



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, 1st 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, 2nd Floor, Nashville, TN 37243
www.tn.gov/hsda Phone: 615-741-7221

CONSENT AGENDA
Iris Conference Room
665 Mainstream Drive, 1st 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



State of Tennessee

Health Facilities Commission

665 Mainstream Drive, 2nd Floor, Nashville, TN 37243

www.tn.gov/hsda Phone: 615-741-7221

- 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



State of Tennessee
Health Facilities Commission

665 Mainstream Drive, 2nd Floor, Nashville, TN 37243
www.tn.gov/hsda Phone: 615-741-7221

- (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.



State of Tennessee
Health Facilities Commission

665 Mainstream Drive, 2nd Floor, Nashville, TN 37243
www.tn.gov/hsda Phone: 615-741-7221

AGENDA

Iris Conference Room
665 Mainstream Drive, 1st 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



State of Tennessee
Health Facilities Commission

665 Mainstream Drive, 2nd Floor, Nashville, TN 37243
www.tn.gov/hsda Phone: 615-741-7221

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. 4th 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



State of Tennessee
Health Facilities Commission

665 Mainstream Drive, 2nd Floor, Nashville, TN 37243
www.tn.gov/hsda Phone: 615-741-7221

- 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



State of Tennessee
Health Facilities Commission

665 Mainstream Drive, 2nd Floor, Nashville, TN 37243
www.tn.gov/hsda Phone: 615-741-7221

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.