



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  
AMENDED**

**Date:** May 6, 2015  
**To:** Woody McMillin, Director of Communication and Media Relations  
**From:** Wanda E. Hines, Board Administrator

**Name of Board or Committee:** Board for Licensing Health Care Facilities  
(Call-in Number: 1-888-757-2790 passcode: 457462#)

**Date of Meeting:** May 6-7, 2015  
**Time:** 9:00 a.m., CDT  
**Place:** Iris Conference Room  
665 Mainstream Drive, First Floor  
Nashville, TN 37243

**Major Item(s) on Agenda:** See attachment.

Link to Live Video Stream:

<https://web.nowuseeit.tn.gov/Mediasite/Play/274263d17f004ff4bc1d7ed0af6675291d>

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*

**AMENDED 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**

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- 1. CALL THE MEETING TO ORDER.**
- 2. ESTABLISH A QUORUM.**
- 3. ESTABLISH A CHAIRMAN FOR MEETING.**
- 4. APPROVAL OF MINUTES. – January 20, 2015 – ACLF Standing Committee Meeting**  
**– January 20, 2015 – PI Issue Standing Committee Meeting**  
**– March 10, 2015 –PI Standing Committee Meeting**  
**– March 24, 2015 – Facilities Construction Standing**  
**Committee Meeting**
- 5. REPORTS**
  - A. EMS REPORT - Robert Seesholtz**
  - B. NURSE AIDE REPORT – Wanda King**
    1. NATCP Pass Rate Improvement Recommendations
    2. Invitation Letter –Nurse Aide Training Program Providers To Appear Before the Board.
  - 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

Coram Alternate Site Services Inc. d/b/a Coram CVS/Specialty Infusion

Services, Shelby-Home Health Agency

In Touch Elder Care, LLC, Knoxville-Home for the Aged Facility

Jensen Medical, Inc., Hendersonville-Home Medical Equipment Facility

New Haven, LLC, Powell-Professional Support Services

NHC Place, Sumner, Gallatin – Assisted Care Living Facility

NHC Place, Sumner, Gallatin-Nursing Home

Premier Health Care, LLC, Bartlett-Professional Support Services

Quail Ridge Alzheimer's Special Care Center, Bartlett-Assisted Care

Living Facility

Satellite Healthcare South Germantown, Memphis-End Stage Renal

Disease Facility

Tanya Gibbs, M.S., CCC-SLP, Antioch-Professional Support Services

**2. (CHOWS)**

Memphis Gastroenterology Endoscopy Center East, Germantown-

Ambulatory Surgical Treatment Center

Scooters Unlimited/Jackson Medical Supply, Jackson-Home Medical

Equipment Facility

**7. DISCUSSION(S).**

**A.** Summary of the Performance Improvement Issue Standing Committee Meeting that was held March 10, 2015. – Ann Rutherford Reed

**B.** Summary of the Assisted Care Living Facility Standing Committee Meeting that was held March 24, 2015 from 10:00 a.m. to 12:00 noon. – Ann Rutherford Reed

**C.** Summary of the Facilities Construction Standing Committee Meeting that was held March 24, 2015 from 1:00 p.m. to 3:00 p.m. – Ann Rutherford Reed

- D. Revisit**-Consider definition/language to explain “Beds” when reference in facility regulation presentation for Board Approval for Interpretative Guideline.  
– Ann Rutherford Reed
- E. 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).  
– Ann Rutherford Reed
- F. 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
- G. Legislative Update** – Jeremy Davis
- H. Consider**-Prime Dialysis LLC Licensure Determination Request, End Stage Dialysis Clinic vs. Home Health Agency.
- I. Friendship Haven Home for the Aged**- Deferral – Ann Rutherford Reed

**8. 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.

**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 1<sup>st</sup> date. Pioneer is required to come back in May to give an update to their status of hiring a Certified Dietary Manager.

**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. On May 5, 2015 Ms. Walsh has informed the Department that she will be seeking to close this facility after returning from vacation on May 15<sup>th</sup> because it has become costly in renewal fees to keep this facility.

9. LICENSE STATUS REQUESTS.

**ASSOCIATES OF MEMORIAL/MISSION OUTPATIENT SURGERY CENTER, LLC, CHATTANOOGA**

This Ambulatory Surgical Center wants to be placed on inactive status for twelve (12) months due to the departure of several physicians. These physicians sold their ownership interests in Memorial/Mission and have since invested in another surgery center. Due to the reduced number of significant low volume of cases the facility is seeking inactive status.

**Representative(s):** Dan H. Elrod, Attorney

**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 HILLS SURGERY CENTER, NASHVILLE**

This ASTC facility is seeking their seventh extension waiver for an additional twelve (12) months for their license to remain on inactive status. The previous physician owners (held 49% ownership) of the facility have divested their interests in the facility. Since the last extension of the inactive status the owner has sought new physician investors so this facility can be reopened. The facility went before the Health Services and Development Agency in February but had their application deferred until their March meeting because the meeting concluded before the facility was heard. In light of the circumstances Southern Hills Surgery Center is diligently seeking another extension.

**Representative(s):** Jerry Taylor, Attorney

10. WAIVER REQUESTS.

- A. **THE FOLLOWING FIVE (5) 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.**

**BROOKWOOD NURSING CENTER, INC., DECATUR**

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

**GOLDEN LIVINGCENTER-SPRINGFIELD, SPRINGFIELD**

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

**SIGNATURE HEALTHCARE OF GREENEVILLE, GREENEVILLE**

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

**SIGNATURE HEALTHCARE OF ST. PETER VILLA, MEMPHIS**

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

**WHITEHAVEN COMMUNITY LIVING CENTER, MEMPHIS**

Jerry South, Interim Administrator-Mr. South is acting administrator until a Permanent licensed Tennessee candidate is found.

**Representative(s):** Alan Smith, Regional Director of Operations, Community Eldercare Services

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

**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):** Joe Black, Director

**CUMBERLAND RIVER HOSPITAL, CELINA**

Cumberland River Hospital, Celina is requesting to waive hospital rule 1200-08-01-.01(36)(c) for the definition of a Critical Access Hospital (CAH). In order for this facility to comply with the CAH requirements they will need to reduce their acute bed count from 28 to 25 and also operate a distinct 8 bed geriatric psychiatric unit for a total of 33 beds.

**Representative(s):** Patricia L. Strong, Interim CAO

**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

**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:**

Bradley Healthcare & Rehabilitation Center, Cleveland  
Briarwood Community Living Center, Lexington  
Christian Care Center of Rutherford County, Smyrna  
Dyersburg Nursing and Rehabilitation Inc., Dyersburg  
NHC Place Sumner, Gallatin  
Savannah Health Care and Rehabilitation Inc., Savannah  
Somerville at the Heritage, Brentwood  
Spring City Care & Rehabilitation Center, Spring City  
Whitehaven Community Living Center, Memphis

**B. 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:**

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

**12. CONTESTED CASE HEARING(S)**

**13. SUMMARY SUSPENSION HEARING**

**14. ORDERS.**

**A. Consent Orders**

**B. Orders.**

**15. REGULATION(S).**

**A. BOARD APPROVAL FOR RULEMAKING HEARING.**