



The Tennessee Sunshine Law 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. Open meeting notices can also be accessed at <https://www.tn.gov/hsda/health-care-facilities/hcf-board/hcf-board/meeting-schedule.html>.

**HEALTH FACILITIES COMMISSION  
MEMORANDUM  
FOURTH AMENDED**

**Date:** April 5, 2023

**From:** Wanda E. Hines, Board Administrator

**Name of Board or Committee:** Board for Licensing Health Care Facilities Board & Telephonic Meeting

**Date of Meeting:** April 5, 2023

**Time:** 9:00 a.m., C.D.T.

**Place:** Iris Conference Room  
665 Mainstream Drive, 1<sup>st</sup> Floor  
Nashville, TN 37243

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

**ONE BOARD MEMBER WILL PARTICIPATE BY TELEPHONE**

**Link to Live Video Stream:**

<https://tdh.streamingvideo.tn.gov/Mediasite/Play/43425715d87e451a9f212b0407c493da1d>

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.



**State of Tennessee**

**Health Facilities Commission**

665 Mainstream Drive, 2<sup>nd</sup> Floor, Nashville, TN 37243

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**CONSENT AGENDA  
Iris Conference Room  
665 Mainstream Drive, 1<sup>st</sup> Floor  
Nashville, TN 37243**

**Wednesday, April 5, 2023  
9:00 a.m. CST**

- I. CALL THE MEETING TO ORDER AND ESTABLISH A QUORUM.**
  
- II. LICENSE STATUS REQUESTS.**
  - A. THE WATERS OF ROBERTSON, SPRINGFIELD – NH #216**  
This one hundred and twenty (120) bed skilled nursing home facility is requesting an inactive status extension for six (6) months or until further notice.
  
  - B. SOUTHERN CARE, INC., FRANKLIN – ACLF #7**  
This sixty (60) bed assisted care living facility is requesting an inactive status extension for their license to remain on inactive status for one (1) additional year. The facility is being actively marketed either for sale of the ACLF, or to hire a Licensed Company to run the ACLF.
  
  - C. TPAC CARES, HENDERSONVILLE – ACLF #510**  
This eleven (11) bed assisted care living facility has closed their doors and the residents has been relocated effective March 1, 2023. TPAC Cares is requesting to place their license on inactive status for two (2) years.
  
  - D. OPTIMUM SENIOR LIVING, WHITE BLUFF – ACLF #233**  
This twenty-three (23) bed assisted care living facility has a Change of Ownership (CHOW) application pending. The new owner is requesting an inactive status extension for sixty (60) days while completing renovation of the facility.
  
- III. BOARD POLICY CONSENTS.**
  - A. THE FOLLOWING NURSING HOMES ARE REQUESTING TO WAIVE NURSING HOME REGULATIONS 0720-18-.04(1) FOR A TENNESSEE REPLACEMENT IS HIRED OR RECEIVES HIS/HER LICENSE IN TENNESSEE BY BOARD POLICY #81:**
    - 1. Newport TN Opco, LLC, Newport– NH #34  
- Ella Sue Daugherty, Temporary Nursing Home Administrator



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- B. Board Policy #86 - ACLF Administrator Serving Multiple Location. This policy to facilitate qualified individuals to serves as Assisted Care Living Facility (ACLF) Administrators.
    - 1. **THE RUTHERFORD ASSISTED LIVING, MURFREESBORO – ACLF #213, AND THE RUTHERFORD MEMORY CARE, MURFREESBORO – ACLF #274**  
Ms. Vicky Sims, Executive Director, of The Rutherford Assisted Living, Murfreesboro is seeking a waiver to oversee a second assisted care living facility, The Rutherford Memory Care Murfreesboro. The two buildings are located within walking distance.
  
  - C. Board Policy #89 – Acute Hospital Care at Home Initiative and Tenn. Comp. R. & Regs. 0720-14-.06(3)(m)&(n) [Housekeeping]; 0720-14-.06(4)(a) [Nursing Services]; and 0720-14-.06(9) [Food and Dietetic Services].
    - 1. **BALLARD HEALTH HOSPITALS – BRISTOL REGIONAL MEDICAL CENTER, BRISTOL #131; HOLSTON VALLEY MEDICAL CENTER, KINGSPORT #133; INDIAN PATH COMMUNITY HOSPITAL, KINGPORT #134; AND JOHNSON CITY MEDICAL CENTER, JOHNSON CITY #121.**  
Ballard Health Hospitals is requesting an extension of the waiver permitting its operation of hospital at home be extended through the end of 2024.
- IV. CONSIDERATION AND RATIFICATION OF LICENSURE APPLICATIONS (CHANGE OF OWNERSHIP (CHOWS) AND (INITIALS).**
- B. **RATIFICATION.**
    - 1. **QUALIFYING APPLICATIONS (Approval)**  
(INITIALS)
      - (a) Assisted Care Living Facilities  
Rockbridge Oaks, Chattanooga
      - (b) Home Health Agencies  
Thrive Skilled Pediatric Care, Nashville  
Xodus Provider Services, Inc., Nashville
      - (c) Hospitals  
Patricia Neal Rehabilitation Hospital, Knoxville
      - (d) Home Medical Equipment  
Continuum, LLC, Chattanooga  
Gray Pharmacy, Gray



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- (e) Nursing Homes  
Jefferson Park at White Pine, White Pine
- (f) Outpatient Diagnostic Centers  
University Diagnostic, LLC d/b/a University Diagnostics–Halls,  
Knoxville

2. (CHOWS)

- (a) Assisted Care Living Facilities  
Maristone of Providence, Mount Juliet
- (b) Nursing Homes  
Smyrna Care Center, Smyrna

V. APPROVAL OF MINUTES.

- A. December 15, 2022, Emergency Called Board Meeting
- B. February 1, 2023, Board Meeting

VI. LICENSE STATUS UPDATES.

- A. **VANDERBILT UNIVERSITY MEDICAL CENTER, NASHVILLE – HOSPITAL #27**  
On behalf of Vanderbilt University Medical Center (VUMC), Nashville the following waivers that had been granted the extension of waivers permitting continued use of an observation unit on the first floor until construction in the area is completed and the Phase 2 of 2 renovation of the 1st floor TCU project has been completed. Vanderbilt University Hospital, no longer need this space. VUMC has completed the construction in phases.
- B. **REINSTITUTION OF TRISTAR ASHLAND CITY MEDICAL CENTER, ASHLAND CITY – HOSPITAL #13**  
Placement of TriStar Ashland City Medical Center, License #13, back to active status and recension of request to move this facility to a satellite designation under TriStar Centennial Medical Center, License #136. TriStar Ashland City Medical Center will proceed with seeking designation by CMS as a Rural Emergency Hospital (REH).
- C. **\*FACILITY CLOSURES**  
See attachment.



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**AGENDA**

**Iris Conference Room  
665 Mainstream Drive, 1<sup>st</sup> Floor  
Nashville, TN 37243**

**Wednesday, April 5, 2023**

**9:00 a.m. CDT**

**I. WAIVER REQUESTS.**

**A. CLARENDALE AT BELLEVUE PLACE, NASHVILLE – ACLF #491**

This ninety-three (93) bed ACLF facility is seeking to waive rule 0720-26-.09(18)(b) requiring 80 sq. ft. of space per resident in one-bedroom suite. Clarendale at Bellevue Place is requesting a waiver of this requirement and permission for two (2) of their one (1) bedroom units to accommodate spouses who wish to share one bed.

REPRESENTATIVE(S): Cole Stephen, Compliance Analyst

**B. ROSE OF SHARON’S SENIOR VILLA, CHATTANOOGA – ACLF #292**

This twenty-eight (28) bed ACLF facility is seeking a waiver to have four (4) beds in a bedroom.

REPRESENTATIVE(S): Sharon Kelly, Owner and Cheri Hudgins, Administrator

**C. VANDERBILT UNIVERSITY MEDICAL CENTER, NASHVILLE – HOSPITAL #27**

Vanderbilt University Medical Center is requesting a waiver for the use of an external structure connected to the Vanderbilt University Hospital (VUH) Emergency Department to be used as a waiting area for patients and their families. Based on the current FGI guidelines the following waiver for the space is to waive 2018 FGI guidelines state in Section 2.2.3-3.1.3.4. Public waiting area – There is no toilet in the temporary ED waiting expansion; and the ASHRAE Standard 170-2017 Ventilation of HCF, Table 7.1 Design Parameters state – Hospital Spaces for Emergency Department Public Waiting Area. The temporary waiting area meets the total 12 ACH; however, the area does not meet the minimum outdoor air ventilation requirement. Vanderbilt is seeking a two (2) years waiver until the ED renovation can be completed.

REPRESENTATIVE(S): Travis B. Swearingen, Attorney



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**D. VANDERBILT UNIVERSITY MEDICAL CENTER, NASHVILLE – HOSPITAL #27**

Vanderbilt University Medical Center (VUMC) is requesting a waiver to continue to use one (1) double occupancy inpatient room located in the Medical Center East unit and to continue to use fourteen (14) observation beds located in the VUH 7 South observation unit as inpatient beds. The requested waivers are temporarily required until VUMC can complete a substantial ongoing expansion project at VUH.

REPRESENTATIVE(S): Travis B. Swearingen, Attorney

**E. SISKIN HOSPITAL FOR PHYSICAL REHABILITATION, CHATTANOOGA – HOSPITAL #67**

This eighty-eight (88) bed hospital is requesting an fourth extension request of the temporary addition of twelve (12) IRF beds until April 2024. The extension of the temporary twelve (12) IRF bed addition is to carry them through to the completion of the renovation project for the 5-East Unit and the renovation of the 4-East Unit which will be the last floor for completion.

REPRESENTATIVE(S): Jerry Taylor, Attorney and Matthew A. Gibson, President & CEO

**F. SAINT FRANCIS HOSPITAL-BARTLETT, BARTLETT – HOSPITAL #161**

This one hundred ninety-six (196) bed hospital is requesting a one (1) year extension waiver to continue the temporarily closure of its NICU and OB Services. Saint Francis Hospital-Bartlett has not been able to replace the medical staff necessary to operate these services. Saint Francis Hospital-Bartlett will continue to provide these services at its sister campus, Saint Francis Hospital-Memphis.

REPRESENTATIVE(S): Kim Looney, Attorney

**II. DISCUSSION(S).**

**A.** 4<sup>th</sup> Quarter Report from Vanderbilt University Medical Center #27 regarding services for its Hospital Care at Home Program.

**B. NHC HEALTHCARE, FARRAGUT - NH #363 AND NHC PLACE, CAVETTE HILL – ACLF 488**

Ms. Karla Lane is currently serving as administrator for NHC Healthcare, Farragut (Nursing Home) and NHC Place, Farragut (ACLF) which is attached to the SNF. Ms. Lane is seeking to serve as administrator for a second ACLF - NHC Place, Cavette Hill which is located within walking distance on the same campus.

REPRESENTATIVE(S): Travis B. Swearingen, Attorney



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- C. Debt Collection for Unpaid Civil Monetary Penalties (CMP).
  - D. Activity Director Self-Study Course State Approval.
  - E. Board Policy #88 – Couples Sharing Bedroom Space in ACLF and Tenn. Code R. & Regs. 0720-26-.09(18)(B) [Building Standards].
  - F. Board Policy #90 – End of PHE and Waivers and Interpretative Guidance Granted by the Board to End.
  - G. Revision of the CHOW Application Instructions – Survey Requirements.
  - H. **FOX REHABILITATION SERVICES TN, LLC – DETERMINATION REQUEST.**  
Fox Rehabilitation Services is requesting a determination from the Board to provide outpatient services to Assisted Care Living Facility residents in their own home without seeking licensure as a home health agency.  
  
REPRESENTATIVE(S): Julie Sullivan, Attorney, Greenberg Traurig, LLP
  - I. Change August 16, 2023, Board meeting date. Tennessee host State for the Association of Health Facility Survey Agencies (AHFSA) Annual Conference.
  - J. Board opinion – LLC Membership Interest represented as Corporate Stock.
- III. CONSIDERATION AND RATIFICATION OF LICENSURE APPLICATIONS (CHANGE OF OWNERSHIP (CHOWS) AND (INITIALS)).
- A. SPECIAL CONSIDERATION.
    - 1. (INITIALS)  
N/A
    - 2. (CHOWS)  
N/A
- IV. REPORTS.
- A. **TRAUMA SYSTEM REPORT** – Robert Seesholtz, Trauma System Manager
  - B. **NURSE AIDE REPORT** – Ann Reed, Deputy Director of Licensure and Regulation
  - C. **OFFICE OF LEGAL SERVICES REPORT** – Nathaniel Flinchbaugh, Deputy General Counsel



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V. ORDERS.

A. CONSENT ORDER(S)

B. DIRECTED BY CONSENT ORDER(S)

1. Hickory Hills Alzheimer's Special Care Center, Hendersonville - ACLF #432  
Hickory Hills Alzheimer's Special Care Center or an authorized representative, shall appear in person at the next scheduled Board meeting to explain the facility's process for screening residents for appropriate placement.

REPRESENTATIVE(S): Carl Cottrill, Administrator

VI. ADJOURN.



**HEALTH FACILITIES COMMISSION  
BOARD FOR LICENSING HEALTH CARE FACILITIES  
BOARD MINUTES  
APRIL 5, 2023**

**BOARD FOR LICENSING HEALTH CARE FACILITIES MEMBERS PRESENT**

Dr. Christopher D. Wilson, Chair  
Mr. Louis Caputo  
Dr. Howard Clark  
Dr. Patsy Carihfield  
Mr. Joshua Crisp  
Mr. James Dunn (by telephone 9:40 a.m.-left meeting at 10:20 a.m.)  
Dr. Julie Jeter  
Mr. Tom Marshall (by telephone joined the meeting at 10:20 a.m.)  
Mr. Roger Mynatt  
Dr. Jennifer Tatum-Cranford  
Ms. Gina Throneberry

**BOARD FOR LICENSING HEALTH CARE FACILITIES MEMBERS ABSENT**

Mr. Paul Boyd  
Ms. Patricia Ketterman  
Mr. Bobby Meadows  
Dr. Monica Warhaftig

**HEALTH FACILITIES COMMISSION STAFF**

Caroline Tippens, Director, Licensure and Regulation  
Ann R. Reed, Deputy Director, Licensure and Regulation  
Nathaniel R. Flinchbaugh, Deputy General Counsel  
Jeremy J. Gourley, Senior Associate General Counsel  
Vishan J. Ramcharan, Associate General Counsel  
Jim Christoffersen, General Counsel  
Wanda E. Hines, Board Administrator  
Courtney Lilly, Disciplinary Coordinator  
Ramona Douglas, Administrative Service Assistant 3

**CALL TO ORDER:**

The Board for Licensing Health Care Facilities meeting was called to order at 9:40 a.m. by Dr. Wilson with the following members present: Caputo, Clark, Carihfield, Crisp, Jeter, Mynatt, Tatum-Cranford and Throneberry. Mr. Dunn and Mr. Marshall by telephone.

**CONSENT AGENDA**

**LICENSE STATUS REQUEST(S):**

Ann R. Reed presented the following facilities requesting to place their license on inactive status:

**THE WATERS OF ROBERTSON, SPRINGFIELD – NH #216**

This one hundred and twenty (120) bed skilled nursing home facility is requesting an inactive status extension for six (6) months or until further notice.

**SOUTHERN CARE, INC., FRANKLIN – ACLF #7**

This sixty (60) bed assisted care living facility is requesting an inactive status extension for their license to remain on inactive status for one (1) additional year. The facility is being actively marketed either for sale of the ACLF, or to hire a Licensed Company to run the ACLF.

**TPAC CARES, HENDERSONVILLE – ACLF #510**

This eleven (11) bed assisted care living facility has closed their doors and the residents has been relocated effective March 1, 2023. TPAC Cares is requesting to place their license on inactive status for two (2) years.

**OPTIMUM SENIOR LIVING, WHITE BLUFF – ACLF #233**

This twenty-three (23) bed assisted care living facility has a Change of Ownership (CHOW) application pending. The new owner is requesting an inactive status extension for sixty (60) days while completing renovation of the facility.

**Mr. Mynatt made a motion to grant inactive status for the four (4) listed facilities; Mr. Crisp seconded. The motion was approved.**

**BOARD POLICY CONSENT(S):**

Ms. Reed presented the following three (3) Board Policy Consents requesting for approvals:

**THE FOLLOWING NURSING HOMES ARE REQUESTING TO WAIVE NURSING HOME REGULATIONS 0720-18-.04(1) FOR A TENNESSEE REPLACEMENT IS HIRED OR RECEIVES HIS/HER LICENSE IN TENNESSEE BY BOARD POLICY #81:**

Newport TN Opco, LLC, Newport– NH #34

\*Ella Sue Daugherty, Temporary Nursing Home Administrator

Board Policy #86 - ACLF Administrator Serving Multiple Location. This policy to facilitate qualified individuals to serves as Assisted Care Living Facility (ACLF) Administrators.

**THE RUTHERFORD ASSISTED LIVING, MURFREESBORO – ACLF #213, AND THE RUTHERFORD MEMORY CARE, MURFREESBORO – ACLF #274**

Ms. Vicky Sims, Executive Director, of The Rutherford Assisted Living, Murfreesboro is seeking a waiver to oversee a second assisted care living facility, The Rutherford Memory Care Murfreesboro. The two buildings are located within walking distance.

Board Policy #89 – Acute Hospital Care at Home Initiative and Tenn. Comp. R. & Regs. 0720-14-.06(3)(m)&(n) [Housekeeping]; 0720-14-.06(4)(a) [Nursing Services]; and 0720-14-.06(9) [Food and Dietetic Services].

**BALLARD HEALTH HOSPITALS – BRISTOL REGIONAL MEDICAL CENTER, BRISTOL #131; HOLSTON VALLEY MEDICAL CENTER, KINGSPORT #133; INDIAN PATH COMMUNITY HOSPITAL, KINGPORT #134; AND JOHNSON CITY MEDICAL CENTER, JOHNSON CITY #121.**

Ballard Health Hospitals is requesting an extension of the waiver permitting its operation of hospital at home be extended through the end of 2024.

**Mr. Louis Caputo made a motion to approve the Board Policy Consents for Board Policy #81, Board Policy #86, and Board Policy #89 for the three (3) facilities listed for each; Mr. Mynatt seconded. The motion was approved.**

**CONSIDERATION AND RATIFICATION OF LICENSURE APPLICATION(S)  
(CHANGE OF OWNERSHIP (CHOWS) AND (INITIALS):**

Ms. Reed presented the following applications for ratification:

**(INITIALS)**

Assisted Care Living Facilities  
Rockbridge Oaks, Chattanooga

Home Health Agencies  
Thrive Skilled Pediatric Care, Nashville  
Xodus Provider Services, Inc., Nashville

Hospitals  
Patricia Neal Rehabilitation Hospital, Knoxville

Home Medical Equipment  
Continuum, LLC, Chattanooga  
Gray Pharmacy, Gray

Outpatient Diagnostic Centers  
University Diagnostic, LLC d/b/a University Diagnostics–Halls, Knoxville

**(CHOWS)**

Assisted Care Living Facilities  
Maristone of Providence, Mount Juliet

Nursing Homes  
Smyrna Care Center, Smyrna

**Mr. Crisp made a motion to accept the Initials and CHOW applications for ratification; Ms. Throneberry seconded. The motion was approved. \*\*Jefferson Park at White Pine, White Pine a nursing home was not voted upon for approval for ratification. Mr. Mynatt had to recuse himself and a quorum was not established. This item will be forwarded to the June 6, 2023 board meeting.**

**APPROVAL OF MINUTES:**

Ms. Reed presented the following minutes to the full Board for approval:

December 15, 2022, Emergency Called Board Meeting minutes.  
February 1, 2023, Board Meeting minutes

**Mr. Caputo made a motion to approve the minutes; Mr. Mynatt seconded. The motion was approved.**

## **BOARD AGENDA**

### **LICENSE STATUS REQUEST(S):**

#### **CLARENDALE AT BELLEVUE PLACE, NASHVILLE – ACLF #491**

This ninety-three (93) bed ACLF facility is seeking to waive rule 0720-26-.09(18)(b) requiring 80 sq. ft. of space per resident in one-bedroom suite. Clarendale at Bellevue Place is requesting a waiver of this requirement and permission for two (2) of their one (1) bedroom units to accommodate spouses who wish to share one bed. Representative Mr. Cole Stephen was present. Mr. Caputo asked if this was a situational for a particular resident or is this space being asked to do this way. Mr. Stephen explained there are two married couples who want to stay in this facility and want to occupy these two (2) rooms as a couple. Mr. Parishier stated the two (2) bedrooms after removing the bed out of the living room will allow a couple to reside in the room. **Mr. Mynatt made a motion to approve this request; Mr. Crisp seconded. The motion was approved.** Mr. Caputo inquired does this request require a time limit? Ms. Tippens stated it is up to the Board to make that call. **After further discussion Mr. Caputo amended the request to state these rooms will remain for couples for the duration of their stay; Mr. Mynatt seconded. The motion was approved.**

#### **ROSE OF SHARON'S SENIOR VILLA, CHATTANOOGA – ACLF #292**

This twenty-eight (28) bed ACLF facility is seeking a waiver to allow to have four (4) beds in two (2) large bedrooms. Representatives is Ms. Sharon Kelly, Owner and Ms. Cheri Hudgins, Administrator. Ms. Kelly explained when she purchased this facility in 2001 it was licensed for 28 beds, but a problem has arisen regarding the two (2) large bedrooms that have four (4) residents in each room. She stated she was licensed for 28 beds over 20 years and now it has become a problem. Ms. Kelly stated she has been cited and need to apply for a waiver to continue to have four (4) beds in 2 rooms. Ms. Kelly explained she always had 27 residents anyway because one of the rooms has a little smaller bedroom she only uses for respite care for family who need a resident to stay temporarily while they take vacations. Ms. Kelly stated she pays yearly for insurance for 28 residents even though she only house 27 residents. Ms. Tippens inquired to Ms. Kelly was this building formerly licensed as an institutional residential home for the aged. Ms. Kelly explained when she bought the building it was an institutional residential home for the aged and then it was licensed as a home for the aged. When Choices was implemented Ms. Kelly changed to an assisted care living facility. It was approved by the State. Mr. Parishier, Director of Plans Review stated they did have facility plans, but it was regarding the sprinklered system only in 2001. The rules clearly states that ACLFs can only allow two (2) residents per room. Mr. Crisp inquired if this waiver does not get approved how will this affect the residents. Ms. Kelly stated Rose of Sharon and one other facility only takes the low-income residents and it is a large problem for Choices to place these low income and homeless people in a facility. Mr. Crisp stated with knowledge of this facility being cited for other issues he felt hesitate to approve their request. Dr. Jeter felt she didn't have enough information to act regarding their waiver request. Dr. Wilson suggested to the Board to make a motion to defer this to the next scheduled board meeting to allow Ms. Kelly and Ms. Hudgins have time to provide additional information, pictures, etc. **Mr. Crisp made a motion to defer this waiver request to the June 6, 2023, board meeting; Mr. Caputo seconded. The motion was approved.**

Ms. Tippens requested a 5-minute break for Mr. Dunn to leave the telephone line. Mr. Marshall has joined the meeting by telephone line to maintain a quorum.

#### **VANDERBILT UNIVERSITY MEDICAL CENTER, NASHVILLE – HOSPITAL #27**

Vanderbilt University Medical Center is requesting a waiver for the use of an external structure connected to the Vanderbilt University Hospital (VUH) Emergency Department to be used as a waiting area for

patients and their families. Based on the current FGI guidelines the following waiver for the space is to waive 2018 FGI guidelines state in Section 2.2.3-3.1.3.4. Public waiting area – There is no toilet in the temporary ED waiting expansion; and the ASHRAE Standard 170-2017 Ventilation of HCF, Table 7.1 Design Parameters state – Hospital Spaces for Emergency Department Public Waiting Area. The temporary waiting area meets the total 12 ACH; however, the area does not meet the minimum outdoor air ventilation requirement. Vanderbilt is seeking a two (2) years waiver until the ED renovation can be completed. Representative is Travis B. Swearingen, Attorney. Mr. Swearingen explained to the Board the two (2) waiver requests he is requesting on behalf of Vanderbilt, Mr. Swearingen introduce Dr. Tyler Barrett, Executive Director of Emergency Services to give more in-depth explanation about the space and why this is needed. Dr. Barrett stated this area was created in part due to the social distancing requirement with the pandemic by separating chairs in our main emergency room and as the demand for emergency services across the state is increasing, they were experience more people in our Adult ED. This temporary area is used 2 to 3 weekdays a week and that area is used for patients’ guests, and we defer to this area as the main area has increase with people. This area will be renovated for the continue use for the emergency area. Dr. Wilson inquired about how many people in the main emergency room can occupy this area. Dr. Barrett stated it is around 60 people. Dr. Barrett stated whenever they must open this temporary area there is a Patient Care Guest representative to help the guests regarding getting information about their loved ones or being escorted to the restroom inside the hospital. **Mr. Mynatt made a motion to approve this waiver request for two (2) years; Mr. Crisp seconded. The motion was approved.**

#### **VANDERBILT UNIVERSITY MEDICAL CENTER, NASHVILLE – HOSPITAL #27**

Vanderbilt University Medical Center (VUMC) is requesting a waiver to continue to use one (1) double occupancy inpatient room located in the Medical Center East unit and to continue to use fourteen (14) observation beds located in the VUH 7 South observation unit as inpatient beds. The requested waivers are temporarily required until VUMC can complete a substantial ongoing expansion project at VUH. Observation unit project for the 5-East Unit and the renovation of the 4-East Unit which will be the last floor for completion. Representative is Travis B. Swearingen, Attorney. Mr. Swearingen stated this request is involving beds within Vanderbilt Adult Hospital being utilizing for inpatient beds. One is an observation unit that was approved by the Board twice in 2016 and 2018 to be utilized by inpatient space while Vanderbilt was completing a renovation project. Vanderbilt relinquished this waiver as the renovation was completed in 2020. It was returned to observation use then COVID hit, Board Policy 82 was passed, and Vanderbilt begin to re-utilize this space for inpatient beds. Vanderbilt has done so in the last two (2) years, and they continued to do so into the future. The occupancy at Vanderbilt is very, very high even though the COVID number has come down some in the past few months; they have a long-term plan to increase their capacity to build a building in 2025-2027 to use the first floor to stop the gap to use for inpatient beds. The waiver is for the bathrooms which do not have a sink inside so they will use hand sanitizers and other cleansing products and has soap outside the room where the sink is located. The second request is to use one room to use for a double occupancy room which is used for larger patients and handicapped persons and want to utilize this room. The issue relates to the measurements from the head of the bed and the wall between the space between the head of the bed and the wall requirement. Dr. Stephen Ross stated their new building will be built by 2025 and the observation waiver was formerly the medical intensive care unit. It has plenty of space and the sinks was built according to building standard back in the 1980s it is a great inpatient space. The one room is a large room, and it is a couple of inches short on one side, but the nurses do not find any difficulties taking care of patients in that room. Dr. Wilson asked does this impact the overall of beds increase or keep the overall improvement? Mr. Swearingen explained it would require a temporary increase of licensed beds and if the waiver is approved would require Vanderbilt to submit paperwork and the number of beds will be relinquish from that license. Dr. Wilson asked with the use of the fourteen (14) observation beds have Vanderbilt experience any outbreaks. Dr. Ross stated no they have not experienced any sort of outbreak. **Dr. Jeter made a motion to approve the waiver request; Mr. Crisp seconded. The motion was approved.**

**SISKIN HOSPITAL FOR PHYSICAL REHABILITATION, CHATTANOOGA – HOSPITAL #67**

This eighty-eight (88) bed hospital is requesting a fourth extension request of the temporary addition of twelve (12) IRF beds until April 2024. The extension of the temporary twelve (12) IRF bed addition is to carry them through to the completion of the renovation project for the 5-East Unit and the renovation of the 4-East Unit which will be the last floor for completion. Representative is Jerry Taylor, Attorney and Matthew A. Gibson, President & CEO. Mr. Gibson presented a slide presentation regarding the temporary addition of their hospital. **Mr. Caputo made a motion to approve the extension request of the temporary addition of twelve (12) IRF beds through April 2024; Mr. Mynatt seconded. The motion was approved.**

**SAINT FRANCIS HOSPITAL-BARTLETT, BARTLETT – HOSPITAL #161**

This one hundred ninety-six (196) bed hospital is requesting a one (1) year extension waiver to continue the temporarily closure of its NICU and OB Services. Saint Francis Hospital-Bartlett has not been able to replace the medical staff necessary to operate these services. Saint Francis Hospital-Bartlett will continue to provide these services at its sister campus, Saint Francis Hospital-Memphis. Representative(s): Kim Looney, Attorney. Ms. Looney explained Saint Francis Hospital-Bartlett has continued to have staff problems and their patients has continued to get NICU and OB services at Saint Francis Hospital-Memphis. Saint Francis Hospital-Bartlett would like to keep their option open to potentially reopen this service. **Mr. Mynatt made a motion to grant a one (1) year extension; Ms. Throneberry seconded. The motion was approved.**

**DISCUSSION(S)**

**A. 4<sup>th</sup> Quarter Report from Vanderbilt University Medical Center #27 regarding services for its Hospital Care at Home Program.**

Ms. Reed explained this is a quarterly report from Vanderbilt Hospital Care at Home Program which is information for the Board members and a representative for Vanderbilt is here today if the board members had questions. There were no questions.

**B. NHC HEALTHCARE, FARRAGUT – NH #363 AND NHC PLACE, CAVETTE HILL – ACLF #488**

Ms. Karla Lane is currently serving as administrator for NHC Healthcare, Farragut (Nursing Home) and NHC Place, Farragut (ACLF) which is attached to the SNF. Ms. Lane is seeking to serve as administrator for a second ACLF – NHC Place, Cavette Hill which is located within walking distance on the same campus. The representative is Travis B. Swearingen, Attorney for Ms. Karla Lane who could not come to the meeting. Mr. Swearingen explained Ms. Lane has been at NHC Healthcare since it open as administrator and was over two of these units located in the same building. Ms. Lane's office is in the same building. In 2019, they open NHC Healthcare-Cavette Hill that is located on the same campus just within walking distance from the nursing home and ACLF. They are requesting Ms. Lane to be able to serve the two ACLFs as well as the nursing home. There are separate DONs and ADONs in each building. **Mr. Mynatt made a motion to approve this waiver request; Mr. Caputo seconded the motion. The motion was approved.** Mr. Wilson asked is there a time limited listed and has there been a rule how long this waiver to be in effect. Mr. Swearingen suggested for two (2) years, and they could come back and answer any questions. **Mr. Caputo made a motion to approve this addition to this approved waiver for two (2) years; Mr. Crisp seconded the motion. The motion passes.**

**C. Debt Collection for Unpaid Civil Monetary Penalties (CMP).**

Ms. Reed explained Health Facilities Commission wanted to make the board members aware that with many of the orders that they have seen the Consent Orders, have Civil Monetary Penalties attached to those and so we have instituted and worked with the AG Office to secure and able to

secure the payments from those facilities. Put in place is a letter to notify these individuals if they have not paid and based upon the Consent Order have ratified and not met their timeframes and they will have their penalties moved to the Attorney General's Office for collection under a debt collection process. We wanted to make the board members aware of how that process would be effectuated out upon non-payment of those representing those facilities.

**D. Activity Director Self-Study Course State Approved.**

This is an item that the material was submitted for the long-term care federal guidelines which speaks to the activity director and how it is defined and requisite training what they seem to need. There is one course that is available to individuals in our state that would be seeking an activity director position and there is a need for another, is also an example of one that is desiring to be approved by the state that is outlining what that course study is like. This was brought to the Board to be considered in terms for approval or how would they like to go about having these activity director self-study courses addressed in the future. Ms. Nina Monroe stated THCA provides an in-person course which is 3 to 4 days an 8 hour a day course. Mr. Crisp inquired is this request seeking to have this course be approved by the Board. Ms. Tippens explained it has been some time ago since the department have approved the activity director course. They felt it needed to be brought before the Board to get feedback. Ms. Tippens suggested to table this until the June meeting to give more time to have some discussion with THCA. Mr. Caputo inquired would the Board be approving this individual's course to be acceptable to the State or just supporting Ms. Collette's application. Ms. Reed stated what we're looking for is the State approve an activity director training course long ago, and this is what THCA has provided to see what this course would entail. Mr. Crisp suggested it should go to a standing committee. Ms. Tippens agreed since it has been a long time before the administrative staff has approved this course. **Mr. Crisp made a motion to move this to the Performance Improvement Issue Standing Committee; Mr. Mynatt seconded the motion. The motion was approved.**

**E. Board Policy #88 – Couples Sharing Bedroom Space in ACLF and Tenn. Code R & Regs. 0720-26-.09(18)(b) [Building Standards].**

Ms. Reed referred to a previous request regarding a couple sharing bedroom space in an Assisted Care Living Facility under Tenn. Code R & Regs. 0720-26-.09(18)(b). The proposed board interpretation guidance is seeking approval by the Board for a Board Policy. Mr. Parisher explained because this issue has come before the Board several times, he felt if the Board would create and approve a Board Policy in-house staff can work with the steps and give to the Board to ratified for the final approval. Specific rules and the process would be notified by Ann Reed's division for this waiver request and send to Plan Review to do the leg work and then would bring before the Board. Our biggest concern is the language to referred to married couples or consenting adults. Mr. Mynatt inquired so this specifically relate to an Assisted Living Facilities and more from the social perspective for a definition of couples or is it meeting the fire code as a specific item? Dr. Jeter inquired are we saying couples because like me, and my sister would like to share a bedroom. Dr. Jeter is fine with that, but it could be two consenting adults. Ms. Tippens stated this is the reason this is brought before the Board. Mr. Crisp stated in a practicality in this situation for the residents, plan review will do the leg work in getting this approved. Mr. Puri, Attorney for TCAL stated he felt the language that state the facilities may accommodate a request from two residents request for a room or a suite and mandate the building standards. After further discussion, Mr. Crisp suggested for this item to be sent to the Assisted Care Living Facility Standing Committee for further discussion. Ms. Tippens agreed to his suggestion. **Mr. Crisp made a motion to move this item to the Assisted Care Facility Standing Committee meeting; Mr. Mynatt and Mr. Caputo seconded the motion. The motion was approved.**

**F. Board Policy #90 – End of PHE and Waivers and Interpretative Guidance Granted by the Board to End.**

This is to address the end of the public health emergency and the waivers and interpretative guidelines that had been granted by the Board. This is to end all interpretative guidelines effective May 11, 2023 with exception for the interpretative guidance relating to the Assisted Care Living Facilities rule regarding admission or retention of residents that specifically have COVID-19. It will be extended until February 2024. There is some anticipation that the department will have some work with the Assisted Care Living Standing Committee meeting regarding that rule as it come closer to the 2024 date. Mr. Puri explained TCAL had talked with the department about the expiration and the current interpretative guidelines for Assisted Living that have been maintained under the public health emergency that allows an assisted living facility to admit and retain an individual resident under COVID if they are able to comply with CDC guidance to take care of that individual. Most of the situation the end of the PHE does correspond to the end of it, but people are still having COVID as well as COVID residents in an assisted living. To avoid a situation of massive disruption of individuals living in an assisted living TCAL have asked to extend that period to develop some type of guidance and to look at the rule. TCAL will be proactive and is willing to bring something before 2024 and will work the details. Mr. Crisp inquired Mr. Puri does THCA and TCAL approve the language on the Board Policy #90. Mr. Puri stated they do. **Mr. Crisp made a motion to approve Board Policy #90 language; Dr. Clark seconded the motion. The motion was approved.**

**G. Revision of the CHOW Application Instructions-Survey Requirements.**

The Board approve the applications and the instruction sheet as part of the application the provider complete. It is an Assisted Care Living facility and there is a reference to if a facility has had a survey completed within the previous 15 months and if not, they must have a survey done. Ms. Reed stated since the department was under the longest Executive Order by the Governor to not enter in these facilities and not conduct surveys, the department instituted language of when the last annual survey was conducted and the most current annual survey. Maintaining the complaints piece because complaints are continuing revolving and need to be addressed. For the survey purposes this does not cause facilities that have had more than 15 months elapsing since their last survey will not impacted the change of ownership process. **Mr. Mynatt made a motion to approve; Mr. Caputo seconded the motion. The motion was approved.**

**H. Fox Rehabilitation Services TN, LLC – Determination Request.**

Fox Rehabilitation Services is requesting a determination from the Board to provide outpatient services to Assisted Care Living Facility residents in their own home without seeking licensure as a home health agency. The representative for the facility is Julie Sullivan, Attorney, Greenberg Traurig, LLP. Fox Rehabilitation Services, TN, LLC is a physical therapy, occupational therapy, and speech language pathology provider and is a leader focusing specifically on geriatric patient population therapy needs. Fox is committed to patients to allowing its patients to age in place and it does its best to be accessible, convenient, and safe for patients who may not be homebound but have mobility limitations due to stroke, falls and other elderly chronic health condition. Accordingly, Fox is a model based and most states has a house call model of care. Fox goes into the home to provide their therapy services and in most states, Fox can do this without obtaining a home health agency license. They understand it is not the case in Tennessee. Fox had previously applied for a determination in 2018 of this issue and was ultimately it was determined that Fox must obtain a home health agency license to go into residences within an ACLF to provide those therapies services. Fox kept to their model of leasing designated dwelling space for ACLFs to provide therapy services instead of giving the burden of the CON and the licensing process. Fox is now considering a business model to put in detail a certified OPT provider which is an institute providing type for Medicare enrollment. Since Tennessee does not licensed rehabilitation agencies,



they believe that Medicare Services rehabilitation agencies qualifies as a “another appropriately licensed entity for personally enabling Fox to provide in home therapy services to an ACLF residents pursuant to Tennessee Code Title 68-11-201(4)(c)(i). Fox believe that rehabilitation agency should also be able to provide care at home through Medicare and Medicaid and private residences without further state regulations or licensure as a home health organization. Fox Rehabilitation Services is requesting a determination on these issues. In support of Fox their reasoning Medicare rules and regs explicitly allow therapists to practice which is a part B enrolled type provider and reflect Fox current and certified rehab agencies to provide therapy services in a patient’s home. As the ACLF restriction that set forth Tennessee Code Title 68-11-201(4)(c)(i) at a minimum Medicaid certified rehabilitation agency ought to be considered another appropriately licensed entity to authorized to provide medical services. Ms. Reed explained there was a 2018 letter request from Fox that they were rehab agency, and the Board made a motion that they were required to become licensed in Tennessee. Fox did notify the Board that they were not certified by CMS. Ms. Sullivan stated that now Fox is seeking OPT certification for providing these services now. Mr. Flinchbaugh stated that the certification will be OPT/PT to allow them to operate as an individually license because they are licensed individual. Fox is a facility and cannot be individually license. Fox is a facility they are required to obtain a CON before they can become licensed in Tennessee. Mr. Flinchbaugh informed Ms. Sullivan that Tennessee Code Title 68-11-201(4)(c)(i) does require Fox to be state licensed and a CON will be required. Mr. Christoffersen stated that legally this cannot be done. This is not a CON hearing this is a licensure meeting. **Mr. Mynatt made a motion to denied Fox request due to the determination that a licensed is required; Mr. Crisp/Mr. Marshall seconded the motion. The motion was approved.**

**I. Change of August 16, 2023, Board meeting date. Tennessee Host State for the Association of Health Facility Survey Agencies (AHFSA) Annual Conference.**

Ms. Reed gave an explanation that the August 8<sup>th</sup> board meeting date will have to be changed due to a conference that our office is serving as the host. Ms. Tippens has requested if the Board would choose either August 23 or August 30 for a new board date. Mr. Christoffersen stated that the Health Facilities Commission has a meeting scheduled for August 23<sup>rd</sup> so the Board meeting date cannot be on that day. Ms. Tippens stated it must be on the August 30<sup>th</sup>. **Mr. Crisp made a motion to approve the Board meeting date will be August 30<sup>th</sup>; Mr. Caputo seconded the motion. The motion was approved.**

**J. Board Opinion – LLC Membership Interest represented as Corporate Stock.**

Need the opinion of the Board to LLC Membership Interest being represented as corporate stock in changes of ownership that the department may be presented. Mr. Flinchbaugh gave a background that legal had questions from an attorney. He stated in his review of the rules what is required it looks similar it looks like a stock transfer but there is not explicit in the rules. This language for this facility type so the LLC, so obviously legal will be doing rules new language will be added. Mr. Flinchbaugh felt this is equivalent to a stock transfer so there is no change in the corporate operation itself. There are no partners being replaced it is simply transferring ownership interest. He doesn’t view this as a CHOW however it has happened once before this board, the board didn’t opine but the board didn’t issue any corporate interpretative guidance, so he felt he didn’t won’t to proceed without the board viewing the answers that was provided by the attorney and then make some type of determination. Mr. Flinchbaugh explained that basically the language will be added in the rules in the coming months. **Mr. Crisp made a motion that a CHOW application is not required for a transfer for ownership; Dr Tatum-Cranford seconded the motion. The motion was approved.**

**REPORT(S)**

**A. TRAUMA SYSTEM REPORT**

Mr. Robert Seesholtz, Trauma System Manager reported on three (3) trauma centers that went under the American College of Verification and the Trauma Care Advisory Council membership reappointments, however, one of the members of this Board may have to recuse themselves which will not be a quorum so Mr. Seesholtz will be more than happy to address this at the June meeting if appropriate. At the October 4-5 2022 American College of Surgeons conducted a re-verification site visit of the University of Tennessee Medical Centers – Level 1 Trauma Program. No deficiencies were cited by the ACS. On December 1-2, 2022 the American College of Surgeons conducted a re-verification site visit of Skyline Medical Center – Level 2 Trauma Program. No deficiencies were cited by the ACS. Due to the recusal of a board member, a quorum cannot be established, and Stonecrest Medical Center cannot be heard at today’s meeting. The current copy of the Trauma Care Advisory Council membership and Mr. Seesholtz respectfully ask the Board to this accept and granted approval for University of Tennessee Medical Center and Skyline Medical Center state designations for the current levels as well as the reappointment of current membership of the Trauma Care Advisory Council. Mr. Christoffersen stated he felt that the Board shouldn’t vote on Skyline Medical Center due to Mr. Caputo’s employment with HCAs System. Dr. Wilson suggested to vote on University of Tennessee Medical Center as a stand alone and move the Trauma Care Advisory Council and Skyline Medical Center to the June 6, 2023 Board meeting. **Mr. Mynatt made a motion to approve the University of Tennessee Medical Center; Dr Tatum-Cranford seconded. The motion is approved. Dr. Wilson asks the board if they would approve moving the Trauma Care Advisory Council and Skyline Medical Center and the board members approved unanimously.**

**B. NURSE AIDE REPORT**

Ms. Reed, Deputy Director of Licensure and Regulations stated the report is there to review. No action was needed.

**C. OFFICE OF LEGAL SERVICES REPORT**

Mr. Nathaniel Flinchbaugh, Deputy General Counsel presented his report. There are 47 open cases. There are seven (7) consent orders will be presented by Mr. Ramcharan and Mr. Gourley. Mr. Flinchbaugh wanted to inform the Board that the REH permanent rules has been a rulemaking hearing schedule for the next board meeting for June 6<sup>th</sup> and he will also have a policy for temporarily keeping that REH designation in place until the permanent rules go into effect will take place because there will be gap between your emergency rules that will expire June 5 2023. This will allow if that final language for the permanent rules in place legal can use that to make a policy and then that will stay in place until the permanent rules will go into effect. Mr. Flinchbaugh informed the board members they have talked with the AG Office stated they will have to start the rule process and legal will be breaking the 900 pages packet that is being prepared by the Department of Health into each individual facility type in the coming months the board will see several rule packets of rulemaking hearings and they are going to be smaller and more manageable. Hopefully they can get those moving and quickly in place.

## **CONSENT ORDERS**

**Heritage Assisted Living Home for the Aged, Knoxville – RHA #288** – Facility failure to submit an acceptable Plan of Correction within ten (10) days of the Board order. Respondent's license is placed on probation for a period of twelve (12) months, beginning on the date of Board approval of this order. Respondent's Administrator shall appear in person at each scheduled meeting of the Board for Licensing Health Care Facilities held during the facility's probationary period to provide updates to the Board. **Mr. Mynatt made a motion to approve this Order, Dr. Clark seconded. The motion was approved.**

**Springfield Heights Assisted Living Facility, Springfield – ACLF #240** – Facility failed to verify all residents was accounted for resulted a resident was locked out from the facility for ten (10) hours. The Respondent or authorized representative shall appear in person at the first Board meeting following final Board approval of this order to explain the circumstances surrounding the violations cited. Respondent is assessed one (1) civil monetary penalty of four thousand dollars (\$4,000). The CMP issued for violation identified in paragraph twelve (12). Respondent is assessed one (1) Civil Monetary Penalty in the amount of four thousand dollars (\$4,000). The CMP is issued for the violation identified in paragraph thirteen (13). Payment must be submitted within thirty (30) calendar days of the effective date of the order. **Mr. Mynatt made a motion to approve this Order, Mr. Crisp seconded. The motion was approved.**

**American House Hendersonville, Hendersonville f/k/a Elmcroft of Hendersonville – ACLF #123** – A survey was done at this facility and was cited for a dirty kitchen on October 3, 2022. The facility has been cited before for having a dirty kitchen. Respondent is assessed one (1) civil monetary penalty of three thousand dollars (\$3,000.00) for deficiency cited on October 3, 2022. Payment must be submitted within thirty (30) calendar days of the effective date of the order. **Mr. Crisp made a motion to approve this Order, Mr. Mynatt seconded. The motion was approved.**

**Belvedere Commons of Franklin, Franklin – ACLF #157** – This facility was cited twice the first case was dating back in May 2022 for failure to provide care and safety and in October 2022 was cited for failure to review and provide care plans for residents. Respondent is assessed one (1) civil monetary penalty of one thousand dollars (\$1,000) for May 2022 and assessed another one thousand dollars (\$1,000) for October 11, 2022. The combined total amount of all civil monetary penalties is two thousand dollars (\$2,000.00). Payment must be submitted within thirty (30) calendar days of the effective date of the order. **Mr. Crisp made a motion to approve this Order, Mr. Clark seconded. The motion was approved.**

**Creekside At Three Rivers, Murfreesboro – ACLF #308** – This facility was cited from old case of September 2020 for failure to provide patient protection care and a plan of care deficiency. Respondent is assessed one (1) civil monetary penalty in the amount of five hundred dollars (\$500.00). This CMP was issued for the deficiency cite on September 23, 2021. Respondent is assessed one (1) civil monetary penalty in the amount of five hundred dollars (\$500.00) for the CMP issued for the deficiency cited September 23, 2021. The combined total amount of all civil monetary penalties is one thousand dollars (\$1,000.00). Payment must be submitted within thirty (30) calendar days of the effective date of the order. **Mr. Crisp made a motion to approve this Order, Mr. Mynatt seconded. The motion was approved.**

**Keystone Senior Community Assisted Care Living Facility, Lawrenceburg – ACLF #295** – This facility was cited a CMP in September 2021 for failure to provide safety and failure to verify all residents was accounted for resulted an elopement. No written assessment was signed and dated upon admission to the facility. No documentation that a written assessment was completed by direct care staff within seventy-two (72) hours of admission to the facility. The resident care plan was not updated following elopement. Respondent is assessed one (1) civil monetary penalty in the amount of two-thousand dollars (\$1,500.00) for the deficiency to provide safety. One (1) civil monetary penalty for two thousand dollars (\$1,000.00)

for failure to maintain whereabouts of a resident. One (1) civil monetary penalty in the amount of five hundred dollars (\$250.00) for failure to complete written assessment in seventy-two (72) hours of resident's admission and one (1) civil monetary penalty in the amount of five hundred dollars (\$250.00) for failure to complete a plan of care within five days (5) of the resident's admission to the facility. The combined total amount of all civil monetary penalties is three thousand dollars (\$3,000.00). Payment must be submitted within thirty (30) calendar days of the effective date of the order. **Mr. Crisp made a motion to approve this Order, Mr. Mynatt seconded. The motion was approved.**

**Navion BKE Bellevue, LLC, Nashville – ACLF #196** – This facility was cited a CMP in November 2022 for an inappropriate place resident and cited to fail to maintain proper medical records. Respondent was assessed one (1) civil monetary penalty in the amount of three thousand dollars (\$3,000.00) for the deficiency cited on November 1, 2022. One (1) civil monetary penalty in the amount of one thousand dollars (\$1,000.00) also for deficiency cited November 1 2022. The combined total amount of all civil monetary penalties is four thousand dollars (\$4,000.00). Payment must be submitted within thirty (30) calendar days of the effective date of the order. **Mr. Crisp made a motion to approve this Order, Mr. Clark seconded. The motion approved.**

#### **DIRECTED BY CONSENT ORDER(S)**

#### **Hickory Hills Alzheimer's Special Care Center, Hendersonville – ACLF #432**

Mr. Carl Cottrill, Administrator for Hickory Hills Alzheimer's Special Care Center was requested to report to the Board meeting according to the Board order. Mr. Cottrill was not present at the board meeting. Ms. Tippens stated it is a violation of the Board order because no representative was present to give a report so this order will go back to Case Review for legal action. No motion was necessary from the Board.

#### **LICENSE STATUS UPDATES**

Ms. Reed alerted the Board before we conclude the meeting. There were three items that we did not entertain trying to get through important items with the board issue with a quorum. Ms. Reed asked the Board to look at the License Status Update just to let the Board be aware.

#### **Vanderbilt University Medical Center, Nashville – Hospital #27**

Vanderbilt University Medical Center (VUMC), Nashville the following waivers that had been granted the extension of waivers permitting continued use of an observation unit on the first floor until construction in that area was completed and the Phase 2 of 2 renovation of the 1st floor TCU project has been completed. Vanderbilt University Hospital, no longer in need of this space. VUMC has completed the construction in those phases.

#### **Reinstitution of TriStar Ashland City Medical Center, Ashland City – Hospital #13**

Placement of TriStar Ashland City Medical Center, License #13, back to active status and remove the request to move this facility to a satellite designation under TriStar Centennial Medical Center, License #136. TriStar Ashland City Medical Center will proceed with seeking designation by CMS as a Rural Emergency Hospital (REH). This will be the first rural hospital we are planning to see in our state.

#### **FACILITY CLOSURES**

Ms. Reed states the facility closures report details the activity of the facilities including voluntary closures and expiration of licenses during the last quarter for the Board.

Dr. Wilson thanks everyone for their hard work and with no other business he adjourned the meeting.