



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/calendar.html>

**HEALTH FACILITIES COMMISSION
MEMORANDUM
AMENDED**

Date: January 30, 2023

From: Wanda E. Hines, Board Administrator

Name of Board or Committee: Board for Licensing Health Care Facilities Board Meeting

Date of Meeting: February 1, 2023

Time: 9:00 a.m., Central Standard Time

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

Major Item(s) on Agenda: See attachment.

Link to Live Video Stream:

<https://tdh.streamingvideo.tn.gov/Mediasite/Play/67ee192ef56e474db106f01b6c0e830b1d>

PLEASE NOTE: The below Microsoft Team link is listed below in case of inclement weather if in-person attendance is affected due to weather. Please use this link if the meeting cannot occur in-person.

Microsoft Teams meeting

Join on your computer, mobile app or room device

[Click here to join the meeting](#)

Meeting ID: 215 685 234 346

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[+1 629-209-4396](tel:+16292094396),852342395# United States, Nashville

Phone Conference ID: 852 342 395#

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



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, February 1, 2023
9:00 a.m. CST

- I. CALL THE MEETING TO ORDER AND ESTABLISH A QUORUM.
- II. LICENSE STATUS REQUESTS.
 - A. **TPAC CARES, HENDERSONVILLE – ACLF #510**
This eleven (11) bed assisted care living facility is requesting to place their license on inactive status effective March 1, 2023, for two (2) years thru March 1, 2025.
 - B. **SIGNATURE HEALTHCARE AT SAINT FRANCIS, MEMPHIS – NH #254**
This one hundred ninety-seven (197) bed nursing home is requesting a fifth extension for their license to remain on inactive status for an additional one (1) year thru February 2024.
 - C. **SIGNATURE HEALTHCARE AT METHODIST, MEMPHIS (NH #247)**
This forty-four (44) bed nursing home is requesting a fifth extension for their license to remain on inactive status for an additional one (1) year thru February 2024.
 - D. **BAPTIST MEMORIAL-MEMPHIS SKILLED NURSING FACILITY, MEMPHIS (NH #352)**
This thirty-five (35) bed nursing home is requesting a tenth extension for their license to remain on inactive status for an additional twelve (12) months thru February 2024.
 - E. **BAPTIST SKILLED REHABILITATION UNIT-GERMANTOWN, SKILLED NURSING FACILITY (NH #391)**
This eighteen (18) bed nursing home is requesting an eighth extension for their license to remain on inactive status for an additional twelve (12) months thru February 2024.
 - F. **LENOIR CITY TN OPCO, LLC, LENOIR CITY – NH #160**
This one hundred four (104) bed nursing home is requesting a third extension for their license to remain on inactive status for an additional twelve (12) months thru February 2024.



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G. SYCAMORE PLACE ALZHEIMER'S SPECIAL CARE CENTER, MEMPHIS - ACLF #474

This sixty-six (66) bed ACLF is requesting to place its license on inactive status effective January 21, 2023, for one (1) year thru February 2024.

H. LAUREL GLEN AT MEMPHIS ASSISTED LIVING & MEMORY CARE, MEMPHIS - ACLF #61

This one hundred twenty-five (125)- bed ACLF facility is requesting is requesting to place its license on inactive status effective January 21, 2023 for one (1) year thru February 2024.

I. SENIOR SAINTS' HOME, CHATTANOOGA - RHA #84

This seven (7) bed RHA is requesting a sixth extension for their license to remain on inactive status for an additional twelve (12) months thru February 2024.

J. FAMILY MINISTRIES JOHN M. REED CENTER, LIMESTONE - ACLF #4

This forty-four (44) bed ACLF facility is requesting an extension for their license to remain on inactive status for one (1) additional year thru February 2024.

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 Oaks Post-Acute and Rehabilitation Center, Palmyra – NH #192
- Leigh Ann Loney, Temporary Administrator
2. Midtown Center for Health and Rehabilitation, LLC, Memphis – NH #255
- Crystal Shantel Lee-Patterson, Temporary Administrator
3. CLC of Briarwood dba Briarwood Community Living Center – NH #127
- John Campbell, Temporary Administrator

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

B. RATIFICATION.

1. QUALIFYING APPLICATIONS (Approval)

(INITIALS)



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- (a) Ambulatory Surgical Treatment Centers
Encore Surgical Institute, LLC, Cordova
- (b) Assisted Care Living Facilities
The Lantern at Morning Pointe Alzheimer's Center, Powell
- (c) Home Health Agencies
AccentCare Home Health of West Tennessee, LLC, Memphis
Remain at Home Senior Care, LLC, Knoxville
- (d) Home Medical Equipment
Above & Beyond Medical Corporation, LLC, Knoxville
Freedom In Mobility, LLC, Germantown
Jensen Medical, Inc., Hendersonville
- (e) Outpatient Diagnostic Centers
University Diagnostic Northshore, Knoxville
- (f) Professional Support Services
SimplyLove Care, Inc., Nashville
Breakthrough Corporation, Knoxville

2. (CHOWS)

- (a) CHOWS
Harlan Morris Retirement Community, Trenton

V. APPROVAL OF MINUTES.

- A.** June 1, 2022 Board Meeting
- B.** November 22, 2022 Board Meeting
- C.** December 15, 2022 Emergency Called Board Meeting

VI. LICENSE STATUS UPDATES.

A. THE GLENMARY AT EVERGREEN, MEMPHIS – ACLF #314

This fifty-four (54) bed assisted care living facility will not be seeking to reinstate their license and will closed the facility. All residents have been safely transferred to other facilities. The wall license will be return as requested to the Health Facilities Commission office.



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B. JELICO MEDICAL CENTER, INC., JELICO – HOSPITAL #7

This fifty-four (54) bed hospital facility has been surveyed and reactivated their license.

C. *FACILITY CLOSURES

See attachment.



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AGENDA

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

**Wednesday, February 1, 2023
9:00 a.m. CST**

I. LICENSE STATUS REQUESTS.

A. MIGHTY HEARTS HOME CARE, INC., PORTLAND - RHA #465

This twelve (12) bed home for the aged facility placed their license on inactive status on September 17, 2021, and their inactive status expired in October 2022. Per the Board request at the November 22, 2022, board meeting a surveyor was sent to the facility for a survey visit. The surveyor found that the facility was locked and close and no one was at the facility. Cannot locate the owner, Ms. Claire Emesibe.

II. WAIVER REQUESTS.

A. CHI NATIONAL HOME CARE d/b/a CHI MEMORIAL HEALTH AT HOME, CHATTANOOGA - HHA #103

This Home Health Agency is requesting an extension to allow occupational therapy team to open cases for their branch. CHI Memorial Health at Home is seeking to extend their waiver to allow therapists and clinicians to open a case even if nursing is ordered. CMS continues to waive the requirements in 42 CFR § 484.55(a)(2) and §484.55(b)(3) that rehabilitation skilled professional may only perform the initial and comprehensive assessment when only therapy services are ordered.

REPRESENTATIVE(S): David Dunston, M.S.P.T

B. VANDERBILT UNIVERSITY MEDICAL CENTER, NASHVILLE - HOSPITAL #27 - PERMIT ACUTE HOSPITAL CARE AT HOME PROGRAM.

Vanderbilt University Medical Center #27 to request an extension of the waivers and interpretations. Considering that VUMC has successfully implemented its hospital at home program and has timely submitted to the Board the quality metrics that have been adopted by the Board, VUMC requests that the waivers and interpretations be extended until the Board's first meeting in 2025.

REPRESENTATIVE(S): Dan Elrod, Attorney



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C. VANDERBILT UNIVERSITY MEDICAL CENTER (VUMC), (HOSP #27) – EXTENSION OF WAIVERS FOR LIMITED USE OF THE CLASS 2 IMAGING ROOM IN SOUTH TOWER OF MEDICAL CENTER EAST FOR INPATIENTS

Vanderbilt University Medical Center is requesting an extension of the waiver listed above. VUMC requests that the waivers be extended until the first Board meeting in 2024.

REPRESENTATIVE(S): Dan H. Elrod, Attorney

D. FRANKLIN MANOR AN INSPIRIT SENIOR LIVING COMMUNITY, WINCHESTER-ACLF #191

This forty-six (46) 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. Franklin Manor is requesting a waiver of this requirement and permission to offer the following one-bedroom suites as double occupancy: 109, 208, 301, and 302. Their bedroom suites measure a total of 375 sq ft and would be double occupancy for a husband and wife.

REPRESENTATIVE(S): Kim Gulley, Executive Director

III. DISCUSSION(S).

A. 1. Emergency Preparedness.

REPRESENTATIVE(S): Sean J. Kice, Dept of Health and Caroline Tippens, Director, HFC

2. Emergency Preparedness CMP Reinvestment Program.

REPRESENTATIVE(S): Shaquallah Shanks, Director of CMP, HFC

B. Board Policy #89 –2022.12.20 Hospital-at-Home Extension Language.

C. Board Meeting Dates for Year 2023 – Approve the November Board Meeting Proposed Date.

D. Extension of Interpretative Guidelines Until the February 2023 Board meeting.

1. Assisted Care Living Facility rule 0720-26-.08(1)(c) regarding admission or retention of resident with COVID-19.

2. Home Health Agency rule 0720-27-.06(3)(b) regarding evidence of review of plan of care must include physician’s signature.



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3. Home Health Agency rule 0720-27-.06(7)(c) regarding supervisory visit by registered nurse to patient's place of residence at least monthly.
4. Hospice rule 0720-28-.05(3) & (5) regarding written plan of care being established & reviewed by a physician and care or treatment under the supervision of a physician and rule 1200-08-27-.05(9) regarding medication or treatment ordered by physician.
5. Hospice rule 0720-28-.06(11)(b) regarding supervisory visit by registered nurse to patient's place of residence at least monthly.
6. Hospital Rule 0720-14-.01(19) regarding definition of Critical Access Hospital.
7. Hospital Rule 0720-14-.05(23) et al regarding exceeding of licensed bed capacity during an emergency.
8. Nursing Home Rule 0720-18-.05(7) regarding admission in excess of licensed bed capacity.

E. Nurse Aide Testing Waiver.

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

A. SPECIAL CONSIDERATION.

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

V. 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



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VI. ORDERS.

A. CONSENT ORDER(S)

VII. ADJOURN.

**BOARD FOR LICENSING HEALTH CARE FACILITIES
BOARD MEETING
FEBRUARY 1, 2023**

The Board for Licensing Health Care Facilities meeting began on February 1, 2023. Christopher D. Wilson, chair, called the meeting to order.

A quorum roll call vote was taken:

Mr. Christopher D. Wilson, Chair—here
Mr. Paul Boyd – here
Mr. Louis Caputo – here
Dr. Howard Clark- not here
Dr. Patsy Carihfield – not here
Mr. Joshua Crisp – here (arrived at 9:13 am)
Mr. James Dunn - here
Dr. Julie Jeter – here
Ms. Patricia Ketterman – here (arrived at 11:01 am)
Mr. Tom Marshall – not here
Mr. Bobby Meadows – here (arrived at 9:21 am)
Mr. Roger Mynatt – here
Dr. Sherry Robbins – here
Dr. Jennifer Tatum-Cranford- here
Ms. Gina Throneberry – here
Dr. Monica Warhaftig --here

A quorum was established.

CONSENT AGENDA

LICENSE STATUS REQUEST(S):

Ann R. Reed presented the following facilities requesting to place their license on inactive status:

Signature Healthcare at Saint Francis, Memphis (NH #254)

This one hundred ninety-seven (197) bed nursing home requested a fifth extension for their licensure to remain on inactive status for an additional one (1) year through February 2024.

Signature Healthcare at Methodist, Memphis (NH #247)

This forty-four (44) bed nursing home requested a fifth extension for their license to remain on inactive status for an additional one (1) year through February 2024.

Baptist Memorial- Memphis Skilled Nursing Facility, Memphis (NH #35)

This thirty-five (35) bed nursing home requested a tenth extension for their license to remain on inactive status for an additional twelve (12) months through February 2024.

Baptist Skilled Rehabilitation Unit-Germantown, Skilled Nursing Facility (NH #391)

This eighteen (18) bed nursing home requested an eighth extension for their license to remain on inactive status for an additional twelve (12) months through February 2024.

Lenior City TN OPCO, LLC, Lenior City (NH #160)

This one hundred four (104) bed nursing home requested a third extension for their license to remain on inactive status for an additional twelve (12) months through February 2024.

Sycamore Place Alzheimer's Special Care Center, Memphis (ACLF #474)

This sixty-six (66) bed ACLF requested to place its license on inactive status effective January 21, 2023, for one (1) year through February 2024.

Laurel Glen at Memphis Assisted Living & Memory Care, Memphis (ACLF #61)

This one hundred twenty-five (125) bed ACLF facility requested to place its license on inactive status effective January 21, 2023 for one (1) year through February 2024.

Senior Saints' Home, Chattanooga (RHA #84)

This seven (7) bed RHA requested a sixth extension for their license to remain on inactive status for an additional twelve (12) months through February 2024.

Dr. Dunn made a motion to grant inactive status for the listed facilities for one (1) year; Dr. Robbins seconded. The motion was approved.

WAIVER REQUEST(S):

Ms. Reed presented the following nursing homes are requesting to waive nursing home regulation 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)

This facility requested to waive nursing home regulations 0720-18-.04(1) for a Tennessee replacement that is hired or receives his/her license in Tennessee by Board Policy #81. Ms. Leigh Ann Loney serving as temporary administrator.

Midtown Center for Health and Rehabilitation, LLC, Memphis (NH #255)

This facility requested to waive nursing home regulations 0720-18-.04(1) for a Tennessee replacement that is hired or receives his/her license in Tennessee by Board Policy #81. Ms. Crystal Shantel Lee-Patterson, serving as temporary administrator.

CLC of Briarwood dba Briarwood Community Living Center (NH #127)

This facility requested to waive nursing home regulations 0720-18-.04(1) for a Tennessee replacement that is hired or receives his/her license in Tennessee by Board Policy #81. Mr. John Campbell, serving as temporary administrator.

Mountain City Care and Rehabilitation Center, Mountain City (NH #140)

This facility requested to waive nursing home regulations 0720-18-.04(1) for a Tennessee replacement that is hired or receives his/her license in Tennessee by Board Policy #81. Mr. Benjamin Baumgardner, serving as temporary administrator.

Mr. Mynatt made a motion to approve the four (4) listed facilities for one (1) year; Mr. Dunn seconded. The motion was approved.

CONSIDERATION AND RATIFICATION OF LICENSURE APPLICATION(S) (CHANGE OF OWNERSHIP (CHOWS) AND (INITIALS):

Ms. Reed presented the following applications for ratification:

(INITIALS)

Ambulatory Surgical Treatment Centers

Encore Surgical Institute, LLC, Cordova

Assisted Care Living Facilities

The Lantern at Morning Pointe Alzheimer's Center, Powell

Home Health Agencies

AccentCare Home Health of West Tennessee, LLC, Memphis

Remain at Home Senior Care, LLC, Knoxville

Home Medical Equipment

Above & Beyond Medical Corporation, LLC, Knoxville

Freedom in Mobility, LLC, Germantown

Jensen Medical, Inc., Hendersonville

Outpatient Diagnostic Centers

University Diagnostic Northshore, Knoxville

Professional Support Services

SimplyLove Care, Inc., Nashville

Breakthrough Corporation, Knoxville

(CHOWS)

Home for the Aged

Harlan Morris Retirement Community, Trenton

Dr. Warhaftig made a motion to accept the Initials and CHOW applications for ratification; Dr. Jeter seconded. The motion was approved.

APPROVAL OF MINUTES:

Ms. Reed presented the following minutes to the full Board for approval:

June 1, 2022 – Board Meeting

November 22, 2022 – Board Meeting

December 15, 2022 – Emergency Called Board Meeting. This was not completed. Will be voted upon at the April meeting.

Mr. Dunn made a motion to approve the minutes as written; Mr. Caputo seconded. Dr. Wilson abstained. The motion was approved.

LICENSE STATUS UPDATE(S):

The Glenmary at Evergreen, Memphis (ACLF #314)

This fifty-four (54) bed assisted care living facility did not seek to reinstate their license and closed the facility. All residents had been safely transferred to other facilities. The wall license should be returned as requested to the Health Facilities Commission office.

Jellico Medical Center, Inc., Jellico (HOSP #7)

This fifty-four (54) bed hospital had been surveyed and has reactivated their license.

FACILITY CLOSURES

Ms. Reed states the facility closures report details the activity of the facilities in the last three (3) months including voluntary closures. This is an informational piece for the Board.

BOARD AGENDA

LICENSE STATUS REQUEST(S):

Mighty Hearts Home Care, Inc., Portland (RHA #465)

This twelve (12) bed home for the aged facility placed their license on inactive status on September 17, 2021, and their inactive status expired October 2022. Per the Board request at the November 22, 2022, board meeting, a surveyor was sent to the facility for a survey visit. The surveyor found that the facility was locked and closed, and no one was at the facility. The owner, Ms. Claire Emesibe, could not be located. A call for representation was made and no representative for this facility was present. **Dr. Wilson stated since no representative was present to make note in the file for this file to be closed.**

WAIVER REQUESTS:

CHI National Home Care dba CHI Memorial Health at Home, Chattanooga (HHA #103)

This Home Health Agency requested an extension to allow occupational therapy team to open cases for their branch. CHI Memorial Health at Home was seeking to extend their waiver to allow therapists and clinicians to open a case even if nursing is ordered. CMS

continues to waive the requirements in 42 CFR § 484.55(a)(2) and §484.55(b)(3) that rehabilitation skilled professional may only perform the initial and comprehensive assessment when only therapy services are ordered. Representative Mr. David Dunston was present. **Dr. Jeter made a motion to allow therapy disciplines to initiate care where nursing is indicated for one (1) year until the February 2024 board meeting; Dr. Warhaftig seconded. The motion was approved.**

Vanderbilt University Medical Center, Nashville (HOSP #27)

Vanderbilt University Medical Center #27 requested an extension of the waivers and interpretations for two (2) years. Considering that VUMC had successfully implemented its hospital at home program and has timely submitted to the Board the quality metrics that have been adopted by the Board, VUMC requested that the waivers and interpretations be extended until the Board's first meeting in 2025. Representative Mr. Travis Swearingen, Attorney was present. **Mr. Mynatt made a motion to approve the extension of waivers for the hospital at Home Program for two (2) years until the first Board meeting of 2025. For the duration of the waiver Vanderbilt- University Medical Center is to continue to submit to the Board quarterly reports on safety measures such as readmissions, infections, mortality, and patient's satisfaction until the next Board meeting of 2025; Mr. Dunn seconded. The motion was approved.**

Vanderbilt University Medical Center (VUMC) (HOSP #27) -

Vanderbilt University Medical Center requested an extension of the waivers for limited use of the class 2 imaging room in South Tower of Medical Center East for inpatients until the first Board meeting in 2024. Representative Mr. Travis Swearingen, Attorney was present. **Ms. Warhaftig made a motion to allow an extension waiver for Vanderbilt University Medical Center, Nashville-Hospital license #27 to continue the limited use of the Class 2 imaging room in the South Tower of the Medical Center East for inpatients for one (1) year until the February 2024 Board meeting; Dr. Robbins seconded. The motion was approved.**

Franklin Manor An Inspirit Senior Living Community, Winchester (ACLF #191)

This forty-six (46) bed ACLF requested to waive rule 0720-26-.09(18)(b) requiring 80 sq ft of space per resident in one-bedroom suite. Franklin Manor requested a waiver of this this requirement and permission to offer the following one-bedroom suites as double occupancy: 109, 208, 301, and 302. Their bedroom suites measure a total of 375 sq ft and would be double occupancy for a husband and wife. Representative Ms. Kim Gulley, Executive Director was present. **Mr. Crisp made a motion to accept the proposed change to allow four bedrooms 109, 208, 301, and 302 to become double occupancy rooms for married couples waiving the 80 square feet per person requirements to occupy the bedroom space in these rooms; Dr. Robbins seconded. The motion was approved.**

DISCUSSION(S):

Emergency Preparedness Program Update presented by Mr. Sean J. Kice, Deputy Director-Emergency Services Coordinator, Department of Health, and Ms. Caroline Tippens, Director, Licensure and Regulation-Health Facilities Commission. Ms. Tippens informed the Board the genesis on why she asked Mr. Kice to present this information for the Board.

During the Christmas holiday specifically on December 23rd and December 24th there were record breaking cold weather and as a result there were many water mains and water pipes that had burst. There were six (6) facilities that had to be evacuated to this situation. Many of our Health Facilities Commission staff including several of the Life Safety staff were working Christmas Eve going out to facilities assisting and verifying a life safety concern as well as many health concerns and help in evacuation. The bottom line was 63 EMS certified facilities that ranged from hospitals, 48 nursing homes, multiple ambulatory surgical treatment centers, ESRDs (dialysis centers) that Health Facilities Commission had to alert CMS as having some sort of outages whether it was water, electricity, and/or evacuations. There were facilities who was unable to operate. Ms. Tippens wanted to exercise their need to be a reminder of emergency preparedness and to have an evacuation plan to follow.

Mr. Kice explained the Department of Health role in the emergency preparedness plan. This includes Biological and Chemical Terrorism, Infectious Disease Outbreaks, Natural Disasters, and Mass Gathers. They provide surveillance of what type of diseases are increasing and they help others in an event or functions that may come up. Any outbreaks of viruses including wildfires this department is responsible to assist. This department can handle large assistance example such as hurricanes, etc. They have numerous personnel to help with evacuations, as well as materials to help such as the COVID outbreak. They help by alerting other departments such as ambulances in numerous situations and they have a resource system to provide information and coordinates emergency information. The HRTS system allow people to insert information to use this system, and this is a voluntary service. This is a very powerful tool. This system is used to maintain the security and safety of the people in the state of Tennessee. If there is a small problem, we can check on it, but it become a large problem we can use this HRTS program, so they know how to help. Any long-term facilities and other types such as hospitals, etc. can join the healthcare coalition so if you know of someone who need help from the healthcare coalition. The HRTS system help guide to help the situation across the state of Tennessee.

Emergency Preparedness Civil Money Penalty (CMP) Reinvestment Program was presented by Ms. Shaquallah Shanks, Director of CMP-Health Facilities Commission. She stated CMPs are CMS program that are impose against nursing home facilities that does not meet their evaluations. CMS funds are then sent back to the state to help to improve the quality of care and the quality of life of our residents. The CMP funds are reinvested for nursing homes only. The CMP funds may be used for assistance to support and protect residents of a facility that closes or is decertified; Time-limited expenses incurred in the process of relocating residents to home and community-based settings or another facility when a facility is closed or downsized; Projects that support resident and family councils; other consumer involvement in assuring quality care in facilities; and facility improvement initiatives, such as joint training of facility staff and surveyors, or technical assistance for facilities implementing quality assurance and performance improvement programs. CMP Funds is prohibited to be used for assisted care living facilities, State surveyor salaries, surveys, and certification operations; capital expenses or improvements to a facility which include expenses for replacing a boiler; redesign of the nursing home; landscaping; parking lot or sidewalk construction; research projects and nursing home services or supplies that are responsibility of the nursing home. COVID-19 Funding opportunities helps 81% of

nursing home received funding for communication technology, 35% received funding for in-person visitation aids and 19% received in-person visitation and HEPA Filters/Portable fans. CMP Program funding help build sustainable relationships with Stakeholders; Sharing Best Practices for program website for public access; and utilizing data which identify existing deficiencies in nursing homes to determine funding target areas. Ms. Shanks stated currently they have 16 active projects spans which consist of Opioid safety, Tennessee Partnership Music project, art therapeutic older abuse project in Knoxville and several dementia projects. The request application process on projects you can apply for this program and Ms. Shanks has a pre-proposal project process that will explain the program and how to apply and she shared the information how to contact her for more information for applying for this program.

Mr. Crisp inquired how could assisted care living facilities can be a part of this civil monetary fund. He felt that assisted care living facilities could also used this program to help many ACLF facilities. He questioned if it had to be done by legislation implemented by the Board. Mr. Flinchbaugh, Legal Services stated it could be presented in that fashion by Mr. Crisp as a private citizen, but it shouldn't be him to present due to his position on the Board. The Board cannot get involve with legislation matters. Mr. Crisp understood and will investigate this program in the future for assisted care living facilities.

Board Policy #89 –Hospital at Home Extension Language - Ms. Reed stated when Vanderbilt made their first waiver extension request it was regarding the Hospital at Home program. Ms. Tippens identified that we did have this Board policy developed so it would cover any hospital facilities that would enter this program that they if approved by CMS would then be able to utilize this Board to be on the consent portion of the agenda. **Mr. Mynatt made a motion to approve the Board Policy #89 as written; Mr. Meadows seconded. The motion was approved.**

Board Meeting Dates for Year 2023 –The previous date presented at the November 22, 2022, of December 19-20, 2023, was not approved and a new date would be presented at the next board meeting. The new date presented is November 1, 2023, that is presented for approval. **Mr. Mynatt made a motion to accept the proposed date of November 1, 2023; Mr. Meadows seconded. The motion was approved.**

Extension of Interpretative Guidelines until February 2023 Board Meeting – Ms. Reed stated there are approximately eight (8) proposed interpretative guidelines that the Board is meeting today, and this would be the date that would be used, and this would be the vote put forth on these rules that they would be in effective until the public health emergency that will expire on May 11, 2023. They are:

Home Health Agency rule 0720-27-.06(3)(b) regarding evidence of review of plan of care must include physician's signature.

Home Health Agency rule 0720-27-.06(7)(c) regarding supervisory visit by registered nurse to patient's place of residence at least monthly.

Hospice rule 0720-28-.05(3) & 0720-28-.05(5) regarding written plan of care being established & reviewed by a physician and care or treatment under the supervision of a physician and rule 1200-08-27-.05(9) regarding medication or treatment ordered by physician.

Hospice rule 0720-28-.06(11)(b) regarding supervisory visit by registered nurse to patient's place of residence at least monthly.

Hospital rule 0720-14-.01(19) regarding definition of Critical Access Hospital.

Hospital Rule 0720-14-.05(23) et al regarding exceeding of licensed bed capacity during an emergency.

Ms. Tippens suggested to make a motion to the federal legislation will terminate by May 11, 2023, or the end of the public health emergency whatever comes first regarding COVID-19. Mr. Crisp was concerned regarding the assisted care living facilities. Mr. Flinchbaum stated there is a need of establish a plan for ACLF. Mr. Mynatt had a concern regarding the ending date. Ms. Tippens suggested to accept the May 11, 2023, date or the federal termination date whatever comes first. **Mr. Mynatt made a motion to accept this motion; Dr. Robbins seconded. The motion was approved.**

CONSIDERATION AND RATIFICATION OF LICENSURE APPLICATIONS (CHANGE OF OWNERSHIPS (CHOWS) AND (INITIALS): SPECIAL CONSIDERATION

None were presented.

REPORT(S):

Trauma System Report

Mr. Robert Seesholtz presented his annual Trauma System Report. He presented his trauma care designation site report of Regional One Medical Center was approved for the redesignation as a state Level 1 Trauma Center. The other two items are the Trauma Care Advisory Council August 12, 2022, minutes and finally as required by statute the Trauma Care Advisory Council 2022 Annual Trauma Care in Tennessee report. The data that was included in this report reflect the registry data from calendar year 2021 the measure of the extensive work accomplished by the state designated trauma centers and comprehensive regional pediatric centers here in the state. **Mr. Mynatt made the motion to approve this report; Dr. Robbins seconded. The motion was approved.**

Nurse Aide Report

Ms. Ann Reed, Deputy Director of Licensure and Regulation made this presentation. Discussion of CNA waiver expires 4/5/2023 and the TNAs to convert to CNAs. Ms. Tippens wanted to inform the Board this waiver will expire and please inform any TNAs need to schedule to test. Any TNAs you may have need to get tested to convert to a CNA before the expiration date. Ms. Reed informed there is a calendar on the website with the locations where to test.

Office of Legal Services Report

Mr. Nathaniel Flinchbaugh, Deputy General Counsel presented his report. There were 76 open cases at the last board meeting and have worked on these cases and it is down to 40 open cases. There are eight (8) cases that are listed. We have a large board rule around 900 pages that is being updated through the Department of Health. Office of Legal Services attorneys will need to work on them, and some parts will be presented at the next board meeting so rulemaking hearings will be updated.

ORDERS:

Loving Arms of Memphis, Inc., RHA #158- License Voluntarily Surrendered; assessed costs of \$200. Mr. Boyd made a motion to approve this Order; Dr. Robbins seconded. The motion was approved.

Clarendale of Bellevue Place, ACLF #491- Assessed Two (2) CMPs of \$500 each, for a total of \$1,000. Mr. Mynatt made a motion to approve this Order; Mr. Dunn seconded. The motion was approved.

Alexian Village of Tennessee, ACLF #387- Assessed One (1) CMP of \$3,000 and One (1) CMP of \$500, for a total of \$3,500. Mr. Mynatt made a motion to approve this Order; Dr. Robbins seconded. The motion was approved.

Brookdale Sandy Springs, ALCF #76- Assessed One (1) CMP of \$3,000. Dr. Robbins made a motion to approve this Order; Mr. Mynatt seconded. The motion was approved.

Harmony at Mt. Juliet, ACLF #501- Assessed One (1) CMP of \$1,500. Mr. Mynatt made a motion to approve this Order; Mr. Meadows seconded. The motion was approved.

Hickory Hills Alzheimer's Special Care Center, ACLF #432- Assessed Three (3) CMPs of \$2,000 each and Two (2) CMPs of \$1,500 each, for a total of \$9,000. Mr. Meadows made a motion to approve this Order; Dr. Robbins seconded. The motion was approved.

South High Senior Living, ACLF #514- Assessed One (1) CMP of \$2,000 and One (1) CMP of \$1,000, for a total of \$3,000. Mr. Mynatt made a motion to approve this Order; Mr. Caputo seconded. The motion was approved.

Towne Square Care of Puryear, NH #130- Must submit \$252,156.48 principal portion payment to TennCare for past nursing home assessment fees. Mr. Mynatt made a motion to approve this Order; Dr. Robbins seconded. The motion was approved.

The meeting was adjourned.