



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/content/tn/hfc/commission-meeting-information/board-for-licensing-health-care-facilities-meetings/blhcf-notice-and-agendas.html>

**HEALTH FACILITIES COMMISSION
MEMORANDUM
AMENDED**

Date: February 7, 2024

From: Wanda E. Hines, Board Administrator

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

Date of Meeting: February 7, 2024

Time: 9:00 AM., C.S.T.

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

Major Item(s) on Agenda: *See attachment.*

Link to Live Video Stream:

February 7, 2024
<https://tdh.streamingvideo.tn.gov/Mediasite/Play/9cf5a5cea616439ba2cb57d3acc3f2fb1d>

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.



LOGAN GRANT
EXECUTIVE DIRECTOR

CAROLINE TIPPENS
DIRECTOR, LICENSURE & REGULATION

**THE MISSION OF THE HEALTH FACILITIES COMMISSION IS TO
PROMOTE ACCESS TO QUALITY, COST-EFFECTIVE HEALTHCARE IN TENNESSEE**

HEALTH FACILITIES COMMISSION

**BOARD FOR LICENSING HEALTH CARE FACILITIES
BOARD MEETING**

FEBRUARY 7, 2024- 9:00 A.M., C.S.T.

IRIS CONFERENCE ROOM, 1ST FLOOR

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

AGENDA

- I. **WELCOME NEW BOARD MEMBER:** Mr. Mohit Agrawal replacing Mr. Bobby Wood, Consumer Representative.
- II. **CALL THE MEETING TO ORDER.**
- III. **ROLL CALL**
- IV. **APPROVAL OF MINUTES**
 - A. November 1, 2023 Board Meeting
- V. **CONSENT CALENDAR**
 - A. **LICENSE STATUS REQUESTS (INACTIVE STATUS).**
 - 1. **CLORIA OAKS POST-ACUTE AND REHABILITATION CENTER, PALMYRA-NH #192**
This seventy-five (75) bed nursing home is requesting to place their license on inactive status. This will allow Cloria Oaks to work diligently to meet the necessary requirements and standards for re-certification and reopening. This facility recently received a Termination Notice from the Center for Medicare & Medicaid Services (CMS), which resulted in the closure of the facility.

2. **DOUGLAS POST-ACUTE AND REHABILITATION CENTER, MILAN-NH #85**
This seventy-two (72) skilled bed facility is requesting an inactive status extension for an additional six (6) months. This will allow Douglas to work diligently to meet the necessary requirements and standards for re-certification and reopening. This facility recently received a Termination Notice from the Center for Medicare & Medicaid (CMS), which resulted in the closure of the facility.
3. **LENOIR CITY TN OPCO, LLC, LENOIR CITY – NH #160**
This one hundred four (104) bed nursing home is requesting a fourth extension for their license to remain on inactive status for an additional one (1) year. This facility's extension request is because construction plans are not finalized.
4. **SYCAMORE PLACE ALZHEIMER'S SPECIAL CARE CENTER, MEMPHIS – ACLF #474**
This sixty-six (66) bed ACLF is requesting an inactive status extension for an additional one (1) year. Sycamore Place remains inactive and Welltower Tenant Group, LLC is not yet ready to resume operations.
5. **LAUREL GLEN AT MEMPHIS ASSISTED LIVING & MEMORY CARE, MEMPHIS – ACLF #61**
This one hundred twenty-five (125) bed ACLF facility is requesting an inactive status extension for an additional one (1) year. Avaline at River Oaks, LLC purchased the asset from Welltower and submitted a CHOW application and is waiting for approval from the regional office. Avaline has submitted design documents reflecting cosmetic renovations and hope to complete construction by late May to mid-June. The inactive license if extended, the CHOW will occur, and the facility will be ready for inspection and reactivate the license at the completion of the construction and the timeframe will be much shorter than requested for one (1) year.
6. **BAPTIST SKILLED REHABILITATION UNIT-GERMANTOWN, SKILLED NURSING FACILITY-NH #391**
This eighteen (18) bed nursing home is requesting an extension for their license to continue to remain on inactive status for an additional twelve (12) months thru February 2025. Baptist Memorial is still engaged in discussions with a potential strategic partner that Baptist is hopeful will result in the successful reopening of these licensed beds.
7. **BAPTIST MEMORIAL-MEMPHIS SKILLED NURSING FACILITY, MEMPHIS-NH #352)**
This thirty-five (35) bed nursing home is requesting an extension for their license to remain on inactive status for an additional twelve (12) months thru February 2024. Baptist Memorial is still engaged in discussions with a potential strategic partner that Baptist is hopeful will result in the successful reopening of these licensed beds.

8. **SIGNATURE HEALTHCARE AT SAINT FRANCIS, MEMPHIS-NH #254**
This one hundred ninety-seven (197) bed nursing home is requesting a sixth extension for their license to remain on inactive status for an additional one (1) year thru February 2025. Signature HealthCare continues to search for viable options to reactivate the licensed facility and beds.
9. **SIGNATURE HEALTHCARE AT METHODIST, MEMPHIS -NH #247**
This forty-four (44) bed nursing home is requesting a sixth extension for their license to remain on inactive status for an additional one (1) year thru February 2025. Signature HealthCARE continues to search for viable options to reactivate the licensed facility and beds.
10. **OAKWOOD ASSISTED LIVING FKA OPTIMUM SENIOR LIVING, WHITE BLUFF-ACLF #233**
This twenty-three (23) bed assisted care living facility is requesting an inactive status extension for six (6) additional months thru August 2024. This extension will allow the facility time to complete the needed renovations.

B. BOARD POLICY(IES)

1. **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:**

- a. Bailey Park Community Living Center, Humboldt – NH #88
Elicia Jacobson, Temporary Administrator

2. **BOARD POLICY #86 – ACLF ADMINISTRATOR SERVING MULTIPLE LOCATION. THIS POLICY TO FACILITATE QUALIFIED INDIVIDUALS TO SERVES AS ASSISTED CARE LIVING FACILITY (ACLF) ADMINISTRATORS.**

THE COURTYARDS SENIOR LIVING – KNOXVILLE – ACLF #445, AND THE COURTYARDS SENIOR LIVING – KNOXVILLE - ACLF #377

Ms. Dava Snyder, Regional Director, The Courtyards Senior Living is seeking a waiver to allow one (1) Assisted Care Living Facility Administrator or Nursing Home Administrator to serve as the administrator of two (2) assisted care living facilities. The two buildings location is less than one (1) mile and is approximately a four (4) minute drive.

3. **THE FOLLOWING NURSING HOMES ARE REQUESTING A WAIVER TO PROVIDE OUTPATIENT THERAPY SERVICES AS PROVIDED FOR BY BOARD POLICY #32:**

- a. Memphis Jewish Home & Rehab, Cordova– NH #246

C. CONSIDERATION & RATIFICATION OF ANDERSONVILLE ION LICENSURE APPLICATIONS - (CHANGE OF OWNERSHIP (CHOW) AND (INITIAL).

1. QUALIFYING APPLICATIONS

(INITIALS)

- a. Ambulatory Surgical Treatment Center
Murfreesboro Medical Clinic, P.A., Nashville-File #256
- b. Home Health Agencies
Advanced Home Health & Hospice of Nashville, LLC, Nashville-File #667
Alana Home Care, LLC, Dickson-File #665
Legacy Home Health, LLC, Oak Ridge-File #668
Medsyl Home Healthcare Services, LLC, Brentwood-File #664
Paragon Infusion, Nashville-File #653
- c. Home Medical Equipment
Akili Interactive Labs, Inc., Boston, MA-File #1393
Opry Medical Group, LLC, Nashville-File #1413
- d. Hospice
Shalom Hospice of Greater Knoxville, LLC, Knoxville-File #629
- e. Professional Support Services
Community Options, Inc., Cookeville-File #445

2. (CHOWS)

- a. Assisted Care Living Facilities
Charter Senior Living of Chattanooga, Chattanooga-License #324
The Village at Bellevue, Nashville-License #196
The Waters of Gainesboro Assisted Living Facility, LLC, Gainesboro-License #254
The Waters of Gainesboro Assisted Living Facility, LLC, Gainesboro-License #136

D. LICENSE STATUS UPDATES

N/A

VI. REGULAR CALENDAR

A. FACILITY WAIVER REQUESTS.

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

Vanderbilt University Medical Center (VUMC) to request a third extension waiver for limited use of the Class 2 Imaging Room in South Tower of Medical Center East for Inpatients. VUMC is finalizing construction of its new MRI suite and awaiting arrival of the new MRI machine that will alleviate the need for this waiver. Construction is scheduled to be completed in April 2024. After construction is finished and the new MRI installed, the suite will require surveying prior to licensure and activation. VUMC requests this waiver be extended until the Board’s August 2024 meeting. If surveying of the new MRI occurs earlier than August 2024, VUMC agrees to relinquish this waiver as soon as the licensure process is completed.

REPRESENTATIVE(S): Travis Swearingen, Attorney

B. DISCUSSION(S).

1. VIVIAN OF MURFREESBORO, MURFREESBORO – NH #217

This one hundred (100) bed nursing home is requesting to place their license on inactive status. This facility has been decertified by CMS for Medicare and Medicaid participation. The facility remains under a state suspension of all admissions. As of December 26, 2023, all residents have been discharged and there are no patients in the building. The facility intends to not reopen or accept any residents until further arrangements can be made, likely involving a change of ownership of the facility. Viviant of Murfreesboro is requesting the effective date of the inactive status as December 26, 2023.

2. VIVIAN OF SHELBYVILLE, SHELBYVILLE – NH #7

This one hundred thirty (130) bed nursing home is requesting to place their license on inactive status. This facility has been decertified by CMS for Medicare and Medicaid participation. The facility remains under a state suspension of all admissions. As of December 21, 2023, all residents have been discharged and there are no patients in the building. The facility intends to not reopen or accept any residents until further arrangements can be made, likely involving a change of ownership of the facility. Viviant of Shelbyville is requesting the effective date of the inactive status as December 21, 2023.

3. VIVIAN HEALTHCARE OF BRISTOL, BRISTOL – NH #262

This one hundred thirty (130) bed nursing home is requesting to place their license on inactive status. This facility has been decertified by CMS for Medicare and Medicaid participation. The facility remains under a state suspension of all admissions. As of December 8, 2023, all residents have been discharged and there are no patients in the building. The facility intends to not reopen or accept any residents until further arrangements can be made, likely involving a change of ownership of the facility. Viviant of Shelbyville is requesting the effective date of the inactive status as December 21, 2023.

4. HERITAGE ASSISTED LIVING HOME FOR THE AGED, KNOXVILLE – RHA #288 (5TH REPORT)

Heritage Assisted Living Home for the Aged or an authorized representative, shall appear before in-person at each scheduled Board meeting held during the facility probationary period (12 months), to provide updates to the Board.

REPRESENTATIVE(S): Barry Hall, President

5. BROOKS FAMILY CARE HOME FOR THE AGED, NASHVILLE – RHA #27

Brooks Family Care Home for the Aged or an authorized representative, shall appear before in-person at each scheduled Board meeting held six (6) months to provide the status of the facility and any disciplinary issues to the Board/Commission.

REPRESENTATIVE(S): Lisa B. Brown, Director

6. 2023 3rd Quarterly Performance Report from Vanderbilt University Medical Center #27 regarding services for its Hospital Care at Home Program.

7. Revisit Board Interpretative Guideline ACLF Civil Penalty Amount(s) according to ACLF Rule 0720-26-.05 to adopt civil penalties to include the

maximum amount of penalties allowed by statute according to **Board Policy #95** until the permanent rules become effective.

8. Revisit Interpretative Guidelines regarding newly adopted codes – extend previous codes for an additional ninety (90) days

REPRESENTATIVE(S): Craig Parish, Director, Plans Review

9. Request for Extension of Interpretative Guidelines for Assisted Care Living Facility Rule 0720-26-.08(1)(c) regarding admission or retention of resident with COVID-19.

REPRESENTATIVE(S): Angie Hodges, Director of Tennessee Center for Assisted Living (TNCAL) and Chris Puri, Attorney

10. **Board Policy #96** – Charge Nurse definition under ESRD Rule 0720-33-.01 the Board adopted on August 30, 2023 Board meeting regarding the definition by board policy until the permanent rules definition section become effective.

11. 2023 3rd Quarterly and 4th Quarterly Performance Report from Covenant Hospitals-Fort Sanders Regional Medical Center, Knoxville-Hospital #43, Parkwest Medical Center, Knoxville-Hospital #42 and Methodist Medical Center, Oak Ridge-Hospital #1 regarding services for its Hospital Care at Home Program.

C. APPLICATIONS (CHANGE OF OWNERSHIP (CHOWS) AND (INITIALS)).

1. SPECIAL CONSIDERATION.

(INITIALS)

N/A

(CHOWS)

a. Nursing Homes

Countryside Post-Acute and Rehabilitation Center, Lawrenceburg-License #155

D. REPORTS.

1. TRAUMA
2. NURSE AIDE/ABUSE REGISTRY
3. CLOSED FACILITY
4. OFFICE COUNSEL/OFFICE OF LEGAL SERVICES

E. ORDERS

F. OTHER BUSINESS.

VII. PUBLIC COMMENTS.

VIII. ADJOURN.

HEALTH FACILITIES COMMISSION
BOARD FOR LICENSING HEALTH CARE FACILITIES
MEETING MINUTES

February 7, 2024

COMMISSION MEMBERS PRESENT

Dr. Christopher Wilson, Chairman
Mr. Mohit Agrawal
Mr. Paul Boyd
Mr. Louis Caputo
Dr. Howard Clark
Dr. Patsy Crihfield
Mr. Joshua Crisp
Dr. Patricia Ketterman
Mr. Bobby Meadows
Mr. Roger Mynatt
Dr. Jennifer Tatum-Cranford
Dr. Monica Warhaftig

COMMISSION MEMBERS ABSENT

Dr. Julie Jeter
Mr. Tom Marshall
Ms. Gina Throneberry

COMMISSION STAFF PRESENT

Caroline Tippens, Director, Licensure & Regulation
Ann R. Reed, Deputy Director, Licensure & Regulation
Nathaniel Flinchbaugh, Deputy General Counsel
Jeremy Gourley, Senior Associate General Counsel
Jim Christoffersen, General Counsel
Wanda E. Hines, Board Administrator
Ramona Douglas, Administrative Service Assistant 3
Courtney Lilly, Disciplinary Coordinator

WELCOME NEW BOARD MEMBER

Mr. Mohit Agrawal replacing Mr. Bobby Wood, Consumer Member

CALL TO ORDER AND ESTABLISH A QUORUM BY ROLL CALL:

The meeting was called to order by a roll call vote at 9:13 a.m. by Ms. Reed with the following members present Agrawal, Boyd, Caputo, Clark, Crihfield, Crisp, Ketterman, Meadows, Mynatt, Tatum-Cranford, and Warhaftig and a quorum was established.

APPROVAL OF MINUTES:

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

November 1, 2023 Board Meeting

Mr. Mynatt made a motion to approve the minutes as written; Mr. Caputo seconded. The motion was approved unanimously.

CONSENT CALENDAR:

LICENSE STATUS REQUESTS (INACTIVE STATUS):

DOUGLAS POST-ACUTE AND REHABILITATION CENTER, MILAN – NH #85

This seventy-two (72) skilled bed facility requested an inactive status extension for an additional six (6) months to allow Douglas to work diligently to meet necessary requirements and standards for re-certification and reopening. This facility recently received a Termination Notice from the Center for Medicare & Medicaid (CMS), which resulted in the closure of the facility.

LENOIR CITY TN OPCO, LLC, LENOIR CITY – NH #160

This one hundred four (104) bed nursing home requested a fourth extension for their license to remain on inactive status for an additional one (1) year as construction plans have not yet been finalized.

SYCAMORE PLACE ALZHEIMER’S SPECIAL CARE CENTER, MEMPHIS – ACLF #474

This sixty-six (66) bed ACLF requested an inactive status extension for an additional one (1) year.

LAUREL GLEN AT MEMPHIS ASSISTED LIVING & MEMORY CARE, MEMPHIS – ACLF #61

This one hundred twenty-five (125) bed ACLF facility requested an inactive status extension for an additional one (1) year as Avaline at River Oaks, LLC purchased the asset from Welltower and submitted a CHOW application and is awaiting approval from the regional office.

BAPTIST SKILLED REHABILITATION UNIT-GERMANTOWN, SKILLED NURSING FACILITY – NH #391

This eighteen (18) bed nursing home requested an extension for their license to continue to remain on inactive status for an additional twelve (12) months through February 2025.

BAPTIST MEMORIAL-MEMPHIS SKILLED NURSING FACILITY, MEMPHIS – NH #352

This thirty-five (35) bed nursing home requested an extension for their license to remain on inactive status for an additional twelve (12) months through February 2025.

SIGNATURE HEALTHCARE AT SAINT FRANCIS, MEMPHIS – NH #254

This one hundred ninety-seven (197) bed nursing home requested a sixth extension for their license to remain on inactive status for an additional one (1) year through February 2025 as Signature continues to search for viable options to reactivate the licensed facility and beds.

SIGNATURE HEALTHCARE AT METHODIST, MEMPHIS – NH #247

This forty-four (44) bed nursing home requested a sixth extension for their license to remain on inactive status for an additional one (1) year through February 2025 as Signature continues to search for viable options to reactivate the licensed facility and beds.

OAKWOOD ASSISTED LIVING F/K/A OPTIMUM SENIOR LIVING, WHITE BLUFF – ACLF #233

This twenty-three (23) bed assisted care living facility requested an inactive status extension for six (6) additional months through August 2024 to allow time to complete needed renovations.

Mr. Mynatt made a motion to approve the inactive status requests; Mr. Meadows seconded. The motion was approved unanimously.

BOARD POLICY CONSENT(S):

THE FOLLOWING NURSING HOMES REQUESTED 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:

Bailey Park Community Living Center, Humboldt – NH #88
Elicia Jacobson, Temporary Administrator

Mr. Mynatt made a motion to approve the inactive status requests; Dr. Ketterman seconded. The motion was approved unanimously.

BOARD POLICY #86 – ACLF ADMINISTRATOR SERVING MULTIPLE LOCATIONS. THIS POLICY TO FACILITATE QUALIFIED INDIVIDUALS TO SERVE AS ASSISTED CARE LIVING FACILITY (ACLF) ADMINISTRATORS.

THE COURTYARDS SENIOR LIVING, KNOXVILLE – ACLF #445 AND THE COURTYARDS SENIOR LIVING, KNOXVILLE – ACLF #377

Ms. Dava Snyder, Regional Director, The Courtyards Senior Living seeks a waiver to allow one (1) Assisted Care Living Facility Administrator or Nursing Home Administrator to serve as the administrator of two (2) assisted care living facilities. The two buildings' location is less than one (1) mile and is approximately a four (4) minute drive.

Mr. Crisp made a motion to grant the waiver; Mr. Boyd seconded. The motion was approved unanimously.

THE FOLLOWING NURSING HOME REQUESTED A WAIVER TO PROVIDE OUTPATIENT THERAPY SERVICES AS PROVIDED BY BOARD POLICY #32:

Memphis Jewish Home & Rehab, Cordova-NH #246

Mr. Meadows recused himself. Mr. Mynatt made a motion to grant the waivers; Mr. Boyd seconded. The motion was approved unanimously.

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

Ms. Reed presented the following applications for ratification:

(INITIALS)

AMBULATORY SURGICAL TREATMENT CENTER(S)

Murfreesboro Medical Clinic, P.A., Nashville – File #256

HOME HEALTH AGENCIES

Advanced Home Health & Hospice of Nashville, LLC, Nashville – File #667
Alana Home Care, LLC, Dickson – File #665
Legacy Home Health, LLC, Oak Ridge – File #668
Medsyl Home Healthcare Services, LLC, Brentwood – File #664
Paragon Infusion, Nashville – File #653

HOME MEDICAL EQUIPMENT

Akili Interactive Labs, Inc., Boston, MA – File #1393
Opry Medical Group, LLC, Nashville – File #1413

HOSPICE

Shalom Hospice of Greater Knoxville, LLC, Knoxville – File #629

QUALIFYING APPLICATIONS (CHOWS):

ASSISTED CARE LIVING FACILITIES

Charter Senior Living of Chattanooga, Chattanooga – License #324
The Village at Bellevue, Nashville – License #196
The Waters of Gainesboro Assisted Living Facility, LLC, Gainesboro – License #254
The Waters of Gainesboro Assisted Living Facility, LLC, Gainesboro – License #136

Dr. Ketterman made a motion to approve the ratification of the Initial qualifying applications; Mr. Mynatt seconded. The motion was approved unanimously.

LICENSE STATUS UPDATES

None for this meeting

REGULAR CALENDAR:

FACILITY WAIVER REQUESTS:

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

VUMC requested a third extension waiver for limited use of the Class 2 Imaging Room in South Tower of Medical Center East for Inpatients. VUMC is finalizing construction of its new MRI suite and awaiting arrival of the new MRI machine that will alleviate the need for this waiver. Construction is scheduled to be completed April 2024. Travis Swearingen, Attorney was the representative for this hospital.

Mr. Mynatt made a motion to approve this waiver request; Mr. Agrawal seconded. The motion was approved unanimously.

DISCUSSION(S)

VIVIAN HEALTHCARE OF MURFREESBORO, MURFREESBORO – NH#217

This item was moved to the Office of Legal Services Consent Orders portion of the agenda.

VIVIAN HEALTHCARE OF SHELBYVILLE, SHELBYVILLE – NH #7

This item was moved to the Office of Legal Services Consent Orders portion of the agenda.

VIVIAN HEALTHCARE OF BRISTOL, BRISTOL – NH #262

This item was moved to the Office of Legal Services Consent Orders portion of the agenda.

HERITAGE ASSISTED LIVING HOME FOR THE AGED, KNOXVILLE – RHA #288 (5th REPORT)

Heritage Assisted Living Home for the Aged or an authorized representative shall appear in-person before each scheduled Board meeting held during the facility probationary period (12 months) to provide updates to the Board, Barry Hall, President was the representative for facility. An update was provided.

BROOKS FAMILY CARE HOME FOR THE AGED, NASHVILLE – RHA #27

Brooks Family Care Home for the Aged or an authorized representative shall appear in-person before each scheduled Board meeting held for six (6) months to provide the status of the facility and any disciplinary issues to the Board/Commission. Lisa B. Brown, Director was the representative for this facility. Ms. Brown explained she did not receive the Board Order that was mail to her facility's address and didn't realize the deadline to submit the monetary CMP fee. Ms. Brown had submitted her Plan of Correction to the Jackson Regional Office not the Middle Tennessee Regional Office. Ms. Tippens informed Ms. Brown as a courtesy to submit Brooks Family Care Home for the Aged Plan of Correction to the 665 Mainstream Drive Office, in Nashville. Ms. Reed also verified Ms. Brown's mailing addresses and email address. Ms. Brown confirmed payment will be given today regarding the CMP penalty. The Board request Ms. Brown to return at the April Board meeting to discuss the Plan of Correction deficiencies and updates of the facility.

2023 3rd Quarterly Performance Report from Vanderbilt University Medical Center #27 regarding services for its Hospital Care at Home Program.

Vanderbilt University Medical Center submitted their 3rd Quarterly Performance Report regarding their Hospital Care at Home program for the Board members to review as required. Mr. Travis Swearingen was the representative. Dr. Wilson asked Mr. Swearingen if Vanderbilt could include the description codes to include the previous quarter numbers for number of returns so it can track between quarters and having the metrics of the readmission of patients. Mr. Swearingen will alert Vanderbilt regarding this request for the next report.

Revisit Board Interpretive Guideline ACLF Civil Penalty Amount(s) according to ACLF Rule 0720-26-.05 to adopt civil penalties to include the maximum amount of penalties allowed by statute according to Board Policy #95 until the permanent rules become effective.

Discussion of language changes. Rescind Interpretive Guidance and follow rules as currently enacted; adopt amount changes to #1 and #2 in proposed rules and have ACLF standing subcommittee weigh in on changes to #5.

Mr. Agrawal made a motion to approve the fourth Plan of Correction; Mr. Mynatt seconded. The motion was passed unanimously.

Revisit Interpretive Guidelines regarding newly adopted codes – extend previous codes for an additional ninety (90) days.

Craig Parish, Director, Plans Review was the representative.

Mr. Mynatt made a motion to approve the adopted codes as written. Mr. Caputo seconded. The motion was passed unanimously.

Request for Extension of Interpretive Guidelines for Assisted Care Living Facility Rule 0720-26-.08(1)(c) regarding admission or retention of residents with COVID-19.

Chris Puri, Attorney and Angie Hodges, Director of Tennessee Center for Assisted Living were the representatives. Request to extend this interpretative guideline by one (1) year to allow statute changes and return issue to sub-committee until this language brought before legislation.

Dr. Warhaftig made a motion to approve the extension of this waiver; Mr. Caputo seconded. The motion was passed unanimously.

Board Policy #96 – Charge Nurse definition under ESRD Rule 0720-33-.01 the Board adopted on August 30, 2023, Board meeting regarding the definition by Board Policy until the permanent rules definition section becomes effective.

Mr. Flinchbaugh was the representative.

Mr. Mynatt made a motion to approve this rule as written; Dr. Tatum-Cranford seconded. The motion was passed unanimously.

2023 3rd Quarterly and 4th Quarterly Performance Report from Covenant Hospitals- Fort Sanders Regional Medical Center, Knoxville- Hospital #43, Parkwest Medical Center, Knoxville – Hospital #42, and Methodist Medical Center, Oak Ridge- Hospital #1 regarding services for its Hospital Care at Home Program.

Travis Swearingen, Attorney was the representative.

Covenant Hospitals -Fort Sanders Regional Medical Center, Knoxville – Hospital #43, Parkwest Medical Center, Knoxville – Hospital #42, and Methodist Medical Center, Oak Ridge – Hospital #1 submitted their 3rd and 4th Quarterly Performance Report regarding their Hospital Care at Home program for the Board members to review as required. Dr. Wilson asked Mr. Swearingen if the Covenant Hospitals could also include the description codes to include the previous quarter numbers for number of returns so it can track between quarters and having the metrics of the readmission of patients. Mr. Swearingen will alert Covenant Hospitals regarding this request for the next report.

APPLICATIONS (CHANGE OF OWNERSHIP (CHOWS) AND (INITIALS))

SPECIAL CONSIDERATION

(INITIALS)

There were no applications to discuss at this meeting.

(CHOWS)

NURSING HOMES

Countryside Post-Acute and Rehabilitation Center, Lawrenceburg, NH #155

Mr. Meadows made a motion to approve this Change of Ownership application with Board appearance by a Countryside Post-Acute and Rehabilitation Center representative; Dr. Warhaftig seconded. The motion was passed unanimously.

REPORTS

TRAUMA SYSTEM REPORT

Mr. Robert Seesholtz was the presenter for this report. Mr. Seesholtz gave an update on Interpretive Guidance related to Advanced Trauma Life Support and American Board of Emergency Medicine for Level 4 Trauma Centers Rule 0720-22-.04(2)1(b)1(i).

Mr. Mynatt made a motion to approve this Interpretative Guideline; Mr. Caputo seconded. The motion was passed unanimously.

Update of Interpretive Guideline regarding Surgery Departments referencing Trauma Center Rule 0720-22-.04(2)1(2).

Mr. Meadows made a motion to approve this Interpretative Guideline; Mr. Boyd seconded. The motion was passed unanimously.

Update of Erlanger Baroness Hospital American College of Surgeons verification review. Request to grant facility reciprocal state designation as a Level 1 Trauma Center for a period of three (3) years.

Dr. Warhaftig made a motion to approve this request; Mr. Boyd seconded. The motion was passed unanimously.

Update of Hendersonville Medical Center for Level 3 designation review. Mr. Caputo recused himself. **Mr. Meadows made a motion to approve this request; Mr. Mynatt seconded. The motion was passed unanimously.**

A break was taken at 10:43 a.m.

The meeting resumed at 11:06 a.m.

A roll call vote was taken, and a quorum was established with all previous members present.

NURSE AIDE/ ABUSE REGISTRY REPORT

Ms. Reed was the presenter for this report. Update since last meeting.

CLOSED FACILITY REPORT

Ms. Reed was the presenter for this report. Updates on facilities that have voluntarily closed.

OFFICE COUNSEL/OFFICE OF LEGAL SERVICES REPORT

Mr. Flinchbaugh was the presenter for this report. Updates on the open case files were given.

ORDERS

A. VIVIAN HEALTHCARE OF MURFREESBORO – SNF #217

Mr. Flinchbaugh presented the proposed Consent Order for approval to lift the Summary Suspension from the license and place license on inactive status for a period of one (1) year and proof of compliance must be presented prior to any CHOW being ratified. Action shall be placed on the Facility Action and Abuse Report.

Mr. Mynatt made a motion to approve this Order as written. Mr. Clark seconded. The motion was passed unanimously.

- B. **VIVIAN HEALTHCARE OF SHELBYVILLE – SNF #7**
Mr. Flinchbaugh presented the proposed Consent Order for approval to lift the Summary Suspension from the license and place license on inactive status for a period of one (1) year and proof of compliance must be presented prior to any CHOW being ratified. Action shall be placed on the Facility Action and Abuse Report.
- Mr. Mynatt made a motion to approve this Order as written. Mr. Meadows seconded. The motion was passed unanimously.**
- C. **PARK VIEW MEADOWS – ACLF #117**
Mr. Flinchbaugh presented the proposed Consent Order for approval to assess one (1) Civil Monetary Penalty of five thousand dollars (\$5,000).
- Mr. Mynatt made a motion to approve this Order as written. Mr. Meadows seconded. The motion was passed unanimously.**
- D. **THE BRIDGE AT HICKORY WOODS – ACLF #360**
Mr. Flinchbaugh presented the proposed Consent Order for approval to assess two (2) Civil Monetary Penalties of one thousand dollars (\$1,000) each, for a total assessment of two thousand dollars (\$2,000) to be paid thirty (30) calendar days from the effective date of the Order.
- Mr. Caputo made a motion to approve this Order as written. Mr. Meadows seconded. The motion was passed unanimously.**
- E. **OPAL AT MUSIC CITY – ACLF #448**
Mr. Flinchbaugh presented the proposed Consent Order for approval to assess one (1) Civil Monetary Penalty of five thousand dollars (\$5,000) to be paid thirty (30) calendar days from the effective date of the Order.
- Mr. Mynatt made a motion to approve this Order as written. Mr. Caputo seconded. The motion was passed unanimously.**
- F. **THE BRIDGE AT OOLTEWAH – ACLF #381**
Mr. Gourley presented the proposed Consent Order for approval to assess one (1) Civil Monetary Penalty of five thousand dollars (\$5,000), one Civil Monetary Penalty of three thousand dollars (\$3,000), and one (1) Civil Monetary Penalty of one thousand dollars (\$1,000), for a total assessment of nine thousand dollars (\$9,000) to be paid thirty (30) calendar days from the effective date of the Order.
- Mr. Mynatt made a motion to approve this Order as written. Mr. Boyd seconded. The motion was passed unanimously.**
- G. **CLAIBORNE AND HUGHES HEALTH CENTER – SNF #294**
Mr. Gourley presented the proposed Consent Order for approval to assess one (1) Civil Monetary Penalty of three thousand dollars (\$3,000) to be paid thirty (30) calendar days from effective date of the Order.
- Mr. Mynatt made a motion to approve this Order as written. Mr. Caputo seconded. The motion was passed unanimously.**

H. **LEGACY VILLAGE OF HENDERSONVILLE – ACLF #141**

Mr. Gourley presented the proposed Consent Order for approval to assess one (1) Civil Monetary Penalty of two hundred fifty dollars (\$250) to be paid thirty (30) calendar days from effective date of the Order. Facility must also employ an independent consultant to conduct three (3) audits of medication administration for different dates and provide proof of their findings as it related to compliance.

Mr. Meadows made a motion to approve this Order as written. Mr. Agrawal seconded. The motion was passed unanimously.

I. **RIVERVIEW TERRACE – ACLF #114**

Mr. Gourley presented the proposed Consent Order for approval to assess two (2) Civil Monetary Penalties of five thousand dollars (\$5,000) each, for a total assessment of ten thousand dollars (\$10,000) to be paid thirty (30) calendar days from effective date of the Order.

Mr. Mynatt made a motion to approve this Order as written. Mr. Meadows seconded. The motion was passed unanimously.

J. **SHELBY GARDENS PLACE – ACLF #26**

Mr. Gourley presented the proposed Consent Order for approval to assess one (1) Civil Monetary Penalty of six thousand dollars (\$6,000) to be paid thirty (30) calendar days from effective date of the Order.

Dr. Warhaftig made a motion to approve this Order as written. Mr. Agrawal seconded. The motion was passed unanimously.

K. **VIVIAN HEALTHCARE OF BRISTOL – SNF #262**

Mr. Gourley presented the proposed Consent Order for approval to lift the Suspension of Admissions from the license and place license on inactive status for a period of one (1) year and proof of compliance must be presented prior to any CHOW being ratified. Prior to approval of CHOW, Respondent must satisfy the outstanding civil monetary penalties in the amount of thirty thousand dollars (\$30,000). Action shall be placed on the Facility Action and Abuse Report.

Mr. Meadows made a motion to approve this Order as written. Mr. Caputo seconded. The motion was passed unanimously.

L. **VIVIAN HEALTHCARE OF CHATTANOOGA – SNF #114**

Mr. Gourley presented the proposed Consent Order for approval to place license on probation for a period of three (3) months and proof of compliance must be presented prior to any CHOW being ratified. Order also assesses four (4) Civil Monetary Penalties of six thousand two hundred fifty dollars (\$6,250) each, for a total assessment of twenty-five thousand dollars (\$25,000) to be paid thirty (30) calendar days from effective date of the Order. Action shall be placed on the Facility Action and Abuse Report.

Mr. Mynatt made a motion to approve this Order as written. Mr. Boyd seconded. The motion was passed unanimously.

M. **NASHVILLE CENTER FOR REHABILITATION AND HEALING, LLC– SNF #394**

Mr. Gourley presented the proposed Consent Order for approval to assess one (1) Civil Monetary Penalty of three thousand dollars (\$3,000) to be paid thirty (30) calendar days from effective date of the Order.

Mr. Agrawal made a motion to approve this Order as written. Mr. Boyd seconded. The motion was passed unanimously.

OTHER BUSINESS

Mr. Christoffersen gave an update on staffing registry rules. Commission approved permanent emergency rules that are in effect for the temporary staffing agencies. Will be provided to Attorney General's office for their review for approval prior to emergency rules expiring.

PUBLIC COMMENTS

No public comments were made during this meeting.

ADJOURN.

The meeting adjourned at 11:35 a.m.