



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
SECOND AMENDED**

Date: June 6, 2023

From: Wanda E. Hines, Board Administrator

Name of Board or Committee: Health Facilities Commission
Board for Licensing Health Care Facilities
Rulemaking Hearing, Emergency Rulemaking Hearing, and
Board Meeting.

Date of Meeting: June 6, 2023

Time: 9:00 AM., C.D.T.

Place: 665 Mainstream Drive, Iris Conference Room, 1st Floor,
Nashville, TN 37243

Major Item(s) on Agenda: See attachment.

In the event that a physical quorum cannot be achieved, participation by electronic means may be achieved by using the following link:

Microsoft Teams meeting

Join on your computer, mobile app or room device

[Click here to join the meeting](#)

Meeting ID: 248 687 667 69

Passcode: NX5F5D

[Download Teams](#) | [Join on the web](#)

Join with a video conferencing device

stateoftn@m.webex.com

Video Conference ID: 115 660 433 7

[Alternate VTC instructions](#)

Or call in (audio only)

[+1 629-209-4396](tel:+16292094396),665447018# United States, Nashville

Phone Conference ID: 665 447 018#

[Find a local number](#) | [Reset PIN](#)

Link to Live Video Stream:

June 6, 2023

<https://tdh.streamingvideo.tn.gov/Mediasite/Play/ee5623d33a93474eb5b0460bd0773eac1d>

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.

PH-1850 (Rev. 3/79)

RDA N/A



LOGAN GRANT
EXECUTIVE DIRECTOR

CAROLINE TIPPENS
DIRECTOR, LICENSURE & REGULATION

*THE MISSION OF THE HEALTH FACILITIES COMMISSION IS TO
PROMOTE ACCESS TO QUALITY, COST-EFFECTIVE HEALTHCARE IN TENNESSEE*

HEALTH FACILITIES COMMISSION
BOARD FOR LICENSING HEALTH CARE FACILITIES

PUBLIC NOTICE OF RULEMAKING HEARING
EMERGENCY RULEMAKING HEARING
AND BOARD MEETING

JUNE 6, 2023 - 9:00 A.M., C.D.T.

IRIS CONFERENCE ROOM, 1ST FLOOR

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

CONSENT AGENDA

I. CALL THE MEETING TO ORDER AND ESTABLISH A QUORUM.

II. LICENSE STATUS REQUESTS.

A. EYE CARE SURGERY CENTER OF MEMPHIS, MEMPHIS-ASTC #167

This ambulatory surgical treatment center is requesting to place their license on inactive status for one (1) year through June 30, 2024. Eye Care Surgery Center of Memphis performed their last surgery on March 13, 2023 and the facility is closed for the foreseeable future.

B. BERENICE M. SANONE, LAKELAND-PSS #426

This Professional Support Service agency is requesting to place their license on inactive status for one (1) year through June 2024. This agency does not have any patients approved for services.

C. HUMBOLDT NURSING AND REHABILITATION CENTER, HUMBOLDT-NH #87

These one hundred twenty (120) beds skilled nursing home facility is requesting a second extension waiver for their license to remain on inactive status for one (1) additional year. The owner of HNRC plans to continue to pursue sale or re-opening possibilities and needs additional time to complete this process.

- D. **SISKIN HOSPITAL'S SUBACUTE REHABILITATION PROGRAM, CHATTANOOGA-NH #382**
These twenty-nine (29) beds nursing home facility is requesting a sixth inactive status extension waiver for their license to remain on inactive status for an additional one (1) year through June 2024.
- E. **COOKEVILLE REGIONAL MEDICAL CENTER/UPPER CUMBERLAND PHYSICIAN'S SURGERY CENTER, COOKEVILLE-ASTC #155**
Upper Cumberland Physicians Surgery Center is requesting an second extension waiver for their license to remain on inactive status for one (1) additional year through June 2024. Leadership of Cookeville Regional is actively exploring options for new partnership that would result in reactivating the UCPSC license.
- F. **MEMORIAL/MISSION OUTPATIENT SURGERY CENTER, CHATTANOOGA-ASTC #147**
This ambulatory surgical treatment center is requesting an eighth extension waiver to remain on inactive status for an additional one (1) year through June 2024. Memorial/Mission is currently in active discussions with a physician group regarding reopening of this facility and remains optimistic that those conversations will lead to an agreement.
- G. **BAPTIST TRINITY HOME CARE-PRIVATE PAY DIVISION, MEMPHIS-HHA #242**
This home health agency is requesting a fifth extension waiver for their license to remain on inactive status for an additional one (1) year through June 2024. Baptist-Trinity is a home health agency authorized to provide services in Fayette, Hardeman, Haywood, Shelby, and Tipton counties. Inactive status for this license will provide Baptist-Trinity additional time to determine a definitive plan for the continued operation of this service.
- H. **JACKSON PARK CHRISTIAN HOME, NASHVILLE-NH #55**
This twenty-eight (28) bed nursing home facility is requesting its ninth extension waiver for their license to remain on inactive status for an additional twelve (12) months through June 2024. This facility ceases operations because the operation of the beds was economically unfeasible. Signature continues to evaluate the best options for the licensed facility going forward, and Signature has continued to update the Board during that period.
- I. **NASHVILLE METRO CARE & REHABILITATION CENTER, NASHVILLE-NH #47**
This one hundred eleven (111) bed skilled nursing home facility is requesting an additional twelve (12) months extension to remain on inactive status until the next board meeting in June 2024. Attorney John Cheadle, Jr. as receiver for this asset and BOKF as owner is agreeing to the continuation.
- J. **WAYNE COUNTY NURSING HOME, WAYNESBORO-NH #277**
This forty-six (46) bed nursing home is seeking a sixth extension waiver for their license to remain on inactive status for an additional twelve (12) months through June 2024. This facility ceases operations because the operation of the beds was economically unfeasible. This facility continued to evaluate the best option for the licensed facility going forward.
- K. **ST. CLARE HEALTH AND REHAB, LLC, BARTLETT -NH #250**
This forty-eight (48) bed nursing home is requesting to place their license on inactive status effective April 4, 2023 for two (2) years through June 2025. The last resident moved out of the facility on April 3, 2023.

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. Cloria Oak Post-Acute and Rehabilitation Center, Palmyra – NH #192
John E. Norris, Temporary Administrator
2. Briarwood Community Living Center, Lexington – NH #127
Wylee Washington, Temporary Administrator

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
Bailey Manor, Hixson
Brightmore of East Memphis, Memphis
- b. Home Health Agencies
MALC, LLC, Memphis
TwelveStone Infusion Support, Murfreesboro
- c. Hospital
Select Specialty Hospital-West Tennessee, LLC, Jackson
- d. Nursing Homes
Jefferson Park at White Pine, White Pine
- e. Outpatient Diagnostic Center
Covenant Health Diagnostic, LLC, Knoxville

2. (CHOWS)

- a. Assisted Care Living Facilities
The Maristone of Franklin, Franklin
- b. Home for the Aged
The Courtyard Assisted Living, Dayton

V. APPROVAL OF MINUTES.

- A. April 5, 2023 Board Meeting
- B. May 24, 2023 Assisted Care Living Facilities Standing Committee Meeting
- C. May 31, 2023 Performance Improvement Issue Committee Meeting

VI. LICENSE STATUS UPDATES.

A. VANDERBILT WILSON COUNTY HOSPITAL, LEBANON-HOSP #137

Vanderbilt Wilson County Hospital is a 245-bed community hospital with two campuses consisting of a 170 acute care beds main campus and the McFarland satellite campus consisting of 49 psychiatric beds and 26 rehabilitation beds. The McFarland satellite campus will no longer be providing patient care effective June 20, 2023. Wilson County Hospital is requesting to place McFarland facility licensed on inactive status for one (1) year until the June 2024 Board meeting.

B. TRISTAR ASHLAND CITY MEDICAL CENTER HOSPITAL, ASHLAND CITY-HOSP #13

HCA Health Services of Tennessee, Inc., owned and operated TriStar Ashland City Medical Center (ACMC) as a critical access hospital and had requested the Board for Licensing Health Care Facilities to approve the conversion of ACMC into a satellite hospital of TriStar Centennial Medical Center, Nashville that was approved on November 22, 2022. On November 23, 2022 the day after approval CMS published a final rule CMS-1772-FC that established rural emergency hospitals as a new Medicare provider effective January 1, 2023. May 12, 2023 a discussion with ACMC to a REH with Palmetto confirmed eligible to convert to a REH but was asked for ACMC to reinstate its hospital license effective January 1, 2023. Based on Palmetto's guidance ACMC is requesting approval of the reinstatement of ACMC's hospital license #13 effective January 1, 2023 and the complete rescission of the conversion of ACMC to a satellite hospital of Centennial, so ACMC may begin the process of converting to a REH in accordance with the process that have been set forth by CMS and Palmetto.

C. CUMBERLAND RIVER HOMECARE, JAMESTOWN-HHA #135

Destiny Health, LLC the owner of Cumberland River Homecare, is requesting to place their license on inactive status for one (1) year through June 2024. A new operator is expected to a CHOW application to purchase the existing license. This allows the new owner time to reactivate the operations.

D. *FACILITY CLOSURES

See attachment.

VII. RULEMAKING HEARING – 10:00 a.m.

Notice of Rulemaking Hearings can be viewed online at:

https://publications.tnsosfiles.com/rules_filings/03-15-23.pdf

- A. Chapter 0720-14 Standards for Hospitals
 - 0720-14-.01 Definitions
 - 0720-14-.06 Basic Hospital Functions

- B. EMERGENCY RULES - Public Chapter 99 (HB1429/SB925) – Quinlee's Law -Home Medical Equipment Services.

BOARD AGENDA

VIII. WAIVER REQUESTS.

A. **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. This request was deferred from the April 5, 2023 Board meeting.

REPRESENTATIVE(S): Sharon Kelly, Owner

B. **TENNESSEE VALLEY HOME CARE, LLC d/b/a TENNESSEE QUALITY CARE-HOME HEALTH, LEBANON – HHA #221**

Tennessee Quality Care-Home Health (TQC) is seeking a waiver of the 100 mile radius for the location of a branch office from the parent office. The new branch office will be located with the parent office located in Paris. The distance between the branch and parent office is 127 miles.

REPRESENTATIVE(S): Chris, Puri, Attorney

IX. DISCUSSION(S)

A. Approval of the Joint Annual Report on the Status of Children's Emergency Care Alliance of Tennessee (CECA TN) 2023.

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

B. 2023 1st Quarter Performance Report from Vanderbilt University Medical Center #27 regarding services for its Hospital Care at Home Program.

C. Revisit-Discussion of language for Board Policy #88 regarding ACLF Rule 0720-26-.09(18)(B) [Building Standards] – Two (2) persons sharing one (1) bedroom.

D. Revisit-Activity Director Self-Study Course Requirements for Long-Term Care Facilities and Board Policy #92 – Activity Director Program Requirements.

E. **Heritage Assisted Living Home for the Aged, Knoxville – RHA #288**

Heritage Assisted Living Home for the Aged or an authorized representative, shall appear before in-person at each scheduled Board meeting held during the facility probationary period (12 months), to provide updates to the Board.

REPRESENTATIVE(S): Barry Hall, President

F. **Springfield Heights Assisted Living Facility, Springfield – ACLF #240**

Springfield Heights Assisted Living Facility or an authorized representative, shall appear in-person at the first scheduled Board meeting following final Board approval of this order to explain the circumstances surrounding the violations cited safety when in the ACLF and daily awareness of individual's whereabouts.

REPRESENTATIVE(S): Cecilia Smith, Regional Director of Operations

- G. **Village of Murfreesboro, Murfreesboro – ACLF #498**
Village of Murfreesboro or an authorized representative, shall appear in-person at the June 6, 2023 Board meeting regarding the Respondent's failure to respond to requests for Plans of Correction.

REPRESENTATIVE(S): Susan Hall, Executive Director

- H. **Cades Center, Inc., Jackson – ACLF #350**
Cades Center, Inc., or an authorized representative, shall appear in-person at the June 6, 2023 Board meeting. Cades Center have fulfilled all requirements and discuss the lift of their probationary status.

REPRESENTATIVE(S): Linda Burton, Owner

- I. Home Medical Equipment Application Revision.
- J. Board Policy #91 – Rural Emergency Hospital Designation.
- K. Board Policy #93 – CHOW Requirement for Limited Liability Company (LLC).

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

A. **SPECIAL CONSIDERATION.**

- 1. **(INITIALS)**
N/A
- 2. **(CHOWS)**
N/A

XI. **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

XII. **ORDERS.**

- A. **CONSENT ORDER(S)**

XIII. **LEGISLATIVE UPDATE 2023** – Katie Thomas, Senior Policy Advisor

XIV. **ADJOURN.**

**HEALTH FACILITIES COMMISSION
BOARD FOR LICENSING HEALTH CARE FACILITIES
BOARD MINUTES
JUNE 6, 2023**

BOARD FOR LICENSING HEALTH CARE FACILITIES MEMBERS PRESENT

Dr. Christopher Wilson, Chairman
Mr. Paul Boyd
Mr. Louis Caputo
Mr. James Dunn
Dr. Julie Jeter
Mr. Tom Marshall
Mr. Bobby Meadows
Mr. Roger Mynatt
Ms. Gina Throneberry
Dr. Monica Warhaftig

BOARD FOR LICENSING HEALTH CARE FACILITIES MEMBERS ABSENT

Dr. Howard Daniel Clark
Dr. Patsy Critchfield
Mr. Joshua Crisp
Dr. Patricia Ketterman
Dr. Jennifer Tatum-Cranford

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 9:12 a.m. by Dr. Wilson with the following members present: Boyd, Caputo, Dunn, Jeter, Marshall, Meadows, Mynatt, Throneberry, Warhaftig. A roll call vote was taken. A quorum was established with ten members being present.

NOTICE OF PUBLIC RULEMAKING HEARING

Announcement of availability to sign up to make public comments and sign-in sheet.

LICENSE STATUS REQUEST(S):

EYE CARE SURGERY CENTER OF MEMPHIS, MEMPHIS-ASTC #167

This ambulatory surgical treatment center requested to place their license on inactive status for one (1) year through June 30, 2024. Eye Care Surgery Center of Memphis performed their last surgery on March 13, 2023, and the facility is closed for the foreseeable future.

BERNICE M. SANONE, LAKELAND- PSS #426

This Professional Support Services agency requested to place their license on inactive status for one (1) year through June 2024. This agency does not have any patients approved for services.

HUMBOLDT NURSING AND REHABILITATION CENTER, HUMBOLDT- NH #87

These one hundred twenty (120) beds skilled nursing home facility requested a second extension waiver for their license to remain on inactive status for one (1) additional year. The owner of HNRC plans to continue to pursue sale or re-opening possibilities and needs additional time to complete this process.

SISKIN HOSPITAL'S SUBACUTE REHABILITATION PROGRAM, CHATTANOOGA – NH #382

This twenty-nine (29) beds nursing home facility requested a sixth inactive status extension waiver for their license to remain on inactive status for an additional one (1) year through June 2024.

COOKEVILLE REGIONAL MEDICAL CENTER/UPPER CUMBERLAND PHYSICIAN'S SURGERY CENTER, COOKEVILLE – ASTC #155

Upper Cumberland Physicians Surgery Center requested a second extension waiver for their license to remain on inactive status for one (1) additional year through June 2024. Leadership of Cookeville Regional is actively exploring options for new partnership that would result in reactivating the UCPSC license.

MEMORIAL/MISSION OUTPATIENT SURGERY CENTER, CHATTANOOGA – ASTC #147

This ambulatory surgical treatment center requested an eighth extension waiver to remain on inactive status for an additional one (1) year through June 2024. Memorial/Mission is currently in active discussions with a physician group regarding reopening of this facility and remains optimistic that those conversations will lead to an agreement.

BAPTIST TRINITY HOME CARE-PRIVATE PAY DIVISION, MEMPHIS -HHA #242 This home health agency requested a fifth extension waiver for their license to remain on inactive status for an additional one (1) year through June 2024. Baptist-Trinity is a home health agency authorized to provide services in Fayette, Hardeman, Haywood, Shelby, and Tipton counties. Inactive status for this license will provide Baptist-Trinity additional time to determine a definitive plan for the continued operation of this service.

JACKSON PARK CHRISTIAN HOME, NASHVILLE -NH #55

This twenty-eight (28) beds nursing home facility requested a ninth extension waiver for their license to remain on inactive status for an additional twelve (12) months through June 2024. This facility ceases operations because of the operation of the beds was economically unfeasible. Signature continues to evaluate the best options for the licensed facility going forward, and Signature has continued to update the Board during that period.

NASHVILLE METRO CARE & REHABILITATION CENTER, NASHVILLE -NH #47

This one hundred eleven (111) beds skilled nursing home facility requested an additional twelve (12) months extension for their license to remain on inactive status until the next board meeting in June 2024. Attorney, John Cheadle, Jr. as receiver for this asset and BOKF as owner is agreeing to the continuation.

WAYNE COUNTY NURSING HOME, WAYNESBORO -NH #277

This forty-six (46) beds nursing home requested a sixth extension waiver for their license to remain on inactive status for an additional twelve (12) months through June 2024. This facility ceases operations because the operation of the beds was economically unfeasible. This facility continued to evaluate the best option for the licensed facility going forward.

ST. CLARE HEALTH AND REHAB, LLC, BARTLETT -NH #250

This forty-eight (48) beds nursing home facility requested to place their license on inactive status effective April 4, 2023, for two (2) years through June 2025. The last resident moved out of the facility on April 3, 2023.

Mr. Mynatt made a motion to grant inactive status for listed facilities; Mr. Marshall seconded. The motion passed unanimously.

BOARD POLICY CONSENT(S):

Ms. Reed presented the following 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:

Cloria Oak Post-Acute and Rehabilitation Center, Palmyra – NH #192

*John E. Norris, Temporary Nursing Home Administrator

Briarwood Community Living Center, Lexington – NH #127

*Wylee Washington, Temporary Nursing Home Administrator

Mr. Mynatt made a motion to approve the board policy consents; Dr. Warhaftig seconded. The motion passed unanimously.

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

Ms. Reed presented the following applications for ratification:

(INITIALS)

ASSISTED CARE LIVING FACILITIES

Bailey Manor, Hixson

Brightmore of East Memphis, Memphis

HOME HEALTH AGENCIES

Malc, LLC, Memphis

Twelvestone Infusion Support, Murfreesboro

HOSPITAL

Select Specialty Hospital-West Tennessee, LLC, Jackson

NURSING HOME

Jefferson Park at White Pine, White Pine – **Mr. Mynatt recused himself and the quorum was lost for this item. This item will be discussed at the next Board meeting.**

OUTPATIENT DIAGNOSTIC CENTER

Covenant Health Diagnostic, LLC, Knoxville

(CHOWS)

ASSISTED CARE LIVING FACILITIES

The Maristone of Franklin, Franklin

HOME FOR THE AGED

The Courtyard Assisted Living, Dayton

Dr. Jeter made a motion to accept the Initials and CHOW applications for ratification; Mr. Meadows seconded. The motion passed unanimously.

APPROVAL OF MINUTES - By-passed until later in the meeting.

BOARD AGENDA

LICENSE STATUS UPDATES

VANDERBILT WILSON COUNTY HOSPITAL, LEBANON -HOSP #137

This hospital is a 245 beds community hospital with two campuses consisting of a 170 acute care beds main campus and the McFarland satellite campus consisting of 49 psychiatric beds and 26 rehabilitation beds. The McFarland satellite campus will no longer be providing patient care effective June 20, 2023. Wilson County Hospital is requesting to place McFarland facility license on inactive status for one (1) year until the June 2024, Board meeting.

TRISTAR ASHLAND CITY MEDICAL CENTER HOSPITAL, ASHLAND CITY -HOSP #13

HCA Health Services of Tennessee, Inc., owned and operated TriStar Ashland City Medical Center (ACMC) as a critical access hospital and requested the Board for Licensing Health Care Facilities to approve the conversion of ACMC into a satellite hospital of TriStar Centennial Medical Center, Nashville that was approved on November 22, 2022. On November 23, 2022, the day after approval, CMS published a final rule CMS-1772-FC that established rural emergency hospitals as a new Medicare provider effective January 1, 2023. May 12, 2023, a discussion with ACMC to a REH with Palmetto confirmed eligible to convert to a REH but was asked for ACMC to reinstate its hospital license effective January 1, 2023. Based on Palmetto’s guidance, ACMC requested approval of the reinstatement of ACMC’s hospital license #13 effective January 1, 2023 and the complete rescission of the conversion of ACMC to a satellite hospital of Centennial, so ACMC may begin the process of converting to a REH in accordance with the process that have been set forth by CMS and Palmetto.

CUMBERLAND RIVER HOMECARE, JAMESTOWN -HHA #135

Destiny Health, LLC the owner of Cumberland River Homecare, requested to place their license on inactive status for one (1) year through June 2024. A new operator is expected to a CHOW application to purchase the existing license. This allows the new owner time to reactivate the operations.

FACILITY CLOSURES

Ms. Reed states the facility closures report details the activity of the facilities including voluntary closures during the last quarter – April 1, 2023 thru May 31, 2023.

RULEMAKING HEARING – This was scheduled for 10:00 a.m. Proceeded with agenda until that time.

WAIVER REQUESTS

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. This request was deferred from the April 5, 2023, Board meeting. Owner, Sharon Kelly was the representative for this facility. There was discussion on how the home and bedrooms were arranged; square footage requirements; furniture requirements; whether having 4 beds in one area would affect fire safety and life safety requirements; disease control with four persons sharing a bedroom space; and whether this facility needed to have a reduced bed capacity from 28 to 26. Changes will be made to set up of facility. Owner will return at the October Board meeting for a status update and Life Safety can provide a survey update at that time. **Mr. Marshall made a motion to approve the reduction the bed count from four persons to a room to three persons to a room. Mr. Meadows seconded. The motion was approved unanimously.**

RULEMAKING HEARING – 10:00 a.m.

- A. **CHAPTER 0720-14 STANDARDS FOR HOSPITALS** – Mr. Flinchbaugh served as the moderator for this hearing. Purpose is to solicit comments on rules proposed by board in order to amend 0720-14-.01 & 0720-14-.06 & add recognition by Board of rural emergency hospital designation & standards for hospitals rule packet. There were no public comments. **Mr. Meadows made a motion to approve the packet; Mr. Dunn seconded. The motion was approved unanimously.**

Mr. Marshall left the room which affect the quorum, so the Chair called for a five (5) minute break. The meeting resumed and a roll call vote was taken to reestablish a quorum. Mr. Marshall stated he hear everything regarding the approval of the Rule Chapter 0720-14 for Hospitals and a roll call vote was taken again for approval of the rule packet. The motion was approved by roll call vote.

- B. **EMERGENCY RULES** - Mr. Flinchbaugh served as the moderator for this hearing. Public Chapter 99 (HB1429/SB925) – Quinlee’s Law – Home Medical Equipment Services. General Assembly has amended statute for Home Medical service providers to no longer require in-state physical location. Discussion about presentation of wall certificate and how it will denote whether provider is in-state or out of state. Discussion of Notice of Intent to Convert to change designation from store front to virtual store required but will strike the deadline date of Dec. 13, 2024, making that a permanent part of the rule and amending application to reflect this change. Discussion of virtual store to abide by survey requirements and allowing Commission staff remote access to their institutions portals to assure compliance with regulations. **Mr. Mr. Meadows made a motion to approve removing the deadline date; Mr. Dunn seconded. The motion was approved unanimously.**

The Rulemaking Hearing concluded at 10:47 a.m.

WAIVER REQUEST (continued)

Ms. Reed continued presented the waiver requests.

TENNESSEE VALLEY HOME CARE, LLC d/b/a TENNESSEE QUALITY CARE- HOME HEALTH, LEBANON – HHA #221

Tennessee Quality Care- Home Health (TQC) was seeking a waiver of the 100-mile radius for the location of a branch office from the parent office. The new branch office will be located with the parent office located in Paris. The branch office and parent office distance are 127 miles. Mr. Chris Puri is the attorney representative for the facility. **Mr. Caputo made a motion to grant the waiver; Mr. Dunn seconded. The motion was approved unanimously.**

DISCUSSION(S)

Approval of Joint Annual Report on the status of Children’s Emergency Care Alliance of Tennessee (CECA TN) 2023. Ms. Natasha Kurth, Executive Director, was the representer. Report from May 2022 to April 2023. **Mr. Caputo made a motion to approve the report to legislation; Mr. Dunn seconded. The motion was passed unanimously.**

2023 1st Quarter Performance Report from Vanderbilt University Medical Center #27 regarding services for its Hospital Care at Home Program. An update on performance for board members information. No vote required.

APPROVAL OF MINUTES

May 24, 2023, Assisted Care Living Facilities Standing Committee Meeting. **Mr. Mynatt made a motion to approve, Mr. Marshall seconded. The motion was approved unanimously.**

DISCUSSION(S)

Revisit - Discussion of language for Board Policy #88 regarding ACLF Rule 0720-26-.09(18)(B) [BUILDING STANDARDS] – Two (2) persons sharing one (1) bedroom. **Mr. Mynatt made a motion to approve the new language, Dr. Warhaftig seconded. The motion passed unanimously.**

APPROVAL OF MINUTES – (continued)

May 31, 2023 Performance Improvement Issue Committee Meeting. Mr. Caputo made a **motion to approve the minutes, Mr. Meadows seconded. The motion was approved.**

DISCUSSION(S) – (continued)

Revisit- Activity Director Self- Study Course Requirements for Long-Term Care Facilities and Board Policy #92 – Activity Director Program Requirements. **Mr. Mynatt made a motion to approve, Dr. Warhaftig seconded. The motion was passed unanimously.**

Heritage Assisted Living Home for the Aged, Knoxville – RHA #288

An authorized representative shall appear in-person at each scheduled Board meeting held during the facility probationary period (12 months), to provide updates to the Board. Barry Hall, President was the representative. An update was provided.

Springfield Heights Assisted Living Facility, Springfield – ACLF #240

An authorized representative shall appear in-person at the first scheduled Board meeting following final Board approval of this order to explain the circumstances surrounding the violations cited, safety when in the ACLF, and daily awareness of individuals' whereabouts. Cecilia Smith, Regional Director of Operations and Mr. Chris Puri, attorney were the representatives. An update was provided.

Village of Murfreesboro, Murfreesboro – ACLF #498

An authorized representative shall appear in-person at the June 6, 2023, Board meeting regarding the Respondent's failure to respond to request for Plans of Corrections. Susan Hall, Executive Director was the representative. An update was provided.

Cades Center, Inc., Jackson – ACLF #350

An authorized representative shall appear in-person at the June 6, 2023, Board meeting. Cades Center fulfilled all requirements and discussed the lift of their probationary status. Linda Burton, Owner was the representative. **Mr. Caputo made a motion to find facility in compliance and lift the probation. Mr. Boyd seconded. The motion was approved unanimously.**

Home Medical Equipment Application Revision

Discussion of two (2) items added to initial application and Change of Ownership (CHOW) application to have physical location in or outside of Tennessee and showing attestation to acknowledge access to secure online portal made available to HFC surveyors necessary to conduct all necessary surveys related to license. **Mr. Mynatt made a motion to approve the changes to the applications, Mr. Marshall seconded. The motion was approved unanimously.**

Board Policy #91 – Rural Emergency Hospital Designation

Discussion of Emergency rules for REH designation expiration. Mr. Flinchbaugh provided approved language. **Mr. Marshall made a motion to approve the language, Mr. Caputo seconded. The motion was approved unanimously.**

Board Policy #93 – CHOW Requirement for Limited Liability Company (LLC)

Addressed during Activity Direction discussion from PI Standing Committee. **Mr. Caputo made a motion to accept Mr. Meadows seconded. The motion was approved unanimously.**

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

There were no Initial or CHOW applications for consideration at this Board meeting.

REPORTS

A. TRAUMA SYSTEM REPORT

Mr. Robert Seesholtz, Trauma System Manger was the presenter. Discussion of current rule revision and how all emergency medicine physicians must take ATLS course at least once and those that are Board certified or Board eligible in a specialty other than emergency medicine must hold current ATLS certification. **This report was approved by the board.**

B. NURSE AIDE REPORT

Ms. Reed presented this report. Provided current totals for certified nurse aides. Report of current pass/fail rates for nurse aides in area of testing and approved nurse aide training programs. Discussion of Abuse Registry and placement.

C. OFFICES OF LEGAL SERVICES REPORT

Mr. Flinchbaugh presented this report. Provided totals on current open cases.

ORDERS

CONSENT ORDER(S)

GALLAWAY HEALTH AND REHAB, GALLAWAY – SNF #77

Assessed one (1) CMP of one thousand five hundred dollars (\$1,500). **Mr. Mynatt made a motion to approve this Order as written, Dr. Warhaftig seconded. The motion was approved unanimously.**

MILLINGTON HEALTHCARE CENTER, MILLINGTON – SNF #316

Assessed one (1) CMP of one thousand five hundred dollars (\$1,500). **Mr. Mynatt made a motion to approve this order as written, Mr. Meadows seconded. The motion was approved unanimously.**

MOUNTAINBROOK ASSISTED LIVING, SEVIERVILLE – ACLF #13

Voluntary surrender of the facility's license #13; assessed one (1) CMP of two-thousand dollars (\$2,000) and two (2) CMPs of five hundred dollars (\$500) each, for a total CMP assessment of three thousand dollars (\$3,000). **The motion was approved unanimously.**

PAM WHITE GROUP HOME and PAM WHITE, INDIVIDUALLY – UNLICENSED FACILITY, SHELBYVILLE

Contingent license Order granted to operate as a Residential Home for the Aged once certain criteria were met. If not met, six (6) CMPs would be assessed at five thousand dollars (\$5,000) each, for a total of thirty-thousand dollars (\$30,000). **Mr. Mynatt made a motion to approve this order as written, Mr. Marshall seconded. The motion was approved unanimously.**

THE RUTHERFORD MEMORY CARE, MURFREESBORO – ACLF #274

Assessed one (1) CMP of three thousand dollars (\$3,000) and one (1) CMP of one thousand five hundred dollars (\$1,500), for a total CMP assessment of four thousand five hundred dollars (\$4,500). **Mr. Marshall made a motion to approve this Order as written, Mr. Boyd seconded. The motion was approved unanimously.**

SOMERBY OF FRANKLIN, FRANKLIN - ACLF #434

License placed on probation for six (6) months. Authorized representative must appear before the Board at the next regularly scheduled Board meeting; assessed two (2) CMPs of one thousand dollars (\$1,000) each and three (3) CMPs of five hundred dollars (\$500) each, for a total CMP assessment of three thousand five hundred dollars (\$3,500). **Mr. Caputo made a motion to approve this order as written, Mr. Dunn seconded. The motion was approved unanimously.**

AVENIR AT KNOXVILLE, FARRAGUT – ACLF #348

Assessed three (3) CMPs at one thousand five hundred dollars (\$1,500) each, for a total CMP assessment of four thousand five hundred dollars (\$4,500). **Mr. Meadows made a motion to approve this order as written, Dr. Warhaftig seconded. The motion was approved unanimously.**

CLOVER HILL SENIOR LIVING, MARYVILLE – ACLF #423

Assessed one (1) CMP of three thousand dollars (\$3,000). **Dr. Warhaftig made a motion to approve this order as written, Mr. Marshall seconded. The motion was approved unanimously.**

J. B. KNOWLES HOME ASSISTED LIVING, NASHVILLE – ACLF #79

Assessed four (4) CMPs at three thousand dollars (\$3,000) each, for a total CMP assessment of twelve thousand dollars (\$12,000). **Mr. Caputo made a motion to approve this order as written, Mr. Meadows seconded. The motion was approved unanimously.**

SUMMIT VIEW OF ROCKY TOP, ROCKY TOP – SNF #3

Respondent must maintain current payment plan with TennCare for nursing home assessment fees. **Mr. Caputo made a motion to approve this order as written, Mr. Marshall seconded. The motion was approved unanimously.**

LEGISLATIVE UPDATE 2023

Katie Thomas, Senior Policy Advisor was the representative. Report of House Bill 952 CON reform working group’s reforming program. Discussion of consolidation of Licensing Health Care Facilities and The Health Facilities Commission as well as reconstruction of a consolidated Board. Discussion of Comptroller’s report of Abuse Registry audits. Discussion of House Bill 1429, Quinlee’s Law.

OTHER BUSINESS

No additional business.

ADJOURNMENT

There being no further business, the meeting was adjourned.