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**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.