



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
AMENDED**

Date: April 2, 2018
To: Shelley Walker, Director of Communication and Media Relations
From: Wanda E. Hines, Board Administrator

Name of Board or Committee: Board for Licensing Health Care Facilities-Emergency Called Disciplinary Hearing for a Summary Suspension and/or Ratify an Order
(Call-in Number: 1-888-757-2790 passcode: 152602#)

Date of Meeting: April 3, 2018
Time: 9:00 a.m.
Place: Poplar Conference Room
665 Mainstream Drive, First Floor
Nashville, TN 37243

Major Item(s) on Agenda: See attachment.

Link to Live Video Stream:

<https://web.nowuseeit.tn.gov/Mediasite/Play/be70fa52fc0f411b830b354f92f4317c1d>

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
EMERGENCY CALLED DISCIPLINARY HEARING**

APRIL 3, 2018

POPLAR CONFERENCE ROOM, FIRST FLOOR

9:00 a.m.

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

1. Call the Meeting to Order and Establish a Quorum.
2. Disciplinary Hearing – Summary Suspension and/or Ratify an Order.
3. Adjourn.

MINUTES
BOARD FOR LICENSING HEALTH CARE FACILITIES
EMERGENCY CALLED DISCIPLINARY HEARING
April 3, 2018

The Emergency Called Disciplinary Hearing meeting of the Board for Licensing Health Care Facilities began April 3, 2018.

Mr. Jim Shulman was present and served as chairman of this meeting. Mr. Shulman called the meeting to order and requested Ann Reed, Director of the Board for Licensing Health Care Facilities, to conduct a roll call of attendance.

Mr. Paul Boyd - not here
Mr. Robert Breeden - here
Dr. Evelyn Brock - not here
Mr. Joshua Crisp - here
Mr. Thomas Gee - here
Dr. Jennifer Gordon-Maloney - not here
Mr. Chuck Griffin - not here
Ms. Patricia Ketterman - not here
Ms. Carissa Lynch - here
Ms. Annette Marlar - not here
Mr. Roger Mynatt - here
Dr. Lisa Piercey - here
Dr. Sherry Robbins - here
Dr. Kenneth Robertson - here
Dr. Rene Saunders - not here
Mr. Jim Shulman, Chairman Pro Tem - here
Ms. Gina Throneberry - here
Ms. Janet Williford - here
Mr. Bobby Wood - here

A quorum was established.

Caroline Tippens, Office of General Counsel (OGC), presented the Consent Order for Legacy Assisted Living and Memory Care, Memphis. Ms. Tippens gave the Board a brief summary of the Consent Order. She stated that the facility shall hire a qualified consultant at its expense and work with the facility for six (6) months to cure any remaining deficiencies and to submit an acceptable Plan of Correction (POC). The consultant will work with the facility to establish a work plan that will be shared with the state within 45 days of the Consent Order. During the six (6) month period, any new serious violation affecting the health, safety, and welfare of residents within the facility will result in suspension of admissions pending a prompt hearing by the Board. Following the initial six (6) months, the respondent will appear before the Board and submit quarterly reports through the end of calendar year 2019. The respondent shall also ensure that all staff undergo in-service training and provide written proof of completion of such training to the Board within six (6) months of the date of the Board's Order. Lastly, an assessment of 9 CMPs in the amount of \$500.00 each for a total of \$4,500.00

shall be submitted within 30 days of the Order. A few board members caught typos in the Consent Order that needed to be corrected and added dates that were needed to clarify. **Dr. Kenneth Robertson made a motion to accept the amended Consent Order for Legacy Assisted Living; Dr. Sherry Robbins seconded. A roll call vote was taken -**

**Mr. Paul Boyd - not here
Mr. Robert Breeden - yes
Dr. Evelyn Brock - not here
Mr. Joshua Crisp - yes
Mr. Thomas Gee - yes
Dr. Jennifer Gordon-Maloney - not here
Mr. Chuck Griffin - not here
Ms. Patricia Ketterman - not here
Ms. Carissa Lynch - yes
Ms. Annette Marlar - not here
Mr. Roger Mynatt - yes
Dr. Lisa Piercey - yes
Dr. Sherry Robbins - yes
Dr. Kenneth Robertson - yes
Dr. Rene Saunders - not here
Mr. Jim Shulman, Chairman Pro Tem - yes
Ms. Gina Throneberry - yes
Ms. Janet Williford - yes
Mr. Bobby Wood - yes**

The motion was approved.

Mr. Shulman requested to have the administrator to appear before the Board in June to address what has occurred and the seriousness of these issues as well as to provide to the Board the quarterly report. Mr. Joshua Crisp suggested that the administrator appear before the ACLF Standing Committee for further review then report to the full Board in June. **Mr. Robert Breeden made a motion to accept Mr. Crisp's suggestion of the administrator to appear before the ACLF Standing Committee then appear before the full Board in June with the quarterly report; Ms. Janet Williford seconded. The motion was approved.**

Mr. Shulman officially called the meeting adjourned.