



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.

TENNESSEE DEPARTMENT OF HEALTH

MEMORANDUM

Date: March 12, 2020

To: Shelley Walker, Director of Communications and Media Relations

From: Wanda E. Hines, Board Administrator

Name of Board or Committee: Board for Licensing Health Care Facilities-Emergency
Called Telephonic Board Meeting
(Call-in Number: 1-888-757-2790 passcode: 516730#)

Date of Meeting: March 13, 2020

Time: 10:00 a.m., Central Daylight Time

Place: Conference Room C
665 Mainstream Drive, Second Floor
Nashville, TN 37243

Major Item(s) on Agenda: See Attached Agenda

Board members will be participating by telephone.

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.



LISA PIERCEY, MD, MBA, FAAP
COMMISSIONER

BILL LEE
GOVERNOR

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

AGENDA

**BOARD FOR LICENSING HEALTH CARE FACILITIES
EMERGENCY CALLED TELEPHONIC BOARD MEETING**

MARCH 13, 2020

**CONFERENCE ROOM C, SECOND FLOOR
10:00 a.m., CDT**

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

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1. Call the Meeting to Order and Establish a Quorum.
 2. Develop Board Policy Language Regarding the COVID-19.
 3. Consent Orders.
 4. Disciplinary Hearing/Summary Suspension.
 5. Adjourn.

**MINUTES
BOARD FOR LICENSING HEALTH CARE FACILITIES
EMERGENCY CALLED TELEPHONIC BOARD MEETING
MARCH 13, 2020**

The Board for Licensing Health Care Facilities Emergency Called Telephonic Board Meeting began on March 13, 2020. Mr. Jim Shulman served as chair for this meeting.

A quorum roll call vote was taken:

Mr. Paul Boyd – here
Mr. Robert Breeden – here
Mr. Joshua Crisp – here
Dr. Patricia Ketterman – here
Ms. Carissa Lynch – here
Mr. Roger Mynatt – here
Ms. Susan Peach – here
Dr. Sherry Robbins – here
Mr. Jim Shulman – here
Ms. Gina Throneberry – here
Ms. Janet Williford – here
Mr. Bobby Wood – joined at 10:55am

A quorum was established.

A roll call vote was taken for the ability to hear each participant on the phone:

Mr. Paul Boyd – yes
Mr. Robert Breeden – yes
Mr. Joshua Crisp – yes
Dr. Patricia Ketterman – yes
Ms. Carissa Lynch – yes
Mr. Roger Mynatt – yes
Ms. Susan Peach – yes
Dr. Sherry Robbins – yes
Mr. Jim Shulman – yes
Ms. Gina Throneberry – yes
Ms. Janet Williford – yes
Mr. Bobby Wood – not on telephonic call

Mr. Mynatt made a motion to move forward with an electronic meeting; Ms. Lynch seconded.

A roll call vote was taken:

Mr. Paul Boyd – yes
Mr. Robert Breeden – yes
Mr. Joshua Crisp – yes
Dr. Patricia Ketterman – yes

Ms. Carissa Lynch – yes
Mr. Roger Mynatt – yes
Ms. Susan Peach – yes
Dr. Sherry Robbins – yes
Mr. Jim Shulman – yes
Ms. Gina Throneberry – yes
Ms. Janet Williford – yes
Mr. Bobby Wood – not on telephonic call

The motion was approved.

A roll call vote was taken that the matter being discussed met statutory requirements:

Ms. Peach made a motion; Mr. Mynatt seconded.

A roll call vote was taken:

Mr. Paul Boyd – yes
Mr. Robert Breeden – yes
Mr. Joshua Crisp – yes
Dr. Patricia Ketterman – yes
Ms. Carissa Lynch – yes
Mr. Roger Mynatt – yes
Ms. Susan Peach – yes
Dr. Sherry Robbins – yes
Mr. Jim Shulman – yes
Ms. Gina Throneberry – yes
Ms. Janet Williford – yes
Mr. Bobby Wood – not on telephonic call

The motion was approved.

The first item for discussion was to develop board policy language regarding the COVID-19. Ms. Hughes-Toombs read Board Policy #82 into the record. Ms. Ketterman agreed to extend the policy until the October Board meeting and if the policy is no longer needed by June the policy can be brought before the board to be lifted. **Mr. Shulman made a motion to amend the rule effective until October 7, 2020; Dr. Robbins seconded.**

A roll vote was taken:

Mr. Paul Boyd – yes
Mr. Robert Breeden – yes
Mr. Joshua Crisp – yes
Dr. Patricia Ketterman – yes
Ms. Carissa Lynch – yes
Mr. Roger Mynatt – yes
Ms. Susan Peach – yes
Dr. Sherry Robbins – yes

Mr. Jim Shulman – yes
Ms. Gina Throneberry – yes
Ms. Janet Williford – yes
Mr. Bobby Wood – not on telephonic call

Mr. Boyd made a motion to approve policy #82 as amended; Mr. Mynatt seconded.

A roll vote was taken:

Mr. Paul Boyd – yes
Mr. Robert Breeden – yes
Mr. Joshua Crisp – yes
Dr. Patricia Ketterman – yes
Ms. Carissa Lynch – yes
Mr. Roger Mynatt – yes
Ms. Susan Peach – yes
Dr. Sherry Robbins – yes
Mr. Jim Shulman – yes
Ms. Gina Throneberry – yes
Ms. Janet Williford – yes
Mr. Bobby Wood – not on telephonic call

Ms. Hughes-Toombs presented Board Policy #82 to facilitate treatment and containment of COVID-19. The policy addressed temporary structure use during the COVID-19 pandemic, following CDC guidance, federally certified facilities following CMS guidance, and waivers of certain assisted care living facility (ACLF) and homes for the aged (RHA) communicable disease regulations and ACLF, RHA, traumatic brain injury, adult care home, and HIV supportive living regulations regarding visitation. Ms. Hughes-Toombs announced a correction was needed in paragraph 2 that the word ‘should’ be changed to ‘shall’. **Dr. Robbins made a motion to amend the word ‘should’ to ‘shall’ in paragraph 2; Ms. Ketterman seconded.**

A roll vote was taken:

Mr. Paul Boyd – yes
Mr. Robert Breeden – yes
Mr. Joshua Crisp – yes
Dr. Patricia Ketterman – yes
Ms. Carissa Lynch – yes
Mr. Roger Mynatt – yes
Ms. Susan Peach – yes
Dr. Sherry Robbins – yes
Mr. Jim Shulman – yes
Ms. Gina Throneberry – yes
Ms. Janet Williford – yes
Mr. Bobby Wood – not on telephonic call

The second item on the agenda was a Disciplinary Hearing/Summary Suspension for Legacy Assisted Living. Refer to OGC for the record.

The last item on the agenda was consent orders. Ms. Tippens presented the following:

Heritage Assisted Living – ACLF – A survey conducted resulting in \$2,500 CMP. **Mr. Mynatt made a motion to approve; Mr. Wood seconded.**

A roll call vote was taken:

Mr. Paul Boyd – yes
Mr. Robert Breeden – yes
Mr. Joshua Crisp – yes
Dr. Patricia Ketterman – yes
Ms. Carissa Lynch – yes
Mr. Roger Mynatt – yes
Ms. Susan Peach – yes
Dr. Sherry Robbins – yes
Mr. Jim Shulman – yes
Ms. Gina Throneberry – yes
Ms. Janet Williford – yes
Mr. Bobby Wood – yes

The motion was approved.

Riverdale Assisted Living – ACLF – A survey conducted resulting in \$16,000 CMP, probation and attend Board Meeting in June. **Mr. Mynatt made a motion to approve; Mr. Boyd seconded.**

A roll call vote was taken:

Mr. Paul Boyd – yes
Mr. Robert Breeden – yes
Mr. Joshua Crisp – yes
Dr. Patricia Ketterman – yes
Ms. Carissa Lynch – yes
Mr. Roger Mynatt – yes
Ms. Susan Peach – yes
Dr. Sherry Robbins – yes
Mr. Jim Shulman – yes
Ms. Gina Throneberry – yes
Ms. Janet Williford – yes
Mr. Bobby Wood – yes

The motion was approved.

Schilling Gardens – ACLF – A survey conducted resulting in \$1,000 CMP. **Mr. Mynatt made a motion to approve; Ms. Lynch seconded.**

A roll call vote was taken:

Mr. Paul Boyd – yes
Mr. Robert Breeden – yes
Mr. Joshua Crisp – yes
Dr. Patricia Ketterman – yes
Ms. Carissa Lynch – yes
Mr. Roger Mynatt – yes
Ms. Susan Peach – yes
Dr. Sherry Robbins – yes
Mr. Jim Shulman – yes
Ms. Gina Throneberry – yes
Ms. Janet Williford – yes
Mr. Bobby Wood – yes

The motion was approved.

The Bridge at Hickory Woods – ACLF – Mr. Breeden recused himself. A survey conducted resulting in \$1,000 CMP. **Mr. Mynatt made a motion to approve; Dr. Robbins seconded.**

A roll call vote was taken:

Mr. Paul Boyd – yes
Mr. Robert Breeden – recused
Mr. Joshua Crisp – yes
Dr. Patricia Ketterman – yes
Ms. Carissa Lynch – yes
Mr. Roger Mynatt – yes
Ms. Susan Peach – yes
Dr. Sherry Robbins – yes
Mr. Jim Shulman – yes
Ms. Gina Throneberry – yes
Ms. Janet Williford – yes
Mr. Bobby Wood – yes

The motion was approved. Mr. Breeden rejoined the telephonic meeting.

Maybelle Carter Senior Adult Home – ACLF – Mr. Shulman recused himself and assigned Ms. Williford as chair. A survey conducted resulting in \$500 CMP. **Mr. Mynatt made a motion to approve; Ms. Lynch seconded.**

A roll call vote was taken:

Mr. Paul Boyd – yes
Mr. Robert Breeden – yes
Mr. Joshua Crisp – yes
Dr. Patricia Ketterman – yes
Ms. Carissa Lynch – yes

Mr. Roger Mynatt – yes
Ms. Susan Peach – yes
Dr. Sherry Robbins – yes
Mr. Jim Shulman – recused
Ms. Gina Throneberry – yes
Ms. Janet Williford – yes
Mr. Bobby Wood – yes

The motion was approved. Mr. Shulman rejoined the telephonic meeting.

Whitehaven Assisted Care Living – ACLF – A survey conducted resulting in \$500 CMP. **Mr. Boyd made a motion to approve; Mr. Mynatt seconded.**

A roll call vote was taken:

Mr. Paul Boyd – yes
Mr. Robert Breeden – yes
Mr. Joshua Crisp – yes
Dr. Patricia Ketterman – yes
Ms. Carissa Lynch – yes
Mr. Roger Mynatt – yes
Ms. Susan Peach – yes
Dr. Sherry Robbins – yes
Mr. Jim Shulman – yes
Ms. Gina Throneberry – yes
Ms. Janet Williford – yes
Mr. Bobby Wood – yes

The motion was approved.

Dr. Robbins made a motion to adjourn; Ms. Williford seconded. The meeting was adjourned.