

**STATE OF TENNESSEE  
BEFORE THE HEALTH FACILITIES COMMISSION**

<b>In The Matter of:</b>	)	
	)	
<b>AHC Bethesda,</b>	)	
<b>Skilled Nursing Facility,</b>	)	
<b>License No. 379,</b>	)	<b>Case No. 2024020281</b>
	)	
<b>Respondent.</b>	)	
	)	
<b>Cookeville, Tennessee</b>	)	

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**CONSENT ORDER**

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This matter came to be heard before the Tennessee Health Facilities Commission (“Commission”), by and through the Office of Legal Services, and AHC Bethesda (“Respondent”) that the Commission adopt this Consent Order, the terms of which have been agreed upon by the parties, as signified by their signatures below.

**I. JURISDICTION**

1. The Commission is empowered to license and regulate hospitals, recuperation centers, nursing homes, homes for the aged, residential HIV supportive living facilities, assisted-care living facilities, home care organizations, residential hospices, birthing centers, prescribed childcare centers, renal dialysis clinics, ambulatory surgical treatment centers, outpatient diagnostic centers, adult care homes, and traumatic brain injury residential homes. T.C.A. § 68-11-202(a)(1).
2. The Commission has the authority to conduct reviews of all facilities licensed under this part in order to determine compliance with fire and life safety code rules as promulgated by the Commission. T.C.A. § 68-11-202(b)(1)(A).

3. “Nursing home” means any institution, place, building or agency represented and held out to the general public for the express or implied purpose of providing care for one (1) or more nonrelated persons who are not acutely ill, but who do require skilled nursing care and related medical services; and “Nursing Home” shall be restricted to facilities providing skilled nursing care and related medical services to individuals, beyond the basic provision of food, shelter and laundry, admitted because of illness, disease or physical infirmity for a period of not less than twenty-four (24) hours per day. T.C.A. § 68-11-201(37)(A)(B).
4. The Commission has the authority to conduct reviews of facilities licensed under this part to determine compliance with fire and life safety code regulations promulgated by the Commission. T.C.A. § 68-11-202(b)(1)(A).
5. The Commission shall conduct on-site inspections and investigations as may be necessary to safeguard and ensure at all times, the public’s health, safety, and welfare. T.C.A. § 68-11-210(c).
6. Upon a finding by the Commission that a nursing home has violated any provision of Tenn. Code Ann. §§ 68-11- 201, et seq., or the rules promulgated pursuant thereto, action may be taken, upon proper notice to the licensee, to impose a civil penalty, deny, suspend, or revoke its license. T.C.A. § 68-11-207.

## **II. STIPULATIONS OF FACT**

7. At all times pertinent hereto, Respondent, AHC Bethesda, 1600 West End Avenue, Suite 2000 Nashville, Tennessee 37203, was licensed by the Commission as a nursing home, having been granted license number 379 on June 15, 2001, which currently has an expiration date of June 15, 2026.

8. On or about May 13, 2024, through May 21, 2024, Commission surveyors conducted complaint surveys at Respondent's facility.
9. Respondent failed to provide an environment that was clean, sanitary, and in good repair.
10. On or about May 15, 2024, fifteen (15) out of forty-eight (48) rooms of the facility were observed to have some combination of dirty walls, black marks, vertical scrapes in sheetrock, and holes in walls. The facility's Nutrition room was observed to have holes behind the door.
11. On or about May 15, 2024, Respondent's Maintenance Director and Administration admitted to the deficiencies above and that repairs should be made to the facility.
12. On or about September 1, 2024, Respondent's Certified Nurse Aide (CNA) "BB" misappropriated three-hundred and fifty dollars (\$350.00) from Resident #7 by withdrawing funds from the Resident's account without permission.
13. On or about March 31, 2024, Resident #12 was caught assaulting Resident #6 by putting their hand up the shirt of Resident #6 repeatedly and touching their leg. Resident #6 was unsuccessful in stopping the assault until Respondent's staff intervened.
14. No documentation was found to show that Respondent's staff separated Resident #12 from Resident #6 or that direct supervision for Resident #12 was initiated.
15. On or about May 15, 2024, Respondent's Director of Nursing confirmed that staff did not intervene as expected for suspected abuse, that Resident #6 was not removed from harm, and the incident was not reported to the Abuse Coordinator.

### **III. STIPULATED GROUNDS FOR DISCIPLINE**

The facts in Section II, *supra*, are sufficient to establish that grounds exist for the discipline of Respondent's nursing home license. Specifically, Respondent has violated the following statutes and/or rules, for which disciplinary action by the Commission is authorized.

16. The facts in paragraphs nine (9) through eleven (11) are sufficient to constitute a violation of Tenn. Comp. R. and Regs. 0720-18-.06(3)(k) [Basic Services], the relevant portion of which reads as follows:

(3) Infection Control.

(k) Space and facilities for housekeeping in each service area. Storage for bulk supplies and equipment shall be located away from patient care areas. The building shall be kept in good repair, clean, sanitary and safe at all times.

17. The facts in paragraphs twelve (12) through fifteen (15) are sufficient to constitute violations of Tenn. Comp. R. and Regs. 0720-18-.12(1)(g) [Resident Rights], the relevant portion of which reads as follows:

(1) The nursing home shall establish and implement written policies and procedures setting forth the rights of residents for the protection and preservation of dignity, individuality and, to the extent medically feasible, independence. Residents and their families or other representatives shall be fully informed, and documentation shall be maintained in the resident's file of the following rights:

- (g) To be free from mental and physical abuse. Should this right be violated, the facility must notify the department within five (5) working days. The Tennessee Department of Human Services, Adult Protective Services shall be notified immediately as required in T.C.A. §71-6-103[.]

#### **IV. STIPULATED DISPOSITION**

For the purpose of avoiding further administrative action with respect to this cause, the Commission and Respondent agree to the following settlement terms:

18. Respondent understands the allegations, charges, and stipulations in this Order. Entry into this Consent Order by the Respondent does not constitute an accord on its part as to the accuracy of the Commission's findings and conclusions drawn therefrom.
19. Respondent understands the rights found in the Code, Rules, and the Uniform Administrative Procedures Act, TENN. CODE ANN. §§ 4-5-101 thru 4-5-404, including the right to a hearing, the right to appear personally and by legal counsel, the right to confront and to cross-examine witnesses who would testify against Respondent, the right to testify and to present evidence on Respondent's own behalf, as well as to the issuance of subpoenas to compel the attendance of witnesses and the production of documents, as well as the right to appeal for judicial review. Respondent voluntarily waives these rights in order to avoid further administrative action.
20. Respondent agrees that presentation of this Order to the Commission and the Commission's consideration of it and all matters divulged during that process shall not constitute unfair disclosure such that the Commission or any of its members become prejudiced requiring their disqualification from hearing this matter should this Order not

be ratified. All matters, admissions, and statements disclosed during the attempted ratification process shall not be used against the Respondent in any subsequent proceeding unless independently entered into evidence or introduced as admissions.

21. Respondent agrees that facsimile/PDF copies of this Order, including facsimile/PDF signatures thereto, shall have the same force and effect as originals.
22. Respondent also agrees that the Commission may issue this Order without further process. If the Commission rejects this Order for any reason, it will be of no force or effect for either party.
23. Respondent agrees that the facility has not received any threats or promises of any kind by the State or any agent or representative thereof, except such as is detailed herein.

#### V. ORDER

**NOW THEREFORE**, Respondent, for the purpose of avoiding further administrative action with respect to this cause, agrees to the following:

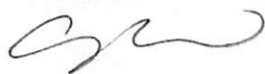
24. Respondent is hereby assessed one (1) Civil Monetary Penalty in the amount of **one thousand five hundred dollars (\$1,500.00)** for a violation of Tenn. Comp. R. and Regs. 0720-18-.12(1)(g) [Resident Rights] for failure to protect residents from abuse and failure to report suspected abuse.
25. The total assessed CMP amount is **one thousand five hundred dollars (\$1,500.00)**.
26. Payment shall be submitted to the following address within thirty (30) calendar days of the effective date of this Order.

**Tennessee Health Facilities Commission  
Attention: Disciplinary Coordinator  
Andrew Jackson Building, 9<sup>th</sup> Floor  
502 Deaderick Street  
Nashville, Tennessee 37243**

**PLEASE DO NOT REMIT PAYMENT UNTIL THE CONSENT ORDER HAS  
BEEN RATIFIED AND APPROVED BY THE COMMISSION**

27. Each condition of discipline herein is a separate and distinct condition. If any condition of this Order, or any application thereof, is declared unenforceable in whole, in part, or to any extent, the remainder of this Order, and all other applications thereof, shall not be affected. Each condition of this Order shall separately be valid and enforceable to the fullest extent permitted by law.

**APPROVED FOR ENTRY:**



\_\_\_\_\_  
Signature of Authorized Representative  
AHC Bethesda  
License No. 379  
Respondent

Christy Tosh Crider  
\_\_\_\_\_  
Printed Name of Authorized Representative

Counsel for AHC Bethesda  
\_\_\_\_\_  
Title of Authorized Representative

\_\_\_\_\_  
Vishan J. Ramcharan (BPR # 034403)  
Senior Associate General Counsel  
Health Facilities Commission  
Office of Legal Services  
Andrew Jackson Building, 9<sup>th</sup> Floor  
502 Deaderick Street  
Nashville, Tennessee 37243  
Office: (615) 741-2364  
Fax: (615) 741-9884  
Email: [Vishan.J.Ramcharan@tn.gov](mailto:Vishan.J.Ramcharan@tn.gov)

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**Approval by the Commission**

Upon the agreement of the parties, and the record as a whole, this **CONSENT ORDER** was approved as a **FINAL ORDER** by a majority of a quorum of the Health Facilities Commission at a public meeting of the Commission and signed this \_\_\_\_\_ day of \_\_\_\_\_, 202\_\_.

**ACCORDINGLY, IT IS ORDERED** that the agreement of the parties does hereby become the Final Order of the Commission.

\_\_\_\_\_  
Chairperson  
Health Facilities Commission

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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of this document has been served upon the Respondent, AHC Bethesda, c/o Administrator, Christy Tosh Crider, Esq., Baker, Donelson, Bearman, Caldwell, and Berkowitz, 1600 West End Avenue, Suite 2000 Nashville, Tennessee 37203. A copy was sent via electronic mail to: [ccrider@bakerdonelson.com](mailto:ccrider@bakerdonelson.com).

This \_\_\_\_\_ day of \_\_\_\_\_, 2026.

\_\_\_\_\_  
Vishan J. Ramcharan  
Senior Associate General Counsel