



The Tennessee Open Meetings Act 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.

**TENNESSEE DEPARTMENT OF HEALTH
MEMORANDUM**

Date: January 4, 2016

To: Woody McMillin, Director of Communication and Media Relations

From: Wanda E. Hines, Board Administrator

Name of Board or Committee: Board for Licensing Health Care Facilities-Facilities
Construction Standing Committee and the Assisted Care
Living Facilities Standing Committee Meeting
(Call-in Number: 1-888-757-2790 passcode: 457462#)

Date of Meeting: January 7, 2016

Time: 9:00 a.m. – 12:00 noon, CST

Place: Poplar Conference Room
665 Mainstream Drive, First Floor
Nashville, TN 37243

Major Item(s) on Agenda: See attachment.

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.



JOHN J. DREYZEHNER, MD, MPH
COMMISSIONER

BILL HASLAM
GOVERNOR

*THE MISSION OF THE TENNESSEE DEPARTMENT OF HEALTH IS TO PROTECT, PROMOTE AND IMPROVE THE
HEALTH AND PROSPERITY OF PEOPLE IN TENNESSEE*

AGENDA

**BOARD FOR LICENSING HEALTH CARE FACILITIES
FACILITIES CONSTRUCTION STANDING COMMITTEE AND THE
ASSISTED CARE LIVING FACILITIES STANDING COMMITTEE MEETING**

**JANUARY 7, 2016
POPLAR CONFERENCE ROOM, FIRST FLOOR
9:00 a.m. to 12:00 noon**

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

**A. FACILITIES CONSTRUCTION AND ASSISTED CARE LIVING FACILITIES
STANDING COMMITTEE MEETING – 9:00 a.m. to 11:00 a.m.**

1. Call the Meeting to Order and Establish a Quorum.
2. Approval of Minutes: **June 23, 2015**
 - (1) Facilities Construction Standing Committee Meeting
 - (2) Performance Improvement Issue Standing and Facilities Construction Joint Standing Committee Meeting

September 17, 2015

 - (1) Assisted Care Living Facility/Facilities Construction Standing Committee Meeting
3. **Revisit-Governor's Bend Assisted Living Facility, Erwin - Nurse Call System; Standing Committee request information from the wireless call system manufacturer.**
4. Other Discussion(s).
5. Public Comments.
6. Adjourn.

B. ASSISTED CARE LIVING FACILITIES STANDING COMMITTEE – 11:00 a.m.

1. Call the Meeting to Order and Establish a Quorum.
2. Approval of Minutes: **September 17, 2015**
 - (1) Assisted Care Living Facility Standing Committee Meeting
3. Tennessee Board for Licensing Health Care Facilities 2015 Performance Audit Findings regarding Medications Administration in Assisted Care Living Facilities.
4. Other Discussion(s)
5. Public Comments.
6. Adjourn.

MINUTES

BOARD FOR LICENSING HEALTH CARE FACILITIES ASSISTED CARE LIVING FACILITY/FACILITIES CONSTRUCTION STANDING COMMITTEE MEETING

JANUARY 7, 2016

The Board for Licensing Health Care Facilities' Assisted Care Living Facility (ACLF)/Facilities Construction Standing Committee meeting began on January 7, 2016. David Rhodes, Chairman of this co-committee, called the meeting to order.

A roll call vote was taken:

Mr. Joshua Crisp – here
Dr. Sherry Robbins – here
Ms. Carissa Lynch – here
Ms. Annette Marlar – here
Mr. Roger Mynatt – here
Dr. René Saunders – not here
Mr. David Rhodes – not here
Dr. Kenneth Robertson - here

A quorum was established.

The first item of business was approval of three (3) sets of standing committee minutes. The first set of minutes up for approval were the June 23, 2015 Facilities Construction Standing Committee meeting and co-committee meeting with the Performance Improvement (PI) Standing Committee. These were approved by the Facilities Construction Standing Committee. The second set of minutes up for approval were the September 17, 2015 Assisted Care Living Facility (ACLF) Standing Committee and Facility Construction Standing Committee co-committee meeting. The co-committee approved these minutes.

The second item of business was to revisit Governor's Bend Assisted Living's waiver request of assisted living facility regulation, 1200-08-25-.09(1). Ms. Ann Reed gave background to the co-committee on this agenda item. The purpose of the meeting was to follow-up on the November 16, 2015 meeting of this co-committee and discussion of the request of Governor's Bend Assisted Living. Mr. Randy Trivette, representative of Governor's Bend Assisted Living, provided to the co-committee information requested by the co-committee. The requested information was to ask the facility's current wireless nurse call system manufacturer if they intended to have their system UL 2560 compliant. The report indicated the manufacturer is working on a newer model of the system which would be compatible with the current system used by Governor's Bend. The second item of information requested by the co-committee was the life expectancy of these systems. The manufacturer indicated there was no prescribed life expectancy of the system. Mr. Trivette requested of the co-committee that Governor's Bend be allowed to continue to use their current system and as the system ages it will be upgraded to a system that will be UL 2560 thereby meeting the approved codes. Mr. Rhodes stated if a waiver was granted this would be on a specific case basis and a one-time event as long as the safety of the residents is not

compromised. Dr. Robertson voiced concern with approving a waiver that would compromise the facility to build off the current system in place based upon changes that may occur with ratings of the wireless systems and codes requirements. Mr. Devin Wells, Office of General Counsel, indicated to the co-committee there is a record of safety based upon the facility's use of the current wireless system for the past three (3) years. Mr. Trivette indicated a minimum of five (5) years would be needed to upgrade the system which coincides with the current manufacturers upgrade timeframe. Ms. Marlar voiced concern over receiving multiple requests of this same requirement. Mr. Crisp echoed this sentiment. He further stated he is aware of many assisted care living facilities that do not have the appropriate wireless system per codes so there will be a lot of waiver requests. Mr. Crisp also suggested an interpretative guideline to address the potential numerous waiver requests. He also directed the co-committee members to the research results he provided from NEMA. Dr. Robbins went on record stating she did not have an issue with granting this waiver request since the facility has a history of use of the current system, the system is monitored at all times, uses multiple frequencies, and has a back-up for the system. Dr. Robertson added some further items for consideration – suggestion of granting a waiver for all Assisted Care Living Facilities for 1069 Edition Seven (7) nurse call systems, recommend all new system installs be complaint with Assisted Care Living Facility UL 2560 Standards, and all systems to be upgraded to 2560 by 2021 which would be five (5) years from now. Mr. Rhodes indicated waivers can't be granted for facilities that do not ask for waivers. He feels it would be more appropriate to grant the one waiver and then issue an interpretative guideline. Ms. Reed concurred with Mr. Rhodes' suggestion, but indicated to be proactive the Board might issue a Board Policy on the issue. **Dr. Robertson made a motion to grant a waiver for Governor's Bend Assisted Care Living Facility regarding the 1069 Edition Seven (7) ruling and would grant that for five (5) years until they can switch to a 2560 compliant system; seconded by Ms. Marlar. The motion was approved.** This motion is to be presented to the full Board at the January 14 & 15, 2016 Board meeting.

Mr. Rhodes adjourned the meeting.