



HEALTH FACILITIES COMMISSION

COMMISSION FOR LICENSING HEALTH CARE FACILITIES

MEETING MINUTES

September 25, 2024

COMMISSION MEMBERS PRESENT

R. G. (Rick) Chinn, Chairman
Melanie Keller, Vice Chairman
Jeremy Biggs
Barbara Brennan
Tim Evans
Johnny Lai
Lauren Legate
Nicole Sweitzer
James Wright

COMMISSION MEMBERS ABSENT

None for this meeting.

COMMISSION STAFF PRESENT

Caroline Tippens, Director, Licensure & Regulation
Nathaniel Flinchbaugh, Deputy General Counsel
Vishan J. Ramcharan, Associate General Counsel
Jim Christoffersen, General Counsel

I. CALL THE MEETING TO ORDER:

The meeting was called to order at 9:00 a.m. by Mr. Chinn with 9 members present.

II. ROLL CALL:

A roll call vote was taken by HFC staff and resulted in the following members present: Biggs, Brennan, Chinn, Evans, Keller, Lai, Legate, Sweitzer, and Wright and a quorum was established.

III. APPROVAL OF MINUTES:

The August 28, 2024, Commission Meeting minutes were presented to the Commission for approval:

Ms. Sweitzer made a motion to accept the minutes as written. Ms. Brennan seconded. The minutes were approved unanimously.

IV. CERTIFICATE OF NEED (CON) PORTION OF THE AGENDA – SEE CON MINUTES

The meeting resumed of the HFC agenda.

V. SUMMARY SUSPENSION – Alternative Care, Inc., Nashville, RHA #507 (Office of Legal Services had a court reporter present)

VI. HEALTHCARE FACILITIES LICENSURE AND DISCIPLINARY CONSENT CALENDAR

A. LICENSE STATUS REQUESTS (INACTIVE STATUS)

1. NASHVILLE COMMUNITY CARE AND REHABILITATION CENTER AT BORDEAUX, NASHVILLE – NH #63

This four hundred nineteen (419) bed nursing home requested an extension of their inactive status for a period of two (2) years, until August 2026.

Ms. Brennan made a motion to approve this request. Mr. Wright seconded. The motion was approved unanimously.

B. BOARD POLICY(IES)

1. 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:

- a. HARBERT HILLS ACADEMY NURSING HOME, SAVANNAH – NH #118
Ulysses Aguilar, Temporary Administrator

Mr. Wright made a motion to grant the waiver. Mr. Lai seconded. The motion was approved unanimously.

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

1. QUALIFYING APPLICATIONS (INITIALS):

- a. AMBULATORY SURGICAL TREATMENT CENTER(S)
None
- b. HOME FOR THE AGED
None

c. HOME HEALTH AGENCIES

America's Home Health LLC, Knoxville – File #682
Coal Miner Nursing Services, Knoxville – File #684
Perry County Home Health, Linden – File #683

Mr. Biggs made a motion to approve the ratification of the Initial qualifying applications. Ms. Sweitzer seconded. The motion was approved unanimously.

d. HOME MEDICAL EQUIPMENT

AdaptHealth Patient Care Solutions, LLC, Moon Township, PA – File #1424
Hometown Veterans Medical, Herrin, IL – File #1430
Intouch Med Supply, King of Prussia, PA – File #1461
Jetlenses, Inc., New York, NY – File #1475
Mark Drug, Wheeling, IL – File #1417
MedCentris Specialty Group, Hammond, LA – File #1446
Zerigo Health, Inc, Sand Diego, CA – File #1432

e. PROFESSIONAL SUPPORT SERVICES

None

f. OUTPATIENT DIAGNOSTIC SERVICES

None

g. Hospice

None

Ms. Sweitzer made a motion to approve the ratification of the Initial qualifying applications. Ms. Brennan seconded. The motion was approved unanimously.

2. QUALIFYING APPLICATIONS (CHOWS):

a. ASSISTED CARE LIVING FACILITIES

None

b. NURSING HOMES

None

c. RESIDENTIAL HOMES FOR THE AGED

None

d. HOSPICES

None

D. LICENSE STATUS UPDATES

1. Center for Oral Facial and Implant Surgery, Chattanooga – ASTC #104

Center for Oral Facial and Implant Surgery submitted a notice to close the facility's license effective September 24, 2024.

Mr. Wright made a motion to accept this status update. Mr. Biggs seconded. The motion was approved unanimously.

E. DISCIPLINARY ORDERS

1. Community Care of Rutherford County, Inc., S.N.F. – License No. 219
The Office of Legal Services requested to assess one (1) Type B Civil Monetary Penalty in the amount of five hundred dollars (\$500)
2. The Lantern at Morning Pointe of Franklin, A.C.L.F. – License No. 502
The Office of Legal Services requested to assess four (4) Civil Monetary Penalties of five hundred dollars (\$500) each and two (2) Civil Monetary Penalties of one thousand dollars (\$1,000) each, for a total CMP assessment of four thousand dollars (\$4,000)
3. Brookdale Goodlettsville, A.C.L.F. – License No. 86
The Office of Legal Services requested to assess one (1) Civil Monetary Penalty of two thousand dollars (\$2,000)
4. Gardens of Germantown, A.C.L.F. – License No. 317
The Office of Legal Services requested to assess two (2) Civil Monetary Penalties of one thousand five hundred dollars (\$1,500) each and one (1) Civil Monetary Penalty of three thousand dollars (\$3,000), for a total Civil Monetary Penalty of six thousand dollars (\$6,000)

Mr. Wright made a motion to approve these orders as written. Ms. Keller seconded. The motion was approved unanimously.

VII. REGULAR CALENDAR:

A. DISCUSSION(S)

1. GREEN HILLS CENTER FOR REHABILITATION AND HEALING, LLC, NASHVILLE – NH #52
Green Hills Center for Rehabilitation And Healing, LLC, Nashville, or an authorized representative shall appear in-person before each scheduled Commission meeting for a period of twelve (12) months to provide the status of the facility and any disciplinary issues to the Commission.

Representative(s): Tracie Sherfay, Administrator

Mr. Wright made a motion to accept this status update. Ms. Keller seconded. The motion was approved unanimously.

2. SOMERBY OF FRANKLIN, FRANKLIN – ACLF #434
Someryby of Franklin petitioned to have their probation lifted effective September 25, 2024.

Representative(s): Heather Bornstein, Attorney

Ms. Sweitzer made a motion to approve the lift of the probationary status. Ms. Keller seconded. The motion was approved unanimously.

B. REPORTS

1. TRAUMA - Representative(s): Rob Seesholtz
 - a. Bristol Regional Medical Center – Hospital #131 – Level III Trauma Redesignation

Ms. Keller made a motion to approve this designation. Mr. Biggs seconded. The motion was approved unanimously.

- b. Holston Valley Medical Center – Hospital #133 – Level III Trauma Redesignation

Ms. Keller made a motion to approve this designation. Mr. Wright seconded. The motion was approved unanimously.

2. NURSE AIDE/ABUSE REGISTRY

Ms. Reed presented a PowerPoint presentation of the Nurse Aide pass/fail rates, trends, challenge applications and of reciprocity applications from January through August of this year 2024. The information listed below was provided to the Commission members. Many members inquired about how they can help to encourage more people especially high school students to take the nurse aide training due to the shortage of nurse aides due to the competition of salaries among nurse aides versus McDonald's and Walmart. Commission members agreed that more need to be done to encourage to hire and certify more nurse aides for nursing homes and other health care facilities in the future.

- a. Trend graph total # certified nurse aides for 2024
- b. Trend graphs of pass/fail rates for 2024
- c. Plot map of training program types by location
- d. # challenge applications processed per month for 2024 including # approved & # denied
- e. # of reciprocity applications processed per month for 2024

3. CLOSED FACILITY

VIII. OTHER BUSINESS

1. Discussion to approve Executive Commissioner's raise of compensation

Ms. Sweitzer made a motion to approve the compensation increase. Ms. Brennan seconded. The motion was approved unanimously.

IX. ADJOURNMENT