



The Tennessee Open Meetings Act passed by the General Assembly in 1974 requires that meetings of state, city and county government bodies be open to the public and that any such governmental body give adequate public notice of such meeting.

**TENNESSEE DEPARTMENT OF HEALTH
MEMORANDUM
AMENDED**

Date: May 30, 2014
To: Woody McMillin, Director of Communication and Media Relations
From: Wanda E. Hines, Board Administrator

Name of Board or Committee: Board for Licensing Health Care Facilities-Special Meeting-Teleconference
1-888-757-2790 passcode 457462# toll-free

Date of Meeting: June 2, 2014

Time: 1:00 p.m. – 3:30 p.m., CDT

Place: Poplar Conference Room
665 Mainstream Drive, First 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.



JOHN J. DREYZEHNER, MD, MPH
COMMISSIONER

BILL HASLAM
GOVERNOR

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

AGENDA

**BOARD FOR LICENSING HEALTH CARE FACILITIES
SPECIAL CALLED TELEPHONIC CONFERENCE MEETING**

JUNE 2, 2014

1:00 P.M.

POPLAR CONFERENCE ROOM, FIRST FLOOR

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

1. Call the Meeting to Order.
2. Establish a quorum.
3. Board Approval – Interpretative Guidelines.
 - A. Building Standards – Current Code Editions for Rules 1200-08-01-.08; 1200-08-02-.07; 1200-08-06-.08; 1200-08-10-.08; 1200-08-11-.07; 1200-08-15-.08; 1200-08-24-.07; 1200-08-25-.09; 1200-08-28-.08; 1200-08-32-.08; 1200-08-35-.08; and 1200-08-36-.11
 - B. Rule 1200-08-10-.06(1), (o), & (p) – New Federal Standards for Facility Upkeep of Crash Carts.
4. Hearing to consider summary suspension of license of Interim Healthcare Memphis, Memphis.
5. Adjourned.

**MINUTES
BOARD FOR LICENSING HEALTH CARE FACILITIES
JUNE 2, 2014**

The special called telephone conference meeting of the Board for Licensing Health Care Facilities began June 2, 2014.

Mr. Robert Gordon was telephonically present and served as chairman of this meeting. He called the meeting to order and requested roll call of attendance.

Dr. Larry Arnold, Chairman –not here
Ms. Sylvia Burton – not here
Ms. Betsy Cummins – here
Mr. Robert Breeden – here
Mr. Robert Gordon, Chairman Pro Tem – here
Dr. Jennifer Gordon-Maloney – not here
Mr. Joshua Crisp – here
Ms. Janice Hill – here
Ms. Betty Hodge – not here
Dr. Roy King – not here
Ms. Carissa Lynch – here
Ms. Annette Marlar – here (joined late)
Mr. John Marshall – here
Dr. Michael Miller – not here
Mr. David Rhodes - here
Mr. Jim Shulman – here
Mr. Bobby Wood – here

A quorum was established.

Mr. Robert Gordon, Chairman, stated we are to discuss Building Standards, interpretative guidelines, and a summary suspension. Ms. Ann Reed indicated it was required of the Board to establish a necessity of a teleconference meeting. **Mr. John Marshall made a motion it is necessary to conduct the Board meeting via electronic/telephonic means; Mr. Jim Shulman seconded. A roll call vote was taken-**

**Mr. Robert Breeden – yes
Mr. Joshua Crisp – yes
Ms. Betsy Cummins – yes
Mr. Robert Gordon – yes
Ms. Janice Hill – yes
Ms. Carissa Lynch – yes
Ms. Annette Marlar – yes
Mr. John Marshall – yes
Mr. David Rhodes – yes
Mr. Jim Shulman – yes
Mr. Bobby Wood – yes**

The motion was approved.

Ms. Reed directed the Board members to review the interpretative guideline, Building Standards Current Codes. She further stated to the Board language was presented to the full Board at the May 2014 meeting for consideration for rulemaking hearing. The language reflected a change in the building codes to be utilized for consideration and/or plans review which stated in part, '...most current edition as approved by the Board.' At this time, a list of current codes was presented to the Board for approval as the current codes utilized by Health Care Facilities (HCF). In order to move forward with the use of the approved current code list by the Board, an interpretative guideline containing this code list was developed for approval by the Board which will be used by HCF until the new rule language goes through the rulemaking process. **Mr. David Rhodes made a motion to approve the interpretative guideline containing the current building code list approved by the Board; Mr. Bobby Wood seconded. The motion was passed.** A second interpretative guideline was presented to the Board members by Ms. Reed. The interpretative guideline presented was concerning crash cart requirements for Ambulatory Surgical Treatment Centers (ASTC). Ms. Reed stated to the Board rule language was presented at the May Board meeting reflecting a change in the language requirements for equipment and medications on crash cart. The approved language aligns with federal requirements put forth by CMS. Ms. Reed indicated administrative staff has proposed the presented interpretative guideline to use by surveyors and facilities in the interim of the newly approved language by the Board completing the rulemaking process. **Mr. Marshall made a motion to approve the presented interpretative guideline regarding the ASTC crash cart language; Mr. Shulman seconded. The motion was passed.**

Ms. Reed turned the remainder of the meeting over to legal counsel, Kyonzté Hughes-Toombs, for the presentation of the summary suspension of the license for the licensed home health agency, Interim Healthcare located in Memphis, Tennessee. Ms. Hughes-Toombs provided guidance to the Board of the process of a summary suspension. She instructed the Board this was an emergency procedure authorized by law and allows the Board to suspend the license of a facility if the public health, safety, or welfare requires an emergency action on the license. Ms. Hughes-Toombs further instructed the Board that if the Board summarily suspends the license the facility will be notified and an offered an opportunity for an informal hearing before the Board within seven (7) business days. **Mr. Marshall made a motion to summarily suspend as recommended by legal counsel the license of Interim Healthcare, Memphis based upon the evidence presented indicating jeopardy of human life and safety; Mr. Shulman seconded. A roll call vote was taken –**

Mr. Robert Breeden – yes

Mr. Joshua Crisp – yes

Ms. Betsy Cummins – yes

Mr. Robert Gordon – yes

Ms. Janice Hill – yes

Ms. Carissa Lynch – yes

Ms. Annette Marlar – yes

Mr. David Rhodes – yes

Mr. John Marshall – yes

Mr. Jim Shulman – yes

Mr. Bobby Wood – yes

The motion was approved.

The full summary suspension hearing was captured by court reporter on behalf of the Tennessee Department of Health's Office of Legal Counsel.

Mr. Gordon officially called the meeting adjourned.