services provided at this facility. May 2016 Starr received additional two (2) years on these beds to continue. Star Regional Medical Center, Etowah is requesting to ask for an additional two years to continue to be included in their license for an additional period of two years through February 2020.

**REPRESENTATIVE(S):** Kim Harvey Looney, Attorney

**JACKSON-MADISON COUNTY GENERAL HOSPITAL, JACKSON AND TENNOVA HEALTHCARE-REGIONAL HOSPITAL, JACKSON**

Jackson-Madison, Jackson, a 642-bed acute care hospital owned and operated by Jackson-Madison County Hospital District and Tennova Healthcare-Regional Hospital, a 150-bed acute care hospital in Jackson, currently owned by Tennova, a division of Community Health Systems is seeking to become a satellite of Jackson-Madison County General Hospital according to hospital rule 1200-08-01-.01(37)(b) effective June 1, 2018.

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

**VANDERBILT UNIVERSITY MEDICAL CENTER (VUMC), NASHVILLE**

Vanderbilt University Medical Center, Nashville, is requesting an extension waiver to waive certain section of the 2010 Facility Guidelines Institute (FGI) guidelines regarding several rooms variance from the component project of 17-bed observation unit in the 7 South building. Fourteen (14) of the seventeen (17) rooms will be used for inpatients on a temporary basis. VUMC is requesting that the guidelines be waived for an additional two (2) years. A waiver was granted for two (2) years back in May 5, 2016 which will expire in June 2018.

**REPRESENTATIVE(S):** Dan Elrod, Attorney, Butler Snow, Mitch Edgeworth, CEO, Vanderbilt Hospital and Clinics, Ginna Felts, Vice President, Business Development and Jennifer McGugin.

**VANDERBILT UNIVERSITY HOSPITAL, NASHVILLE**

Vanderbilt University Hospital, Nashville, is requesting an extension waiver 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 in two (2) years 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):** Dan Elrod, Attorney, Butler Snow, Mitch Edgeworth, CEO, Vanderbilt Hospital and Clinics, Ginna Felts, Vice President, Business Development and Jennifer McGugin.

**BIG SOUTH FORK MEDICAL CENTER, ONEIDA**

This twenty-five (25) bed facility is seeking to waive Rule 1200-08-01-.06(9)(b) to have a Certified Dietary Manager at this facility. Their certified dietary manager resigned as of April 27, 2018. Regena Kannady, Dietary Employee, will be assuming this role until the position can be filled. They are working diligently to hire a Certified Dietary Manager on or before the date stated above.

**REPRESENTATIVE(S):** Tony Taylor, Chief Executive Officer

**TRI-STAR CENTENNIAL MEDICAL CENTER, NASHVILLE**

This six hundred eighty-six (686) bed hospital including five hundred fifty-four (554) general acute care beds is requesting to increase their general acute care beds count by fifty-five (55) beds. The total licensed bed complement will be 741 upon approval. This request is made pursuant to the Tennessee Health Services and Development Agency statute T.C.A. § 68-11-1607(g). These rooms will be used for acute bed expansion.

**REPRESENTATIVE(S):** Jerry Taylor, Attorney

**THE UNIVERSITY OF TENNESSEE MEDICAL CENTER, KNOXVILLE**

This six hundred twenty-five (625) bed hospital which are general acute care beds is requesting to increase their general acute care beds count by sixty-two (62) beds; 30 beds on 6<sup>th</sup> floor East Tower will be put into service upon approval and additional 32 beds will be put into service upon a build-out of 9<sup>th</sup> floor shell space of Heart Hospital Tower. The total licensed bed complement will be 687 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):** Jerry Taylor, Attorney

**7. DISCUSSION(S).**

A. Department of Justice Initiatives on Elder Abuse.

**REPRESENTATIVE(S):** Caroline Tippens, OGC and AUSA Chris Sabis

B. Legacy Assisted Living and Memory Care, Memphis (ACLF) Progress Report.

**REPRESENTATIVE(S):** Cedric Davis, Administrator, Lisa S. Rivera, Attorney

C. Caring Estates, Arlington (RHA) Progress Report – Order to Appear.

**REPRESENTATIVE(S):** Eshonishunetta Knight, Administrator

D. **MAXIM HEALTHCARE SERVICES, BRENTWOOD**

This home health agency in Tennessee is seeking to revise Home Health Agency Rule 1200-08-26-.06(c) to make a supervisory visit to the patient’s residence at least “once every sixty (60) days, “instead of monthly””. Maxim feels changing the frequency of the supervisory visit from thirty (30) days to sixty (60) days would make the state rule consistent with the applicable and corresponding federal rule, which is codified at 42 CFR § 484.36(d)(3).

**REPRESENTATIVE(S):** Jimmy Nichols, Area Vice President, Operations

E. **BALLAD HEALTH f/k/a MOUNTAIN STATES**

Ballad Health in the process of rolling out their new isolation signs and policies discovered discrepancies in how legacy Wellmont and Mountain States facilities handled trash from isolation rooms. In the past Mountain States has red bagged the PPE from isolation rooms according to Tennessee Department of Health state Rule Hospital Rule 1200-08-01-.10 where Wellmont just placed their PPE trash from isolation rooms in the regular trash which seems to be an acceptable practice throughout the state. Ballad Health is seeking the interpretation of the standard **under Nursing Home 1200-08-01-.10 Infectious Waste and Hazardous Waste.**

**REPRESENTATIVE(S):** Fabiola DeMuth, Communicable and Environmental Diseases and Emergency Preparedness and Jamie Swift, Corporate Director, Infection Prevention

F. CHOW Application/Process for Approval/Denial. – Ann R. Reed

G. **FOX REHABILITATION SERVICES TN, LLC**

Fox Rehabilitation Services, TN, LLC is seeking a determination from the Board to provide outpatient services to Assisted Care Living Facility residents in their own apartment (home) without seeking licensure as a home health agency. Fox is a provider of therapy services in sixteen (16) other states as a private practice provider of therapy services in the home or place of residence of its patients. For the purpose of this determination request, we also noted that all other laws would be complied with as a condition of this request.

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

H. Language Revision for Board Policy #81-Unexpected Loss of Nursing Home Administrator-Nursing Home Rule 1200-08-06-.04(1) – Ann R. Reed

- I. Create a Task Force Joint Commission with Board for Examiners Nursing Home Administrators and Board for Licensing Health Care Facilities.  
– Juanita Honeycutt, Board Chair – BENHA Board
- J. Legislative Update 2018 – Lacy Blair and Patrick Powell, Legislation Liaison

**8. APPROVAL OF MINUTES.**

- A. February 8, 2017 – Board Meeting
- B. October 4, 2017 – Board Meeting
- C. February 7, 2018 – Board Meeting
- D. March 15, 2018 – Emergency Called Disciplinary Hearing
- E. April 3, 2018 – Emergency Called Disciplinary Hearing
- F. April 17, 2018 – Performance Improvement Issue Standing Committee Meeting
- G. April 18, 2018 – Assisted Care Living Facility Standing Committee Meeting
- H. May 7, 2018-Facilities Construction Standing Committee Meeting

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

**A. SPECIAL CONSIDERATION**

**(INITIALS)**

Medline Industries Holdings, LP, Memphis (HME)

**(CHOWS)**

MidSouth Health and Rehab, Memphis #248-Revisit

**B. RATIFICATION.**

**1. QUALIFYING APPLICATIONS (Approval)**

**(INITIALS)**

**(a) Adult Care Home**

Kinser Cottage, Limestone

**(b) Ambulatory Surgical Treatment Centers**

Eye Surgery Center of Knoxville, LLC, Powell

**(c) Assisted Care Living Facility**

BeeHive Homes of Powell, Powell  
The Pinnacle on Schaeffer, Knoxville  
The Reserve at Spring Hill, Spring Hill  
The Village of Murfreesboro, Murfreesboro

**(d) End Stage Renal Disease Facility**

Dialysis Care Center Tipton County, LLC, Covington  
River Oaks Dialysis, Memphis  
Vanderbilt Home Dialysis Clinic, Nashville



(e) **Home Medical Equipment Facility**

Breath of Life Medical, Lebanon  
CHG Solutions, LLC, Chattanooga  
Forward Healthcare, LLC, Lenoir City  
Gordian Medical, Inc., Nashville  
Jensen Little, LLC, Hendersonville  
Neurotech NA, Inc., Nashville  
The Jones Solution, LLC, Nashville  
Trust Home Medical, LLC, Hendersonville

(f) **Outpatient Diagnostic Centers**

Premier Radiology New Salem, Murfreesboro

(g) **Professional Support Services**

Healing Hearts, Inc., Mt. Juliet  
Mobility Rehab, Jamestown

**(CHOWS)**

(a) **Ambulatory Surgical Treatment Center**

Wartburg Surgery Center, LLC, Wartburg

(b) **Home Health Services**

Ascension at Home Saint Thomas, Nashville

(c) **Home Medical Equipment Facility**

DME Care, Nashville  
Hospice Source, LLC, Chattanooga  
National Seating & Mobility, Inc., Chattanooga

(d) **Nursing Homes**

Midtown Center for Health and Rehabilitation, LLC, Memphis

(e) **Residential Home for the Aged**

Loving Arms of Memphis, Inc., Memphis  
Patriot Hills Assisted Living, LLC, Oak Ridge

**10. LICENSE STATUS UPDATES.**

**\*FACILITY CLOSURES**

See attachment.

**11. BOARD POLICY CONSENTS.**

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

Christian Care Center of Memphis, Memphis

**12. ORDERS.**

- A. Consent Orders.**

**13. OTHER BUSINESS.**

- A. OHCF P& P 240 – Facility Plans of Correction (POC)**