



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.

TENNESSEE DEPARTMENT OF HEALTH

MEMORANDUM

Date: June 1, 2020
To: Shelley Walker, Director of Communications and Media Relations
From: Wanda E. Hines, Board Administrator

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

Date of Meeting: June 3, 2020

Time: 9:00 a.m., Central Time

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

WebEx Event: Due to COVID-19 considerations, please join us in our virtual meeting which is open to the public using the instructions below.

During the meeting, please join using the information below:

Link to Live Video Stream:

<https://tdh.streamingvideo.tn.gov/Mediasite/Play/d7cf1533941e43b3a86c81f91022ed411d>

Join as an attendee:

<https://tngov.webex.com/tngov/onstage/g.php?MTID=ecc478f6eb27a4a926cd2e042d360b2a3>

Event Number: 161 232 5395

Event Password: HCF2020

Join the audio conference only

To join the meeting telephonically call the number below and enter the access code.

US TOLL +1-415-665-0003 Event number/Access code: 161 232 5395

Major Item(s) on Agenda: See Attached

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.

PH-1850 (Rev. 3/79)

RDA N/A



LISA PIERCEY, MD, MBA, FAAP
COMMISSIONER

BILL LEE
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

JUNE 3, 2020

IRIS CONFERENCE ROOM, FIRST FLOOR
9:00 a.m.

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

- I. WELCOME NEW BOARD MEMBERS:**
- II. CALL THE MEETING TO ORDER AND ESTABLISH A QUORUM.**
- III. REPORTS.**
 - A. EMS REPORT** – Robert Seesholtz, Trauma System Manager, EMS
 - B. NURSE AIDE REPORT** – Wanda King, Program Manager, CNA
 - C. OFFICE OF GENERAL COUNSEL REPORT** – Caroline Tippens,
Senior Associate General Counsel
 - D. OFFICE OF HEALTH CARE FACILITIES REPORT** – Vincent Davis, Director
Health Care Facilities

IV. LICENSE STATUS REQUESTS.

A. BAPTIST TRINITY HOME CARE-PRIVATE PAY DIVISION, MEMPHIS (HHA #242)

This home health agency is requesting a second extension waiver for their license to remain on inactive status through June 3, 2021. Baptist-Trinity sought a partner to collaborate with on the future operations of its home care service which was unsuccessful. Baptist-Trinity is now evaluating the possibility of combining its home health offerings with the telemedicine capabilities of its parent Baptist Memorial to provide needed at-home care for patients impacted by COVID-19 quarantine restrictions. This facility's license was placed on inactive status for one (1) year on June 6, 2018 which expired June 6, 2019; and an extension inactive waiver status for an additional twelve (12) month was granted June 9, 2019 which expires June 9, 2020.

REPRESENTATIVE(S): Travis B. Swearingen, Attorney

B. DECATUR COUNTY GENERAL HOSPITAL, PARSONS (HOSP #28)

This forty (40) bed facility is seeking to place their license on inactive status. Due to its current financial situation the facility cannot continue to operate. Decatur County General Hospital is entering into a purchase agreement in the asset of the hospital which includes the license. The hospital closed their door on April 14, 2020.

REPRESENTATIVE(S): Beau R. Braden, CEO

C. JACKSON PARK CHRISTIAN HOME, NASHVILLE (NH #55)

This twenty-eight (28) bed nursing home facility is seeking its seventh extension of their license to remain on inactive status for an additional one (1) year to June 2021. Signature continues its effort to find either a viable purchaser, or a viable development opportunity for the facility's beds with another replacement facility. Jackson Park Christian Home's license was placed on inactive status for twelve (12) months on May 2, 2012; an extension waiver for inactive status was granted for an additional twelve (12) months on May 1, 2013; a second extension was granted on May 8, 2014 for an additional twelve (12) months; a third extension was granted on May 6, 2015 for an additional twelve (12) months; a fourth extension was granted on May 4, 2016 for an additional twelve (12) months; a fifth extension was granted on June 7, 2017 for an additional twelve (12) months; a sixth extension was granted on June 6, 2018 for two (2) additional months which expires June 2020.

REPRESENTATIVE(S): Chris Puri, Attorney

D. MEMORIAL/MISSION OUTPATIENT SURGERY CENTER, CHATTANOOGA (ASTC #147)

This ambulatory surgical treatment center is seeking a sixth waiver request to remain on inactive status until June 2021. Leadership at Memorial/Mission made substantial efforts in evaluating potential options for reactivating but due to the COVID-19 pandemic, those efforts have been shelved as all stakeholders work to deal with the current crisis. Continuation of inactive status will hopefully permit the pandemic to

subside to allow the necessary parties to reconvene to finalize plans for the facility. This facility's license was placed on inactive status for twelve (12) months on May 6, 2015 which expired May 6, 2016; an extension inactive waiver status for additional twelve (12) months was granted on May 5, 2016 which expired June 7, 2017; an second extension inactive status for additional twelve (12) months was granted on June 7, 2017 which expired June 7, 2018; and a third extension inactive waiver status for additional twelve (12) months was granted on June 6, 2018 for additional twelve (12) months which expires June 6, 2019; and a fourth extension was granted for June 5, 2019 for twelve (12) months which will expire on June 3, 2020. .

REPRESENTATIVE(S): Travis B. Swearingen, Attorney

E. NASHVILLE METRO CARE & REHABILITATION CENTER, NASHVILLE (NH#47)

This one hundred eleven (111) bed skilled nursing home facility is requesting an additional twenty-four (24) months extension to remain on inactive until the next board meeting in June 2022. The facility is under financial defaults with the Bank of Oklahoma (BOKF) and is now in the process of remarketing the facility assets and seeking a new purchaser who will redevelop and reopen the facility.

REPRESENTATIVE(S): Chris Puri, Attorney

F. SAPLING GROVE ASC, BRISTOL (ASTC #116)

This ambulatory surgical treatment center is requesting a one (1) year extension of their license to remain on inactive status. The entity that previously owned the facility transferred sole ownership of the facility to Wellmont Health System, an affiliate of Ballad Health. Sapling Grove ASC license is requesting to remain on inactive status for an additional year to allow Ballad Health can make a determination as to the future use of the facility.

REPRESENTATIVE(S): Dan Elrod, Attorney

G. SISKIN HOSPITAL'S SUBACUTE REHABILITATION PROGRAM, CHATTANOOGA (NH #382)

This twenty-nine (29) bed nursing home facility is requesting a third extension waiver for their license to remain on inactive status through June 2021. Siskin continues to explore options for these beds, but a definitive plan has not yet been developed. Siskin Subacute was placed on inactive status for one (1) year on June 7, 2017 which expired June 7, 2018; an extension inactive status waiver was granted June 7, 2018 which expired June 7, 2019; a second extension inactive status for one (1) year on June 7, 2019 which expires June 7, 2020.

REPRESENTATIVE(S): Dan Elrod, Attorney

H. UPPER CUMBERLAND HOSPICE AND PALLIATIVE CARE, LLC, CHATTANOOGA #9

Upper Cumberland Hospice and Palliative Care, LLC, Cookeville, a residential hospice facility is requesting a third extension waiver for their license to remain on inactive status for an additional one (1) year. Upper Cumberland Hospice and Palliative Care LLC, Cookeville was placed on inactive status on February 8, 2017 for twelve (12) months which expired on February 2018; an extension inactive status was granted for twelve (12) months on February 8, 2018 which expired on February 7, 2019; an second extension inactive status was granted for twelve (12) months was granted on June 5, 2019 which will expire on June 5, 2020.

REPRESENTATIVE(S): Tracy Wood, President and CEO

V. WAIVER REQUESTS.

A. DELTA SPECIALTY HOSPITAL, MEMPHIS (HOSP #106)

This two hundred twenty-three (223) bed facility is seeking to waive the hospital designation of a general hospital to require a radiological unit. Delta Specialty Hospital is asking for clarity of the definition rule for general hospital designation Hospital Rule 1200-08-.01-.01(37) and Hospital Rule 1200-08-01-.06(7)(a) regarding radiologic services.

REPRESENTATIVE(S): Andre' K. Cromwell, Chief Executive Officer

B. HCA HEALTHCARE

These rehab programs have been at a high occupancy over the past year including the first quarter of 2020. Due to the current national pandemic, the need for rehab services has increased.

1. **TriStar Southern Hills Medical Center, Nashville (HOSP #21)** – This 126 bed hospital is requesting to increase their rehab services bed count for one (1) additional bed. The total licensed rehab beds complement will be seventeen (17) beds upon approval. This request is made pursuant to the Tennessee Health Services and Development Agency statute T.C.A. §68-11-1607(g).
2. **TriStar Horizon Medical Center, Dickson (HOSP #29)** – This 157 bed hospital is requesting to increase their rehab services bed count for one (1) additional bed. The total licensed rehab beds complement will be thirteen (13) beds upon approval. This request is made pursuant to the Tennessee Health Services and Development Agency statute T.C.A. §68-11-1607(g).
3. **Parkridge Medical Center, Inc., Chattanooga (HOSP #66)** – This 621 bed hospital is requesting to increase their rehab services bed count for one (1) additional bed. The total licensed rehab beds complement will be thirteen (13) beds upon approval. This request is made pursuant to the Tennessee Health Services and Development Agency statute T.C.A. §68-11-1607(g).

4. **TriStar Skyline Medical Center, Nashville (HOSP#23)** – This 385 bed hospital is requesting to increase their rehab services bed count for four (4) additional beds. The total licensed rehab beds complement will be forty-five (45) beds upon approval. This request is made pursuant to the Tennessee Health Services and Development Agency statute T.C.A. §68-11-1607(g).
5. **TriStar Summit Medical Center, Hermitage (HOSP#33)** – This 218 bed hospital is requesting to increase their rehab services bed count for two (2) additional beds. The total licensed rehab beds complement will be twenty-one (22) beds upon approval. This request is made pursuant to the Tennessee Health Services and Development Agency statute T.C.A. §68-11-1607(g).

REPRESENTATIVE(S): Johnny Harrison, Regional Vice President
HCA POST Acute Services

C. ORTHODYNAMICS COMPANY, INC., NOBLESVILLE, IN

This home medical equipment (HME) provider is seeking to waive the HME Rule 1200-08-29-.06(5) physical location requirement for the HME licensure category of providers and appeal to the Board for consideration of the unique needs of the patients they serve and the Tennessee hospitals they support.

REPRESENTATIVE(S): Dan Ehman, COF, Vice President

D. UNITY MEDICAL CENTER, MANCHESTER (HOSP #17)

This forty-nine (49) hospital bed facility is seeking to reopen an existing 4 bed ICU. This original unit was opened in 1999 but was eventually converted to a sleep lab. In reviewing current ICU requirements in the FGI Guidelines for Design and Construction of Health Care Facilities Unity were alerted to the need for a waiver on the following: (1) Request waiver for minimum square footage of critical care room - A2.2-2.6.2.2. *In renovation rooms must have a minimum clear floor area of 150 square feet; (2) Request waiver for minimum clearances. A2.2-2.6.2.2 *Clearances-all adult critical care patient rooms shall have the following minimum clearances: 1 foot from head or bed to wall, 5 feet from the foot of bed to the wall, 5 feet on the transfer side, and 4 feet on the non-transfer side; (3) Request waiver for janitorial/EVS room-A2.2-2.6.8.14. *An environmental services room shall be provided that meets the requirements in section 2.1-2.8.14; (4) Request waiver for clean supply area-A2.2-2.6.8.11. *A clean supply room shall be provided in each critical care unit; (5) Request waiver for minimum 13 foot headwall width - A2.2-2.6.2.2. *Each critical care patient room shall have a minimum headwall width of 13 feet; (6) Request waiver for dedicated staff lounge on ICU-A2.2-2.6.9.1 *Staff lounge facilities shall be provided in or adjacent to the critical care area.

REPRESENTATIVE(S): Martha McCormick, CEO

E. VANDERBILT UNIVERSITY HOSPITAL, NASHVILLE (HOSP #27)

Vanderbilt University Hospital, Nashville, is requesting a 5th waiver request to continue to allow the use of the area on the first floor temporarily as an observation unit and to waive the space requirements of the rooms and cubicles located in the observation unit; and must submit a report at the June 3, 2020 board meeting to update on the continued temporary usage of this area. Vanderbilt University Medical Center continues to use a portion of the first floor temporarily as an observation unit in accordance to the granted waiver and intends to continue such use for additional two (2) more years.

REPRESENTATIVE(S): Travis Swearingen, Attorney, Butler Snow and Ginna Felts, Vice President, Business Development

F. WILLIAMSON MEDICAL CENTER, FRANKLIN (HOSP #) –This 185 bed hospital is requesting to increase their acute beds count for eighteen (18) additional beds. The total licensed acute beds complement will be one hundred ninety-five (195) beds upon approval. This request is made pursuant to the Tennessee Health Services and Development Agency statute T.C.A. §68-11-1607(g).

REPRESENTATIVE(S): Julie Miller, Chief Operating Officer

VI. DISCUSSION(S).

A. Riverdale Assisted Living Facility, Memphis #370 – A representative must appear before the Board to give a progress report according to the Commissioner’s Order.

B. Tennessee Community Organizations (TNCO) a provider organization which includes providers licensed as Professional Support Services (PSS) Agencies has concerns regarding having a nurse delegated for tasks but is not PSS license will it be required to have such a license. TennCare DIDD/Choices views delegated tasks as nursing services are required to have a PSS license and/or Home Health Agency license.

REPRESENTATIVE(S): Melanie A. Keller, President/CEO

C. IDT composition rule clarification of ACLF Rule 1200-08-25-.12(5)(a).

D. Belmont Village, Memphis #102 – This facility’s survey was conducted 12/11/19 resulting in the submission of three (3) unacceptable plans of correction (POC) to the West Tennessee Regional Office (WTRO). A fourth POC was submitted to and reviewed by the WTRO. This POC was slated for presentation and review at the 3/24/20 ACLF Standing Committee. The COVID-19 pandemic caused the cancellation of the ACLF Standing Committee. Therefore, the WTRO accepted the fourth submitted POC and completed a desk review for compliance. Belmont Village was deemed back in compliance on April 7, 2020.

- E.** Apple Grove Alzheimer's & Dementia, Memphis #301 – This facility's life safety survey was conducted on 1/6/20 resulting in the submission of three (3) unacceptable plans of correction (POC) to the West Tennessee Regional Office (WTRO). A fourth POC was submitted to and reviewed by the WTRO. This POC was slated for presentation and review at the 3/24/20 ACLF Standing Committee. The COVID-19 pandemic caused the cancellation of the ACLF Standing Committee. Therefore, the WTRO accepted the fourth submitted POC with an onsite visit to occur once the relaxation of COVID-19 pandemic restrictions occurs. Until this time, the facility remains out of compliance.

REPRESENTATIVE(S): Kimily Taylor, Administrator

- F.** Nursing Homes Residents – Voters List.
- G.** Revisit-Approved Interpretative Guidelines regarding the COVID-19 Crisis waivers in effect until the June 3, 2020 Board meeting.
- H.** CST Communication & Swallowing Therapies, Knoxville #295 –Unacceptable Plan of Correction #3 was submitted on July 31, 2019 for licensure. A plan of correction (POC) #4 is required and must be submitted by May 22, 2020. Failure to submit a POC will result in referral to the Board according to State of Tennessee T.C.A. §68-11-213(k)(1) & (2) and a representative must appear before the Board. As of today's date no POC or communication has been received from this facility.

REPRESENTATIVE(S): Jennifer Mize, Administrator

- I.** THCA-COVID-19 Discussion.
- J.** Carriage Court of Memphis, Memphis #61 (ACLF) – Request to Lift Probation.

REPRESENTATIVE(S): Chris Puri, Attorney

- K.** The Terrace at Mountain Creek, Chattanooga #257 (ACLF) – Request to Lift Probation.

REPRESENTATIVE(S): Chris Puri, Attorney

- L.** Approval of the Joint Annual Report on the Status of Children's Emergency Care Alliance of Tennessee (CECA TN) 2020.

REPRESENTATIVE(S): Natasha Kurth, Executive Director
Children's Emergency Care Alliance of Tennessee (CECA
TN)

VII. APPROVAL OF MINUTES.

- A. February 5, 2020 – Board Meeting
- B. March 13, 2020 – Emergency Telephonic Board Meeting
- C. April 1, 2020 – Emergency Called Telephonic Board Meeting

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

A. SPECIAL CONSIDERATION

1. (INITIALS)

(a) Home Medical Equipment

CCS Medical, Knoxville

B. RATIFICATION.

1. QUALIFYING APPLICATIONS (Approval)

(INITIALS)

(a) Ambulatory Surgical Treatment Centers

Meadowview ASC, LLC, Kingsport

(b) Assisted Care Living Facility

Clarendale at Bellevue Place, Nashville

The Lantern at Morning Pointe Alzheimer’s Center, Spring Hill

Tradition of Mill Creek, Brentwood

(c) End Stage Renal Dialysis Clinics

Pure Life Renal of Cool Springs, LLC, Brentwood

(d) Home Medical Equipment

Otto Bock Orthopedic Services, LLC, Mt. Juliet

(e) Hospice Services

Goshen Hospice and Palliative Care, Memphis

(f) Professional Support Services

BetterLives, LLC, Knoxville

Providence Care, Inc., Nashville

2. **(CHOWS)**

(a) **Assisted Care Living Facility**

Maple Court, Powell
Raintree Terrace, Knoxville

(b) **Hospitals**

Perry Community Hospital, Linden

IX. LICENSE STATUS UPDATES.

CONTINUOUS CARE SERVICES, LLC, HERMITAGE (HHA-48)

This home health agency has structural damage to their office due to the tornado that happened on March 3, 2020. This agency is unable to work in their current location and is working diligently to find another space to move into soon as possible and will notify the department when a location is found. Continuous Care Services, LLC is functioning as usual and patients are being seen and phones have been forwarded and answered appropriately.

EAGLE CREST ASSISTED LIVING, CHATTANOOGA (ACLF #318)

This sixteen (16) bed assisted living was involved in a tornado. All residents were evacuated to Majestic Manor in Rock Spring, GA temporarily. The facility is back open and the residents have returned back to the facility May 4, 2020.

MERITAN, INC., MEMPHIS (PSS #329)

This Professional Support Services Agency is not providing any nursing or therapy services to DIDD clients since July 23, 2019. Meritan Inc. has closed their agency effective May 5, 2020.

***FACILITY CLOSURES**

See attachment.

X. BOARD POLICY CONSENTS.

A. THE FOLLOWING NURSING HOMES ARE REQUESTING TO WAIVE NURSING HOME REGULATIONS 1200-08-06-.04(1) FOR A TENNESSEE LICENSED NURSING HOME ADMINISTRATOR UNTIL A PERMANENT REPLACEMENT IS HIRED OR RECEIVES HIS/HER LICENSE IN TENNESSEE BY BOARD POLICY #81:

1. Dickson Health and Rehab, Dickson #72
- Tyler J, Tempest, Temporary Administrator
2. Midtown Center for Health and Rehabilitation, Memphis #255
- Luanne Porter Comperry, Temporary Administrator
3. Signature HealthCare of South Pittsburg Rehab & Wellness Center, South Pittsburg #176 - Preston Harness, Temporary Administrator

4. Boulevard Terrace Rehabilitation and Nursing Center, Murfreesboro #217
- Christine Wilson, Temporary Administrator

B. THE FOLLOWING FACILITIES ARE REQUESTING APPROVAL TO PERMIT A NURSING HOME ADMINISTRATOR TO SERVE AS ADMINISTRATORS BOTH A NURSING HOME AND RESIDENTIAL HOMES FOR AGED AND/OR ASSISTED CARE LIVING FACILITY ACCORDANCE WITH BOARD POLICY #39:

1. Princeton Transitional Care & Assisted Living, Johnson City (NH-337) & (ACLF-486)
- Dale Slivka, Administrator

XI. ORDERS.

A. Consent Orders.

Revised 6/1/2020

MINUTES
BOARD FOR LICENSING HEALTH CARE FACILITIES
BOARD MEETING
JUNE 3, 2020

The Board for Licensing Health Care Facilities meeting began on June 3, 2020. Dr. Renè Saunders, chair, called the meeting to order.

A quorum roll call vote was taken:

Mr. Paul Boyd – here
Mr. Robert Breeden – here
Dr. Evelyn Brock – not here
Mr. Louis Caputo – here
Dr. Patsy Carihfield – here
Mr. Joshua Crisp – here
Dr. Jennifer Gordon-Maloney – not here
Mr. Chuck Griffin – here
Dr. Julie Jeter – here
Ms. Patricia Ketterman – here
Ms. Carissa Lynch – here
Mr. Roger Mynatt – here
Ms. Susan Peach – here
Dr. Sherry Robbins – here
Dr. Renè Saunders – here
Mr. Jim Shulman – here
Ms. Gina Throneberry – here
Ms. Janet Williford – here
Mr. Bobby Wood – here

A quorum was established.

REPORTS:

EMS-

Robert Seesholtz, EMS Trauma System Manager, presented the EMS report. He presented 4 American College of Surgeons trauma center verification extension letters for Vanderbilt, Erlanger, University of Tennessee and Skyline Medical Center. Mr. Seesholtz presented to the Board for an additional year extension of each facility's trauma center designation based upon their ACS verification. **Ms. Peach made a motion to approve the extension; Dr. Robbins seconded.**

A roll call vote was taken:

Mr. Paul Boyd – yes
Mr. Robert Breeden – yes
Mr. Louis Caputo – yes
Dr. Patsy Carihfield – yes

Mr. Joshua Crisp – yes
Mr. Chuck Griffin – yes
Dr. Julie Jeter – yes
Ms. Patricia Ketterman – yes
Ms. Carissa Lynch – yes
Mr. Roger Mynatt – yes
Ms. Susan Peach – yes
Dr. Sherry Robbins – yes
Dr. Renè Saunders – yes
Mr. Jim Shulman – yes
Ms. Gina Throneberry – yes
Ms. Janet Williford – yes
Mr. Bobby Wood – yes

The motion was approved.

He also requested that Board Policy #83 be extended to 3 facilities in East Tennessee; Ballad of Johnson City, Ballad of Bristol and Holston Valley Medical Center until May 2021. **Ms. Peach made a motion to extend Board Policy #83 for the 3 facilities in East Tennessee; Ms. Ketterman seconded. Dr. Robbins recused herself.**

A roll call vote was taken:

Mr. Paul Boyd – yes
Mr. Robert Breeden – yes
Mr. Louis Caputo – yes
Dr. Patsy Crihfield – yes
Mr. Joshua Crisp – yes
Mr. Chuck Griffin – yes
Dr. Julie Jeter – yes
Ms. Patricia Ketterman – yes
Ms. Carissa Lynch – yes
Mr. Roger Mynatt – yes
Ms. Susan Peach – yes
Dr. Sherry Robbins – recused
Dr. Renè Saunders – yes
Mr. Jim Shulman – yes
Ms. Gina Throneberry – yes
Ms. Janet Williford – yes
Mr. Bobby Wood – yes

The motion was approved.

Mr. Seesholtz requested to extend trauma designation to August 2021 for an additional year for Horizon Medical Center. **Mr. Boyd made a motion to approve; Mr. Mynatt seconded.**

A roll call vote was taken:

Mr. Paul Boyd – yes
Mr. Robert Breeden – yes
Mr. Louis Caputo – yes
Dr. Patsy Carihfield – yes
Mr. Joshua Crisp – yes
Mr. Chuck Griffin – yes
Dr. Julie Jeter – yes
Ms. Patricia Ketterman – yes
Ms. Carissa Lynch – yes
Mr. Roger Mynatt – yes
Ms. Susan Peach – yes
Dr. Sherry Robbins – yes
Dr. Renè Saunders – yes
Mr. Jim Shulman – yes
Ms. Gina Throneberry – yes
Ms. Janet Williford – yes
Mr. Bobby Wood – yes

The motion was approved.

Mr. Seesholtz requested to allow the provisional visit revisit for Hendersonville Medical Center to be a desk review due August 2020. **Mr. Shulman made a motion to approve; Mr. Mynatt seconded. Ms. Peach recused herself.**

A roll call vote was taken:

Mr. Paul Boyd – yes
Mr. Robert Breeden – yes
Mr. Louis Caputo – yes
Dr. Patsy Carihfield – yes
Mr. Joshua Crisp – yes
Mr. Chuck Griffin – yes
Dr. Julie Jeter – yes
Ms. Patricia Ketterman – yes
Ms. Carissa Lynch – yes
Mr. Roger Mynatt – yes
Ms. Susan Peach – recused
Dr. Sherry Robbins – yes
Dr. Renè Saunders – yes
Mr. Jim Shulman – yes
Ms. Gina Throneberry – yes
Ms. Janet Williford – yes
Mr. Bobby Wood – yes

The motion was approved.

Mr. Seesholtz requested to extend trauma designation for Horizon Medical Center for 1 year until August 2021. **Mr. Boyd made a motion to approve; Mr. Mynatt seconded.**

A roll call vote was taken:

Mr. Paul Boyd – yes
Mr. Robert Breeden – yes
Mr. Louis Caputo – yes
Dr. Patsy Carihfield – yes
Mr. Joshua Crisp – yes
Mr. Chuck Griffin – yes
Dr. Julie Jeter – yes
Ms. Patricia Ketterman – yes
Ms. Carissa Lynch – yes
Mr. Roger Mynatt – yes
Ms. Susan Peach – yes
Dr. Sherry Robbins – yes
Dr. Renè Saunders – yes
Mr. Jim Shulman – yes
Ms. Gina Throneberry – yes
Ms. Janet Williford – yes
Mr. Bobby Wood – yes

The motion was approved.

Lastly, Mr. Seesholtz presented the Trauma Care Advisory Council minutes, a report on the provisional site visit at Turkey Creek Medical Center which was granted a provisional designation 2/20/2020, and a report the Annual Trauma Report for legislators was complete.

Nurse Aide-

Ms. Wanda King, Nurse Aide Manager, presented to the Board the Nurse Aide Report. She stated there are 440 persons designated as temporary nurse aides per the April 1, 2020 Interpretative Guideline. Ms. King also reported receipt of many applications for nurse aide programs especially in the private sector/industry.

Office of Health Care Facilities-

Mr. Vincent Davis, Director, presented a report to the Board the Health Care Facilities. He reported since March 2020 surveys have been limited per Executive Order 20 and CMS limiting state presence to the conducting of infection control focus surveys. These focus surveys have shown 100% compliance and CMS has placed a 7/31/2020 deadline for completion of these focus surveys. Mr. Davis gave accolades to the Board members recognizing the Board members efforts during the pandemic and offered recognition for the Board's administrative staff.

OGC-

Ms. Caroline Tippens, Senior Associate General Counsel, presented the Office of General Counsel's report to the Board. She presented the following information –

- One consent order to be presented later in the Board meeting
- 5/27/2020 emergency rulemaking hearing held with rules being in effect for only 180 days

- Plans Review rules filed with Secretary of State (SOS) Office and will go before Government Operations Committee
- Board of Examiners for Nursing Home Administrators with new rules pending for temporary administrator and the Health Administration profession
- Back to the legislative session with many bills for the Department of Health

LICENSE STATUS REQUESTS:

Ms. Ann Reed presented 9 licensure status requests.

Baptist Trinity Home Care-Private Pay Division, Memphis (HHA #242)

This home health agency requested a second extension waiver for their license to remain on inactive status through June 3, 2021. The facility sought a partner to collaborate with on the future operations of its home care services which was unsuccessful. They are now evaluating the possibility of combining its home health offerings with the telemedicine capabilities of its parent Baptist Memorial to provide-needed at-home care for patients impacted by COVID-19 quarantine restrictions. Travis Swearingen was the representative for the facility. **Dr. Jeter made a motion to grant inactive status for 1 year; Dr. Robbins seconded.**

A roll call vote was taken:

- Mr. Paul Boyd – yes
- Mr. Robert Breeden – yes
- Mr. Louis Caputo – yes
- Dr. Patsy Carihfield – yes
- Mr. Joshua Crisp – yes
- Mr. Chuck Griffin – yes
- Dr. Julie Jeter – yes
- Ms. Patricia Ketterman – yes
- Ms. Carissa Lynch – yes
- Mr. Roger Mynatt – yes
- Ms. Susan Peach – yes
- Dr. Sherry Robbins – yes
- Dr. Renè Saunders – abstain
- Mr. Jim Shulman – yes
- Ms. Gina Throneberry – yes
- Ms. Janet Williford – yes
- Mr. Bobby Wood – yes

The motion was approved.

Decatur County General Hospital, Parsons (Hosp #28)

This forty (40) bed facility requested to place their license on inactive status for 1 year. Due to their current financial situation the facility cannot continue to operate. Private entities are looking to purchase the facility. The inactive status will allow the county to wind up business and determine if a private entity is a good fit. Geoffrey Lindley was the representative of the facility. **Dr. Jeter made a motion to grant inactive status for 1 year; Mr. Boyd seconded.**

A roll call vote was taken:

Mr. Paul Boyd – yes
Mr. Robert Breeden – yes
Mr. Louis Caputo – yes
Dr. Patsy Carihfield – yes
Mr. Joshua Crisp – yes
Mr. Chuck Griffin – yes
Dr. Julie Jeter – yes
Ms. Patricia Ketterman – yes
Ms. Carissa Lynch – yes
Mr. Roger Mynatt – yes
Ms. Susan Peach – yes
Dr. Sherry Robbins – yes
Dr. Renè Saunders – abstain
Mr. Jim Shulman – yes
Ms. Gina Throneberry – yes
Ms. Janet Williford – yes
Mr. Bobby Wood – yes

The motion was approved.

Jackson Park Christian Home, Nashville (NH #55)

This 28 bed nursing home requested its 7th extension of their license to remain on inactive status for an additional year. They are in search of a viable purchaser, or a viable development opportunity for the facility's beds with another replacement facility. During the presentation of this request, representative for the facility stated it is challenging to find a buyer due to the size of the facility. The hope is to combine with another provider as there is an identified bed need in Nashville for nursing home beds. Chris Puri was the representative for that facility. Ms. Peach had concern about holding the beds during the pandemic and if prohibits another provider from being in the market. Mr. Puri discussed Health Services and Development Agency's (HSDA) formula to determine bed need. He further stated HSDA recognizes inactive beds in the formula. Dr. Jeter asked about no activity in a facility and during that time a change in rules and codes. Mr. Puri stated the only viable option is for beds to be part of a CON for a new facility or combine with another facility for a replacement CON. Dr. Jeter asked if the facility could operate if license back in active status. Mr. Puri stated the facility would need Medicare and Medicaid certification. Dr. Saunders spoke on the Board's authority to disapprove an inactive status request. **Mr. Shulman made a motion to grant inactive status; Mr. Mynatt seconded.**

A roll call vote was taken:

Mr. Paul Boyd – yes
Mr. Robert Breeden – yes
Dr. Evelyn Brock – yes
Mr. Louis Caputo – yes
Dr. Patsy Carihfield – yes
Mr. Joshua Crisp – yes
Mr. Chuck Griffin – yes
Dr. Julie Jeter – yes

Ms. Patricia Ketterman – yes
Ms. Carissa Lynch – yes
Mr. Roger Mynatt – yes
Ms. Susan Peach – no
Dr. Sherry Robbins – yes
Dr. Renè Saunders – abstain
Mr. Jim Shulman – yes
Ms. Gina Throneberry – yes
Ms. Janet Williford – yes
Mr. Bobby Wood – yes

The motion was approved.

Memorial/Mission Outpatient Surgery Center, Chattanooga (ASTC #247)

This ASTC requested a fifth extension waiver to remain on inactive status for an additional year. They are making substantial efforts in evaluation of potential options for reactivation but due to the COVID-19 pandemic, the efforts have been shelved as all stakeholders work to deal with the current crisis. Travis Swearingen was the representative for the facility. **Dr. Robbins made motion to grant inactive status; Mr. Boyd seconded.**

A roll call vote was taken:

Mr. Paul Boyd – yes
Mr. Robert Breeden – yes
Dr. Evelyn Brock – yes
Mr. Louis Caputo – yes
Dr. Patsy Crihfield – yes
Mr. Joshua Crisp – yes
Mr. Chuck Griffin – yes
Dr. Julie Jeter – yes
Ms. Patricia Ketterman – yes
Ms. Carissa Lynch – yes
Mr. Roger Mynatt – yes
Ms. Susan Peach – yes
Dr. Sherry Robbins – yes
Dr. Renè Saunders – abstain
Mr. Jim Shulman – yes
Ms. Gina Throneberry – yes
Ms. Janet Williford – yes
Mr. Bobby Wood – yes

The motion was approved.

Nashville Metro Care & Rehabilitation Center, Nashville (NH #47)

This 111 bed skilled nursing home requested an additional 24 months extension to remain on inactive status. They are under financial defaults with the Bank of Oklahoma (BOKF) and are now in the process of remarketing the facility assets and seeking a new purchaser who will redevelop and reopen the facility. The facility does not have a representative for this request. Chris Puri was the representative for the

lender, BOKF. Mr. Puri informed the Board he was not associated with the facility. He further stated the previous owner/operator was decertified from Medicare/Medicaid. Mr. Puri stated the real property has been purchased with attempt made to sell the operations, but the deal fell through as no CON was filed. **Dr. Robbins made a motion to grant inactive status; Mr. Mynatt seconded.**

A roll call vote was taken:

Mr. Paul Boyd – yes
Mr. Robert Breeden – yes
Dr. Evelyn Brock – yes
Mr. Louis Caputo – yes
Dr. Patsy Carihfield – yes
Mr. Joshua Crisp – yes
Mr. Chuck Griffin – yes
Dr. Julie Jeter – yes
Ms. Patricia Ketterman – yes
Ms. Carissa Lynch – yes
Mr. Roger Mynatt – yes
Ms. Susan Peach – yes
Dr. Sherry Robbins – yes
Dr. Renè Saunders – abstain
Mr. Jim Shulman – yes
Ms. Gina Throneberry – yes
Ms. Janet Williford – yes
Mr. Bobby Wood – yes

The motion was approved.

Sapling Grove ASC, Bristol (ASTC #116)-

This ASTC requested a one year extension of their license to remain inactive status to allow Ballad Health make a determinate as the future use of the facility. Dan Elrod was the representative of the facility. **Dr. Jeter made a motion to grant inactive status; Mr. Caputo seconded.**

A roll call vote was taken:

Mr. Paul Boyd – yes
Mr. Robert Breeden – yes
Dr. Evelyn Brock – yes
Mr. Louis Caputo – yes
Dr. Patsy Carihfield – yes
Mr. Joshua Crisp – yes
Mr. Chuck Griffin – yes
Dr. Julie Jeter – yes
Ms. Patricia Ketterman – yes
Ms. Carissa Lynch – yes
Mr. Roger Mynatt – yes
Ms. Susan Peach – yes

Dr. Sherry Robbins – yes
Dr. Renè Saunders – abstain
Mr. Jim Shulman – yes
Ms. Gina Throneberry – yes
Ms. Janet Williford – yes
Mr. Bobby Wood – yes

The motion was approved.

Siskin Hospital’s Subacute Rehabilitation Program, Chattanooga (NH #382)

This 29 bed nursing home facility requested a third extension waiver to remain on inactive status through June 2021. They will continue to explore options for these beds, but a definitive plan has not yet been developed. Dan Elrod was the representative for the facility. **Mr. Shulman made a motion to grant inactive status for the facility; Mr. Wood seconded.**

A roll call vote was taken:

Mr. Paul Boyd – yes
Mr. Robert Breeden – yes
Dr. Evelyn Brock – yes
Mr. Louis Caputo – yes
Dr. Patsy Carihfield – yes
Mr. Joshua Crisp – yes
Mr. Chuck Griffin – yes
Dr. Julie Jeter – yes
Ms. Patricia Ketterman – yes
Ms. Carissa Lynch – yes
Mr. Roger Mynatt – yes
Ms. Susan Peach – yes
Dr. Sherry Robbins – yes
Dr. Renè Saunders – abstain
Mr. Jim Shulman – yes
Ms. Gina Throneberry – yes
Ms. Janet Williford – yes
Mr. Bobby Wood – yes

The motion was approved.

Upper Cumberland Hospice and Palliative Care, LLC, Chattanooga (ResHospice #9)

This Residential Hospice requested a third extension waiver to remain on inactive status for an additional one year. The representative for the facility stated needed home care certification for Residential Hospice to be viable economically. She changed her requested time frame to two years. Tracy Wood, President and CEP, was the representative for the facility. **Dr. Robbins made a motion to grant inactive status for the facility; Ms. Ketterman seconded.** Mr. Boyd amended the amount of years to be two instead of one year inactive status. **Dr. Robbins amended her motion to grant the facility from one year to two years.**

A roll call vote was taken:

Mr. Paul Boyd – yes

Mr. Robert Breeden – yes
Dr. Evelyn Brock – yes
Mr. Louis Caputo – yes
Dr. Patsy Carihfield – yes
Mr. Joshua Crisp – yes
Mr. Chuck Griffin – yes
Dr. Julie Jeter – yes
Ms. Patricia Ketterman – yes
Ms. Carissa Lynch – yes
Mr. Roger Mynatt – yes
Ms. Susan Peach – yes
Dr. Sherry Robbins – yes
Dr. Renè Saunders – abstain
Mr. Jim Shulman – yes
Ms. Gina Throneberry – yes
Ms. Janet Williford – yes
Mr. Bobby Wood – yes

The motion was approved.

Wayne County Nursing Home, Waynesboro (NH #277)

This 46 bed nursing home requested a fourth extension waiver to remain on inactive status for an additional 2 years. Representatives for the facility stated there have been construction issues, the CON process is to begin, and COVID-19 has affected progress. Chris Puri and Kellie Canan, Director of Licensure and Certification were representatives for the facility. Mr. Davis asked about the original CON. Ms. Canan stated was asked by HSDA to either extend the CON to April 2019 or let the CON go. **Mr. Mynatt made a motion to grant the facility inactive status; Dr. Robbins seconded.**

A roll call vote was taken:

Mr. Paul Boyd – yes
Mr. Robert Breeden – yes
Dr. Evelyn Brock – yes
Mr. Louis Caputo – yes
Dr. Patsy Carihfield – yes
Mr. Joshua Crisp – yes
Mr. Chuck Griffin – yes
Dr. Julie Jeter – yes
Ms. Patricia Ketterman – yes
Ms. Carissa Lynch – yes
Mr. Roger Mynatt – yes
Ms. Susan Peach – yes
Dr. Sherry Robbins – yes
Dr. Renè Saunders – abstain
Mr. Jim Shulman – yes
Ms. Gina Throneberry – yes
Ms. Janet Williford – yes
Mr. Bobby Wood – yes

The motion was approved.

WAIVER REQUEST(S):

Delta Specialty Hospital, Memphis (Hosp #106)

This 223 bed facility requested to waive the hospital designation of a general hospital to require a radiological unit. They asked for clarity of the definition of Hospital Rule 1200-08-.01-.01(37) and Hospital Rule 1200-08-01-.06(7)(a). Ms. Tippens had a prepared a legal analysis of hospital rules reflected in Delta's request. Mr. Caputo felt that he needed more information before voting since the representative was not present in person/via telephone. **Dr. Robbins made a motion to hear OGC's analysis of hospital rules; Dr. Brock seconded.**

A roll call vote was taken:

Mr. Paul Boyd – yes
Mr. Robert Breeden – yes
Dr. Evelyn Brock – yes
Mr. Louis Caputo – yes
Dr. Patsy Carihfield – yes
Mr. Joshua Crisp – yes
Mr. Chuck Griffin – yes
Dr. Julie Jeter – yes
Ms. Patricia Ketterman – yes
Ms. Carissa Lynch – yes
Mr. Roger Mynatt – yes
Ms. Susan Peach – yes
Dr. Sherry Robbins – yes
Dr. Renè Saunders – abstain
Mr. Jim Shulman – yes
Ms. Gina Throneberry – yes
Ms. Janet Williford – yes
Mr. Bobby Wood – yes

The motion was approved.

Ms. Tippens read hospital rules into the record. **Mr. Caputo made a motion to move agenda item to later in the meeting; Dr. Robbins seconded.**

A roll call vote was taken:

Mr. Paul Boyd – yes
Mr. Robert Breeden – yes
Dr. Evelyn Brock – yes
Mr. Louis Caputo – yes
Dr. Patsy Carihfield – yes
Mr. Joshua Crisp – yes
Mr. Chuck Griffin – yes
Dr. Julie Jeter – yes
Ms. Patricia Ketterman – yes
Ms. Carissa Lynch – yes
Mr. Roger Mynatt – yes
Ms. Susan Peach – yes
Dr. Sherry Robbins – yes
Dr. Renè Saunders – abstain
Mr. Jim Shulman – yes
Ms. Gina Throneberry – yes
Ms. Janet Williford – yes
Mr. Bobby Wood – yes

The motion was approved.

A break was taken and a roll call vote was needed to re-convene the meeting and reestablish a quorum:

Mr. Paul Boyd – here
Mr. Robert Breeden – here
Dr. Evelyn Brock – here
Mr. Louis Caputo – here
Dr. Patsy Carihfield – here
Mr. Joshua Crisp – here
Mr. Chuck Griffin – here
Dr. Julie Jeter – here
Ms. Patricia Ketterman – here
Ms. Carissa Lynch – here
Mr. Roger Mynatt – here
Ms. Susan Peach – here
Dr. Sherry Robbins – here
Dr. Renè Saunders – here
Mr. Jim Shulman – absent
Ms. Gina Throneberry – here
Ms. Janet Williford – here
Mr. Bobby Wood – here

A quorum was established.

HCA Healthcare

These HCA Hospitals requested a 10% increase to their rehabilitation beds for the following facilities. Johnny Harrison, Regional Vice President HCA POST Acute Services, was the representative of the facilities.

1. TriStar Southern Hills Medical Center, Nashville (Hosp #21)
An increase by 1 additional bed for a total of 17 rehab beds.
2. TriStar Horizon Medical Center, Dickson (Hosp #29)
An increase by 1 additional bed for a total of 13 rehab beds.
3. Parkridge Medical Center, Chattanooga (Hosp #66)
An increase by 1 additional bed for a total of 13 rehab beds.
4. TriStar Skyline Medical Center, Nashville (Hosp #23)
An increase by 4 additional beds for a total of 45 rehab beds.
5. TriStar Summit Medical Center, Hermitage (Hosp #33)
An increase by 2 additional beds for a total of 22 beds.

Mr. Mynatt made a motion to approve the 10% increase for the 5 HCA Healthcare facilities; Dr. Robbins seconded.

A roll call vote was taken:

Mr. Paul Boyd – yes
Mr. Robert Breeden – yes
Dr. Evelyn Brock – yes
Mr. Louis Caputo – not available
Dr. Patsy Carihfield – yes
Mr. Joshua Crisp – yes
Mr. Chuck Griffin – yes
Dr. Julie Jeter – yes
Ms. Patricia Ketterman – yes
Ms. Carissa Lynch – yes
Mr. Roger Mynatt – yes
Ms. Susan Peach – yes
Dr. Sherry Robbins – yes
Dr. Renè Saunders – abstain
Mr. Jim Shulman – not available
Ms. Gina Throneberry – yes
Ms. Janet Williford – yes
Mr. Bobby Wood – yes

The motion was approved.

Orthodynamics Company, Inc., Noblesville, IN

This potential home medical equipment (HME) provider requested to waive HME Rule 1200-08-29-.06(5) physical location requirement due to the unique needs of the patients they serve and the Tennessee hospitals they support. Dan Ehman, CFO & Vice President, was the representative of the facility. Mr. Ehman stated his agency works with specialized patients. He has faced this same issue in other states; made appeals to Georgia officials for a DME/HME license in that state. Ms. Ehman further stated there are no companies in Tennessee that provide this service and his agency has no offices outside of Indiana. These offices in Indiana service approximately 1800 patients around the country. He stated St. Thomas reached out to his agency approximately a year ago to provide these services. Dr. Saunders asked who previously provided the service. Mr. Ehman stated the process for pursuing HME licensure in our state started when seeking to become a provider in the Blue Cross Blue Shield network. Ms. Peach asked if a precedent for this with none being acknowledged. Ms. Tippens stated Tennessee statute prohibits a HME physical location outside of Tennessee. Dr. Crihfield clarified supplies sent to the hospital and not an individual's home. Mr. Ehman stated support is provided when a patient is at home. Dr. Crihfield asked who follows up with a patient in crisis. Mr. Ehman stated account managers follow-up with patients but if an emergent situation then patients are directed to call the hospital. Dr. Brock doesn't feel this is an unusual way of handling this type of equipment. The importance of the service was emphasized. Dr. Jeter recognized waiver requests not being granted, but it is a different way to do business. OGC gave guidance to reach out to legislature for law change. Ms. Tippens read the law requiring the physical location. She stated the Board can't waive the law, but that Board members can use associations to make legislative changes. Dr. Jeter further voiced not certain meets HME equipment definition i.e. "Caution Statement". She also asked if Orthodynamics doesn't provide the service will patients travel outside the state. Dr. Brock referenced Medtronics agency and asked if it had a brick and mortar location. Dr. Saunders asked Ms. Tippens and Ms. Reed if Medtronics is a fair comparison. Ms. Reed stated that agency is not licensed as a HME and unaware of the service model. Ms. Caputo asked how these types of facilities are monitored and licensed. Ms. Reed stated would address via a complaint to the Complaint Intake Unit then leading to further investigation to determine need for licensure. Ms. Caputo asked what happens if not waived. Ms. Tippens stated the agency must have a physical location established. Mr. Mynatt asked if a representative in Tennessee can have a home office used as a physical location. Ms. Tippens stated this would work. Mr. Mynatt asked for direction as a Board on how to move this agenda item since other entities seem to be in existence, it will continue to come before the Board, and has been addressed in the past. Ms. Tippens stated she has noted these concerns and will share with leadership. She further emphasized the Board cannot make legislative recommendations. **Ms. Peach made a motion to honor the law and deny the waiver request; Ms. Crihfield seconded.**

A roll call vote was taken:

Mr. Paul Boyd – yes
Mr. Robert Breeden – yes
Dr. Evelyn Brock – yes
Mr. Louis Caputo – yes
Dr. Patsy Crihfield – yes
Mr. Joshua Crisp – yes
Mr. Chuck Griffin – yes
Dr. Julie Jeter – yes
Ms. Patricia Ketterman – yes
Ms. Carissa Lynch – yes
Mr. Roger Mynatt – yes

Ms. Susan Peach – yes
Dr. Sherry Robbins – yes
Dr. Renè Saunders – abstain
Mr. Jim Shulman – not available
Ms. Gina Throneberry – yes
Ms. Janet Williford – yes
Mr. Bobby Wood – yes

The motion was approved.

Vanderbilt University Hospital, Nashville (Hosp #27)

This Hospital requested a 5th extension to continue to allow the use of the area on the 1st floor temporarily as an observation unit and to waive the space requirement for the rooms and cubicles located in the observation unit for an additional 2 years. The 7th floor area where this area was ultimately going has been completed, but it was determined the 1st floor is the best location. Vanderbilt would like for this to be allowed during the COVID-19 crisis. They will submit plans and complete construction for the final observation unit location. Dr. Saunders asked why need to use this location if constructed area was ready. Vanderbilt rep stating using for COVID-19 testing when individuals present to the ER. This flow keeps patients off floor where dialysis patients are located. Dr. Saunders then asked if Vanderbilt would be requesting if COVID-19 were not an issue. Vanderbilt stated no would have proceeded with construction and renovation of the area. Travis Swearingen, attorney, and Stephen Russ M.D. were the representatives for the facility. **Mr. Mynatt made a motion to grant the waiver request for an additional 2 years; Ms. Peach seconded.**

A roll call vote was taken:

Mr. Paul Boyd – yes
Mr. Robert Breeden – yes
Dr. Evelyn Brock – recused
Mr. Louis Caputo – yes
Dr. Patsy Crihfield – yes
Mr. Joshua Crisp – yes
Mr. Chuck Griffin – yes
Dr. Julie Jeter – yes
Ms. Patricia Ketterman – yes
Ms. Carissa Lynch – yes
Mr. Roger Mynatt – yes
Ms. Susan Peach – yes
Dr. Sherry Robbins – yes
Dr. Renè Saunders – abstain
Mr. Jim Shulman – not available
Ms. Gina Throneberry – yes
Ms. Janet Williford – yes
Mr. Bobby Wood – yes

The motion was approved.

Williamson Medical Center, Franklin (Hosp # 128)

This 185 bed Hospital requested to increase their acute bed count by 10% for 18 additional beds for a total of 195 beds. Julie Miller, Chief Operating Officer, was the representative for the facility. **Dr. Robbins made a motion to approve the increase in beds; Dr. Jeter seconded.**

A roll call vote was taken:

Mr. Paul Boyd – yes
Mr. Robert Breeden – yes
Dr. Evelyn Brock – yes
Mr. Louis Caputo – yes
Dr. Patsy Carihfield – yes
Mr. Joshua Crisp – yes
Mr. Chuck Griffin – yes
Dr. Julie Jeter – yes
Ms. Patricia Ketterman – yes
Ms. Carissa Lynch – yes
Mr. Roger Mynatt – yes
Ms. Susan Peach – yes
Dr. Sherry Robbins – yes
Dr. Renè Saunders – abstain
Mr. Jim Shulman – not available
Ms. Gina Throneberry – yes
Ms. Janet Williford – yes
Mr. Bobby Wood – yes

The motion was approved.

Delta Specialty Hospital, Memphis (Hosp #106) (REVISIT)

This 223 bed facility requested to waive the hospital designation of a general hospital to require a radiological unit. They asked for clarity of the definition of Hospital Rule 1200-08-.01-.01(37) and Hospital Rule 1200-08-01-.06(7)(a). The facility has a minimum amount of supplies to operate as a general hospital to keep general hospital designation. Representative for the facility indicated radiology group will come to the hospital to see patients. Ms. Peach asked what the timing is for a stat chest x-ray. Facility representative stated within four hours per the service level agreement. Ms. Peach did not feel that four hours would be quick enough to meet the general hospital designation. Facility representative stated when the waiver was granted last year eliminating the ER requirement transfer agreements with local hospitals were put into place including St. Francis which is five miles away. Dr. Saunders asked if the facility has medical service inpatients or does the facility solely provide mental health services. Facility representative stated the facility provides submed services to the jail system. The Chief Nursing Officer of the facility stated some services provided i.e. IV hydration, etc. Dr. Saunders asked if an inmate with pneumonia was short of breath and no radiology onsite would that patient have to wait four hours for service. The facility responded would emergently discharge or transfer to another facility. Dr. Robbins asked if health/medical screenings completed. Facility responded yes these were completed. The facility has a nurse practitioner onsite to perform assessments and to treat subacute needs. Ms. Peach wanted to know why the facility maintains a general hospital designation and emphasized a hospital must have

radiological services per the rules. Facility representative stated the facility also provides mental health services in addition to medical services. Brant Philips, attorney, and Andre Cromwell, Chief Executive Officer, were the representatives for the facility. **Ms. Peach made a motion to deny the waiver request; Ms. Williford seconded.**

A roll call vote was taken:

Mr. Paul Boyd – no
Mr. Robert Breeden – yes
Dr. Evelyn Brock – no
Mr. Louis Caputo – yes
Dr. Patsy Carihfield – yes
Mr. Joshua Crisp – yes
Mr. Chuck Griffin – yes
Dr. Julie Jeter – yes
Ms. Patricia Ketterman – yes
Ms. Carissa Lynch – yes
Mr. Roger Mynatt – yes
Ms. Susan Peach – yes
Dr. Sherry Robbins – yes
Dr. Renè Saunders – abstain
Mr. Jim Shulman – not available
Ms. Gina Throneberry – yes
Ms. Janet Williford – yes
Mr. Bobby Wood – yes

The motion was approved.

A break was taken and a roll call vote was needed to re-convene the meeting and reestablish a quorum:

Mr. Paul Boyd – not here
Mr. Robert Breeden – here
Dr. Evelyn Brock – here
Mr. Louis Caputo – here
Dr. Patsy Carihfield – here
Mr. Joshua Crisp – here
Mr. Chuck Griffin – here
Dr. Julie Jeter – here
Ms. Patricia Ketterman – here
Ms. Carissa Lynch – here
Mr. Roger Mynatt – here
Ms. Susan Peach – here
Dr. Sherry Robbins – here
Dr. Renè Saunders – here
Mr. Jim Shulman – here
Ms. Gina Throneberry – here
Ms. Janet Williford – here

Mr. Bobby Wood – here

A quorum was established.

DISCUSSION(S):

Riverdale Assisted Living Facility, Memphis (ACLF #370)

A representative from the facility must appear before the Board to give a progress report according to the March 13th Consent Order. The facility is under a SOA that hasn't been lifted and assessed a \$10,000.00 civil monetary penalty. A representative was not available to present the report. A roll call vote wasn't needed.

Tennessee Community Organizations (TNCO)

The above provider organization which includes providers licensed as PSS agencies has concerns regarding agencies that perform a nurse delegated task not licensed as a PSS agency now being required to have such a license. Melanie Keller, President/CEO TNCO, and David Taylor, DIDD DON, were the representatives for this item. Ms. Keller presented that some patients receiving DIDD services require blood sugar checks. If an agency providing care to these patients has nursing staff, then training and delegation is allowed to unlicensed caregivers. In these instances, there is no plan of care involved and no MD order. Ms. Keller stated clarification is needed if an agency delegates a task is a PSS or HHA license required. Dr. Saunders stated more appropriate for the Board of Nursing (BON) to weigh in on scope of practice issues. Ms. Tippens stated the BON must weigh in on nurse delegation authority. Ms. Keller stated there is a difference between supervision and delegation and DIDD guidance uses the term delegation. Ms. Tippens directed to appear before the BON to determine delegation and if allowable under the nursing scope of practice. She stated she would help facilitate Ms. Keller appearing before the BON. A roll call vote wasn't needed.

IDT composition rule clarification of ACLF Rule 1200-08-25-.12(5)(a)

Ms. Reed presented this agenda item. She stated a deficiency was cited for an ACLF on this rule and this citation was questioned with clarification being sought. The regional office and central office felt the Board should give clarification to this rule so it is presented today for that clarification. The Board discussed the rule with Ms. Reed stating an IG would be the best tool to have in place for now. **Ms. Carihfield made a motion to draft an IG for rule 1200-08-25-.12(5)(a) stating all individuals listed in this rule were included in the development of a plan of care; Ms. Lynch seconded.**

A roll call vote was taken:

- Mr. Paul Boyd – yes
- Mr. Robert Breeden – yes
- Dr. Evelyn Brock – yes
- Mr. Louis Caputo – yes
- Dr. Patsy Carihfield – yes
- Mr. Joshua Crisp – yes
- Mr. Chuck Griffin – yes
- Dr. Julie Jeter – yes
- Ms. Patricia Ketterman – yes
- Ms. Carissa Lynch – yes
- Mr. Roger Mynatt – yes

Ms. Susan Peach – yes
Dr. Sherry Robbins – yes
Dr. Renè Saunders – abstain
Mr. Jim Shulman – not available
Ms. Gina Throneberry – yes
Ms. Janet Williford – yes
Mr. Bobby Wood – yes

The motion was approved.

Belmont Village, Memphis #102 –

A survey was conducted 12/11/2019 resulting in the submission of 3 unacceptable plans of correction to the WTRO. A 4th POC was submitted to and reviewed by the WTRO. This 4th POC was slated for presentation and review at the 3/24/2020 ACLF Standing Committee Meeting. Due to the COVID-19 Pandemic, the meeting was cancelled. Therefore, the WTRO accepted the 4th POC and completed a desk review for compliance. The facility was deemed back in compliance on April 7, 2020.

Apple Grove Alzheimer's & Dementia, Memphis #301

A life safety survey was conducted on 1/6/2020 resulting in the submission of 3 unacceptable plans of correction to the WTRO. A 4th POC was submitted to and reviewed by the WTRO. This 4th POC was slated for presentation and review at the 3/24/2020 ACLF Standing Committee Meeting. Due to the COVID-19 Pandemic, the meeting was cancelled. Therefore, the WTRO accepted the 4th POC with an onsite visit to occur once the relaxation of COVID-19 restrictions occurs. Until this time, the facility remains out of compliance. Kimily Taylor was the representative of the facility but not available.

Dr. Robbins made a motion to approve both Belmont Village and Apple Grove's 4th acceptable POCs that were submitted to the West Tennessee Regional Office; Mr. Mynatt seconded.

A roll call was taken:

Mr. Paul Boyd – yes
Mr. Robert Breeden – yes
Dr. Evelyn Brock – yes
Mr. Louis Caputo – yes
Dr. Patsy Carihfield – yes
Mr. Joshua Crisp – yes
Mr. Chuck Griffin – yes
Dr. Julie Jeter – yes
Ms. Patricia Ketterman – yes
Ms. Carissa Lynch – yes
Mr. Roger Mynatt – yes
Ms. Susan Peach – yes
Dr. Sherry Robbins – yes
Dr. Renè Saunders – abstain
Mr. Jim Shulman – not available
Ms. Gina Throneberry – yes
Ms. Janet Williford – yes
Mr. Bobby Wood – yes

The motion was approved.

Revisit-Approved IG's regarding the COVID-19 Crisis waivers in effect until the June 3, 2020 Board Meeting
Ms. Reed presented the following IG's for approval by the full Board –

Assisted Care Living Facility rule 1200-08-25-.10(3)(a & b) and Homes for the Aged rule 1200-08-11-.08(2) regarding conducting of fire drills. Craig Parisher, Facilities Construction Director, requested that the language for this IG to include training based which would be looked at by the surveyors. This would be the same requirement for nursing homes. **Dr. Brock made a motion to approve; Dr. Jeter seconded.**

A roll call was taken:

Mr. Paul Boyd – yes
Mr. Robert Breeden – yes
Dr. Evelyn Brock – yes
Mr. Louis Caputo – yes
Dr. Patsy Crihfield – yes
Mr. Joshua Crisp – yes
Mr. Chuck Griffin – yes
Dr. Julie Jeter – yes
Ms. Patricia Ketterman – yes
Ms. Carissa Lynch – yes
Mr. Roger Mynatt – yes
Ms. Susan Peach – yes
Dr. Sherry Robbins – yes
Dr. Renè Saunders – abstain
Mr. Jim Shulman – not available
Ms. Gina Throneberry – yes
Ms. Janet Williford – yes
Mr. Bobby Wood – yes

The motion was approved.

Nursing Home Rule 1200-08-06-.15(3) regarding length of time a nurse aide may work in facility until name included on Nurse Aide Registry. **Dr. Jeter made a motion to approve; Dr. Brock seconded.**

A roll call was taken:

Mr. Paul Boyd – yes
Mr. Robert Breeden – yes
Dr. Evelyn Brock – yes
Mr. Louis Caputo – yes
Dr. Patsy Crihfield – yes
Mr. Joshua Crisp – not available
Mr. Chuck Griffin – yes
Dr. Julie Jeter – yes
Ms. Patricia Ketterman – yes

Ms. Carissa Lynch – yes
Mr. Roger Mynatt – yes
Ms. Susan Peach – yes
Dr. Sherry Robbins – yes
Dr. Renè Saunders – abstain
Mr. Jim Shulman – not available
Ms. Gina Throneberry – yes
Ms. Janet Williford – yes
Mr. Bobby Wood – yes

The motion was approved.

Assisted Care Living Facility rule 1200-08-25-.08(1)(c) regarding admission or retention of resident with COVID-19. **Dr. Jeter made a motion to approve; Mr. Mynatt seconded.**

A roll call was taken:

Mr. Paul Boyd – yes
Mr. Robert Breeden – yes
Dr. Evelyn Brock – yes
Mr. Louis Caputo – yes
Dr. Patsy Crihfield – yes
Mr. Joshua Crisp – not available
Mr. Chuck Griffin – yes
Dr. Julie Jeter – yes
Ms. Patricia Ketterman – yes
Ms. Carissa Lynch – yes
Mr. Roger Mynatt – yes
Ms. Susan Peach – yes
Dr. Sherry Robbins – yes
Dr. Renè Saunders – abstain
Mr. Jim Shulman – not available
Ms. Gina Throneberry – yes
Ms. Janet Williford – yes
Mr. Bobby Wood – yes

The motion was approved.

Home Health Agency rule 1200-08-26-.05(2) & (4) regarding written plan of care being established and reviewed by a physician and care under the supervision of a physician and rule 1200-08-26-.05(8) regarding medication or treatment ordered by physician. **Dr. Jeter made a motion to approve; Mr. Caputo seconded.**

A roll call was taken:

Mr. Paul Boyd – yes
Mr. Robert Breeden – yes
Dr. Evelyn Brock – yes
Mr. Louis Caputo – yes
Dr. Patsy Carihfield – yes
Mr. Joshua Crisp – not available
Mr. Chuck Griffin – yes
Dr. Julie Jeter – yes
Ms. Patricia Ketterman – yes
Ms. Carissa Lynch – yes
Mr. Roger Mynatt – yes
Ms. Susan Peach – yes
Dr. Sherry Robbins – yes
Dr. Renè Saunders – abstain
Mr. Jim Shulman – not available
Ms. Gina Throneberry – yes
Ms. Janet Williford – yes
Mr. Bobby Wood – yes

The motion was approved.

Home Health Agency rule 1200-08-26-.06(3)(b) regarding evidence of review of plan of care must include physician's signature. **Dr. Brock made a motion to approve; Mr. Mynatt seconded.**

A roll call was taken:

Mr. Paul Boyd – yes
Mr. Robert Breeden – yes
Dr. Evelyn Brock – yes
Mr. Louis Caputo – yes
Dr. Patsy Carihfield – yes
Mr. Joshua Crisp – not available
Mr. Chuck Griffin – yes
Dr. Julie Jeter – yes
Ms. Patricia Ketterman – yes
Ms. Carissa Lynch – yes
Mr. Roger Mynatt – yes
Ms. Susan Peach – yes
Dr. Sherry Robbins – yes
Dr. Renè Saunders – abstain
Mr. Jim Shulman – not available
Ms. Gina Throneberry – yes
Ms. Janet Williford – yes
Mr. Bobby Wood – yes

The motion was approved.

Home Health Agency rule 1200-08-26-.06(7)(c) regarding supervisory visit by registered nurse to patient's place of residence at least monthly. **Mr. Mynatt made a motion to approve; Dr. Jeter seconded.**

A roll call was taken:

Mr. Paul Boyd – yes
Mr. Robert Breeden – yes
Dr. Evelyn Brock – yes
Mr. Louis Caputo – yes
Dr. Patsy Carihfield – yes
Mr. Joshua Crisp – not available
Mr. Chuck Griffin – yes
Dr. Julie Jeter – yes
Ms. Patricia Ketterman – yes
Ms. Carissa Lynch – yes
Mr. Roger Mynatt – yes
Ms. Susan Peach – yes
Dr. Sherry Robbins – yes
Dr. Renè Saunders – abstain
Mr. Jim Shulman – not available
Ms. Gina Throneberry – yes
Ms. Janet Williford – yes
Mr. Bobby Wood – yes

The motion was approved.

Hospice rule 1200-08-27-.05(3) & (5) regarding written plan of care being established & reviewed by a physician and care or treatment under the supervision of a physician and rule 1200-08-27-.05(9) regarding medication or treatment ordered by physician. **Dr. Brock made a motion to approve; Ms. Williford seconded.**

A roll call was taken:

Mr. Paul Boyd – yes
Mr. Robert Breeden – yes
Dr. Evelyn Brock – yes
Mr. Louis Caputo – yes
Dr. Patsy Carihfield – yes
Mr. Joshua Crisp – not available
Mr. Chuck Griffin – yes
Dr. Julie Jeter – yes
Ms. Patricia Ketterman – yes
Ms. Carissa Lynch – yes
Mr. Roger Mynatt – yes
Ms. Susan Peach – yes
Dr. Sherry Robbins – yes
Dr. Renè Saunders – abstain
Mr. Jim Shulman – not available
Ms. Gina Throneberry – yes
Ms. Janet Williford – yes

Mr. Bobby Wood – yes

The motion was approved.

Hospital Rule 1200-08-01-.01(19) regarding definition of Critical Access Hospital. **Mr. Mynatt made a motion to approve; Ms. Peach seconded.**

A roll call was taken:

Mr. Paul Boyd – yes
Mr. Robert Breeden – yes
Dr. Evelyn Brock – yes
Mr. Louis Caputo – yes
Dr. Patsy Carihfield – yes
Mr. Joshua Crisp – not available
Mr. Chuck Griffin – yes
Dr. Julie Jeter – yes
Ms. Patricia Ketterman – yes
Ms. Carissa Lynch – yes
Mr. Roger Mynatt – yes
Ms. Susan Peach – yes
Dr. Sherry Robbins – yes
Dr. Renè Saunders – abstain
Mr. Jim Shulman – not available
Ms. Gina Throneberry – yes
Ms. Janet Williford – yes
Mr. Bobby Wood – yes

The motion was approved.

Hospice rule 1200-08-27-.06(11)(b) regarding supervisory visit by registered nurse to patient’s place of residence at least monthly. **Ms. Williford made a motion to approve; Mr. Wood seconded.**

A roll call was taken:

Mr. Paul Boyd – yes
Mr. Robert Breeden – yes
Dr. Evelyn Brock – yes
Mr. Louis Caputo – yes
Dr. Patsy Carihfield – yes
Mr. Joshua Crisp – not available
Mr. Chuck Griffin – yes
Dr. Julie Jeter – yes
Ms. Patricia Ketterman – yes
Ms. Carissa Lynch – yes
Mr. Roger Mynatt – yes
Ms. Susan Peach – yes
Dr. Sherry Robbins – yes

Dr. Renè Saunders – abstain
Mr. Jim Shulman – not available
Ms. Gina Throneberry – yes
Ms. Janet Williford – yes
Mr. Bobby Wood – yes

The motion was approved.

Hospital Rule 1200-08-01-.05(23) et al regarding exceeding of licensed bed capacity during an emergency.
Dr. Jeter made a motion to approve; Dr. Crihfield seconded.

A roll call was taken:

Mr. Paul Boyd – yes
Mr. Robert Breeden – yes
Dr. Evelyn Brock – yes
Mr. Louis Caputo – yes
Dr. Patsy Crihfield – yes
Mr. Joshua Crisp – not available
Mr. Chuck Griffin – yes
Dr. Julie Jeter – yes
Ms. Patricia Ketterman – yes
Ms. Carissa Lynch – yes
Mr. Roger Mynatt – yes
Ms. Susan Peach – yes
Dr. Sherry Robbins – yes
Dr. Renè Saunders – abstain
Mr. Jim Shulman – not available
Ms. Gina Throneberry – yes
Ms. Janet Williford – yes
Mr. Bobby Wood – yes

The motion was approved.

Nursing Home Rule 1200-08-06-.05(7) regarding admission in excess of licensed bed capacity. **Mr. Mynatt made a motion to approve; Mr. Caputo seconded.**

A roll call was taken:

Mr. Paul Boyd – yes
Mr. Robert Breeden – yes
Dr. Evelyn Brock – yes
Mr. Louis Caputo – yes
Dr. Patsy Crihfield – yes
Mr. Joshua Crisp – not available
Mr. Chuck Griffin – yes
Dr. Julie Jeter – yes
Ms. Patricia Ketterman – yes

Ms. Carissa Lynch – yes
Mr. Roger Mynatt – yes
Ms. Susan Peach – yes
Dr. Sherry Robbins – yes
Dr. Renè Saunders – abstain
Mr. Jim Shulman – not available
Ms. Gina Throneberry – yes
Ms. Janet Williford – yes
Mr. Bobby Wood – yes

The motion was approved.

Discussion ensued on the extension date. OCG recommended all IGs have the same extension date preferably October 2020. Dr. Saunders recommended aligning with the Governor's EO #30 and its cessation. Dan Elrod spoke to the end date for Board Policy #82 being in October of 2020. He stated this has a greater effect on hospitals as the effects of COVID-19 will be long lasting and past the June 30, 2020 date. Dr. Brock in agreement with Ms. Tippens' recommendation for a deadline of October 2020. Wanda King, Nurse Aide/Abuse Registry Manager, spoke to the nursing home IG regarding nurse aides. Maegan Martin, Executive Director, Tennessee Home Care Association, spoke to the HHA and Hospice IGs and extending them to October 2020. She stated she foresees CMS extending the 1135 waivers. All IG's were granted as long as CMS 1135 waiver is in place or until the October Board Meeting. **Mr. Mynatt made a motion to accept IG's with proposed deadline; Dr. Brock seconded.**

A roll call vote was taken:

Mr. Paul Boyd – yes
Mr. Robert Breeden – yes
Dr. Evelyn Brock – yes
Mr. Louis Caputo – yes
Dr. Patsy Carihfield – yes
Mr. Joshua Crisp – yes
Mr. Chuck Griffin – yes
Dr. Julie Jeter – yes
Ms. Patricia Ketterman – yes
Ms. Carissa Lynch – yes
Mr. Roger Mynatt – yes
Ms. Susan Peach – yes
Dr. Sherry Robbins – yes
Dr. Renè Saunders – abstain
Mr. Jim Shulman – not available
Ms. Gina Throneberry – yes
Ms. Janet Williford – yes
Mr. Bobby Wood – yes

The motion was approved.

Nursing Homes Residents – Voters List

Ms. Reed presented this agenda item. She stated as another election year and time is upon us the Election Commission will begin the voting of residents in nursing homes and assisted care living facilities.

In the past, the Election Commission has express difficulty in voting residents in some nursing homes. Dr. Saunders asked if the issue is with absentee voting. Mr. Davis stated it is two separate issues. Chris Puri, attorney with THCA, stated that THCA has been working on this given that facilities are now closed to visitors. Ms. Tippens recommended an IG as follows – if current TCA 2-6-601(b)(2) not complied with will be violation of & a deficient practice at 1200-08-06-.03(1)(b)[nursing home], 1200-08-25-.05(1)[assisted care living facility], and 1200-08-11-.03(1)(a)[homes for the aged]. **Mynatt made a motion to draft an Interpretative Guideline; Dr. Robbins seconded.**

A roll call vote was taken:

Mr. Paul Boyd – abstain
Mr. Robert Breeden – yes
Dr. Evelyn Brock – yes
Mr. Louis Caputo – yes
Dr. Patsy Carihfield – yes
Mr. Joshua Crisp – yes
Mr. Chuck Griffin – yes
Dr. Julie Jeter – yes
Ms. Patricia Ketterman – yes
Ms. Carissa Lynch – yes
Mr. Roger Mynatt – yes
Ms. Susan Peach – yes
Dr. Sherry Robbins – yes
Dr. Renè Saunders – abstain
Mr. Jim Shulman – not available
Ms. Gina Throneberry – yes
Ms. Janet Williford – yes
Mr. Bobby Wood – no

The motion was approved.

CST Communication & Swallowing Therapies, Knoxville #295

An unacceptable Plan of Correction (POC) #3 was submitted on July 31, 2019 for licensure. A Plan of Correction #4 was required to be submitted by May 22, 2020. The failure to submit a POC #4 would result in a referral to the Board for Licensing Health Care Facilities with a representative to appear before the board. The representative was not present in person or by telephone. OGC suggested the Board directing either staff or legal counsel to send a letter to the provider to share the provider's schedule with the surveyor. The regional office was agreeable to this suggestion. **Mr. Mynatt made a motion to have OGC authorize a letter to remind the facility of their obligations per legal; Ms. Ketterman seconded.**

A roll call vote was taken:

Mr. Paul Boyd – yes
Mr. Robert Breeden – yes
Dr. Evelyn Brock – yes
Mr. Louis Caputo – yes

Dr. Patsy Crihfield – yes
Mr. Joshua Crisp – not available
Mr. Chuck Griffin – yes
Dr. Julie Jeter – yes
Ms. Patricia Ketterman – yes
Ms. Carissa Lynch – yes
Mr. Roger Mynatt – yes
Ms. Susan Peach – yes
Dr. Sherry Robbins – yes
Dr. Renè Saunders – abstain
Mr. Jim Shulman – not available
Ms. Gina Throneberry – yes
Ms. Janet Williford – yes
Mr. Bobby Wood – yes

The motion was approved.

THCA- COVID-19 Discussion

Mr. Puri representing Tennessee Health Care Association Center for Assisted Living (THCA) wanted to inform the Board they have been meeting with the Department of Health and the Commissioner several times regarding the COVID-19 crisis. There were challenges regarding long-term patients and staff with testing. There were a lot of questions on how this will work on a weekly basis. THCA wanted to recognize a lot of work that has been done working with the Department of Health regarding the COVID-19 crisis.

Carriage Court of Memphis, Memphis #61 – Request to lift probation

Ms. Tippens presented an Order of Compliance for this facility. Surveyors were in the facility on April 23, 2020 regarding COVID-19 and training. The POC submitted by the facility for deficient practices was acceptable, but no revisit to confirm compliance. Mr. Puri stated the facility has been on probation for 12 months. Mr. Davis verified with surveyor that no revisit has been made regarding the submitted POC. **Dr. Jeter made a motion to lift probation; Mr. Caputo seconded.** Mr. Davis recommended have a revisit survey per Board direction and as allowed by EO then move with order of compliance. Ms. Tippens recommended language insertion to order of compliance that makes the compliance order contingent on a satisfactory revisit survey. **Dr. Jeter amended her motion to lift probation when surveyors confirm the facility is back in compliance; Mr. Caputo seconded.**

A roll call vote was taken:

Mr. Paul Boyd – yes
Mr. Robert Breeden – yes
Dr. Evelyn Brock – yes
Mr. Louis Caputo – yes
Dr. Patsy Crihfield – yes
Mr. Joshua Crisp – not available
Mr. Chuck Griffin – yes
Dr. Julie Jeter – yes
Ms. Patricia Ketterman – yes
Ms. Carissa Lynch – yes
Mr. Roger Mynatt – yes

Ms. Susan Peach – yes
Dr. Sherry Robbins – yes
Dr. Renè Saunders – abstain
Mr. Jim Shulman – not available
Ms. Gina Throneberry – yes
Ms. Janet Williford – yes
Mr. Bobby Wood – yes

The motion was approved.

Terrace at Mountain Creek, Chattanooga #257 – Request to lift probation

Mr. Puri represented this facility and presented to the Board the facility's request for its probationary status to be lifted. He also informed the Board a new management firm was in place at this facility which was an action based upon the Board's order. **Mr. Mynatt made a motion to lift probation; Mr. Boyd seconded.**

A roll call vote was taken:

Mr. Paul Boyd – yes
Mr. Robert Breeden – yes
Dr. Evelyn Brock – yes
Mr. Louis Caputo – yes
Dr. Patsy Carihfield – yes
Mr. Joshua Crisp – not available
Mr. Chuck Griffin – yes
Dr. Julie Jeter – yes
Ms. Patricia Ketterman – yes
Ms. Carissa Lynch – yes
Mr. Roger Mynatt – yes
Ms. Susan Peach – yes
Dr. Sherry Robbins – yes
Dr. Renè Saunders – abstain
Mr. Jim Shulman – not available
Ms. Gina Throneberry – yes
Ms. Janet Williford – yes
Mr. Bobby Wood – yes

The motion was approved.

Approval of the Joint Annual Report on the Status of Children’s Emergency Care Alliance of Tennessee (CECA TN) 2020.

Natasha Kurth was the representative and presented the 2020 Joint Annual report to the Board. **Dr. Brock made a motion to accept the report; Dr. Robbins seconded.**

A roll call vote was taken:

- Mr. Paul Boyd – yes
- Mr. Robert Breeden – yes
- Dr. Evelyn Brock – yes
- Mr. Louis Caputo – yes
- Dr. Patsy Carihfield – yes
- Mr. Joshua Crisp – not available
- Mr. Chuck Griffin – yes
- Dr. Julie Jeter – unable hear
- Ms. Patricia Ketterman – yes
- Ms. Carissa Lynch – yes
- Mr. Roger Mynatt – yes
- Ms. Susan Peach – yes
- Dr. Sherry Robbins – yes
- Dr. Renè Saunders – abstain
- Mr. Jim Shulman – not available
- Ms. Gina Throneberry – yes
- Ms. Janet Williford – yes
- Mr. Bobby Wood – yes

The motion was approved.

APPROVAL OF MINUTES:

Ms. Reed presented the following minutes for approval by the full Board –

- February 5, 2020 – Board Meeting
- March 13, 2020 – Emergency Called Telephonic Board Meeting
- April 1, 2020 – Emergency Called Telephonic Board meeting

Dr. Brock made a motion to approve the Board’s meeting minutes; Mr. Mynatt seconded.

A roll call vote was taken:

- Mr. Paul Boyd – yes
- Mr. Robert Breeden – yes
- Dr. Evelyn Brock – yes
- Mr. Louis Caputo – yes
- Dr. Patsy Carihfield – yes
- Mr. Joshua Crisp – not available
- Mr. Chuck Griffin – yes
- Dr. Julie Jeter – unable hear
- Ms. Patricia Ketterman – yes

Ms. Carissa Lynch – yes
Mr. Roger Mynatt – yes
Ms. Susan Peach – yes
Dr. Sherry Robbins – yes
Dr. Renè Saunders – abstain
Mr. Jim Shulman – not available
Ms. Gina Throneberry – yes
Ms. Janet Williford – yes
Mr. Bobby Wood – yes

The motion was approved.

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

The CHOW and Initial licensure applications received by the Office of Health Care Facilities were presented as follows –

The following initial application was presented to the Board for approval under special consideration Home Medical Equipment-CCS Medical, Knoxville

Mr. Boyd made a motion to approve the initial application; Mr. Wood seconded.

A roll call vote was taken:

Mr. Paul Boyd – yes
Mr. Robert Breeden – yes
Dr. Evelyn Brock – yes
Mr. Louis Caputo – yes
Dr. Patsy Carihfield – yes
Mr. Joshua Crisp – not available
Mr. Chuck Griffin – yes
Dr. Julie Jeter – unable hear
Ms. Patricia Ketterman – yes
Ms. Carissa Lynch – yes
Mr. Roger Mynatt – yes
Ms. Susan Peach – yes
Dr. Sherry Robbins – yes
Dr. Renè Saunders – abstain
Mr. Jim Shulman – not available
Ms. Gina Throneberry – yes
Ms. Janet Williford – yes
Mr. Bobby Wood – yes

The motion was approved.

The following qualifying initial applications were presented to the Board for approval without staff concern –

Ambulatory Surgical Treatment Center- Meadowbrook ASC, LLC, Kingsport

Assisted Care Living Facility- Clarendale at Bellevue Place, Nashville; The Lantern at Morning Pointe Alzheimer's Center, Spring Hill; Tradition of Mill Creek, Brentwood
End Stage Renal Dialysis Clinics- Pure Life Renal of Cool Springs, LLC, Brentwood
Home Medical Equipment- Otto Bock Orthopedic Services, LLC, Mt. Juliet
Hospice Services- Goshen Hospice and Palliative Care, Memphis
Professional Support Services- BetterLives, LLC, Knoxville; Providence Care Inc., Nashville

Mr. Boyd made a motion to approve qualifying initial applications; Dr. Brock seconded.

A roll call vote was taken:

Mr. Paul Boyd – yes
Mr. Robert Breeden – yes
Dr. Evelyn Brock – yes
Mr. Louis Caputo – yes
Dr. Patsy Carihfield – yes
Mr. Joshua Crisp – not available
Mr. Chuck Griffin – yes
Dr. Julie Jeter – yes
Ms. Patricia Ketterman – yes
Ms. Carissa Lynch – yes
Mr. Roger Mynatt – yes
Ms. Susan Peach – yes
Dr. Sherry Robbins – yes
Dr. Renè Saunders – abstain
Mr. Jim Shulman – not available
Ms. Gina Throneberry – yes
Ms. Janet Williford – yes
Mr. Bobby Wood – yes

The motion was approved.

The following qualifying CHOW applications were presented to the Board for approval without staff concern –

Assisted Care Living Facility- Maple Court, Powell; Raintree Terrace, Knoxville
Hospital- Perry Community Hospital, Linden

Mr. Wood made a motion to approve qualifying CHOW applications; Ms. Ketterman seconded.

A roll call vote was taken:

Mr. Paul Boyd – yes
Mr. Robert Breeden – yes
Dr. Evelyn Brock – yes
Mr. Louis Caputo – yes
Dr. Patsy Carihfield – yes
Mr. Joshua Crisp – not available
Mr. Chuck Griffin – yes
Dr. Julie Jeter – yes

Ms. Patricia Ketterman – yes
Ms. Carissa Lynch – yes
Mr. Roger Mynatt – yes
Ms. Susan Peach – yes
Dr. Sherry Robbins – yes
Dr. Renè Saunders – abstain
Mr. Jim Shulman – not available
Ms. Gina Throneberry – yes
Ms. Janet Williford – yes
Mr. Bobby Wood – yes

The motion was approved.

LICENSURE STATUS UPDATE(S):

The following licensure status requests were presented –

Continuous Care Services, LLC, Hermitage (HHA #48)

This home health agency had structural damage to their office due to the tornado that happened on March 3, 2020. The agency was unable to work in their current location and was working diligently to find another space to move into soon as possible and would notify the department when a location was found.

Eagle Crest Assisted Living, Chattanooga (ACLF #318)

This 16 bed assisted living was involved in a tornado. All residents were evacuated to Majestic Manor in Rock Spring, GA temporarily. The facility is back open, and the residents returned back to the facility May 4, 2020.

Meritan, INC., Memphis (PSS #329)

This professional support services agency has not provided any nursing or therapy services to DIDD clients since July 23, 2019. Meritan Inc. has closed the agency effective May 5, 2020.

Unity Medical Center, Manchester (Hosp #17)

This 49 bed hospital was seeking to reopen an existing 4 bed ICU. The original unit was converted into a sleep lab. The waivers requested were to waive the following FGI guidelines: Minimum square footage of critical care room- A2.2-2.6.2.2; Minimum clearances-A2.2-2-2.6.2.2; Janitorial/EVS room- A2.2-2.6.8.14; Clean supply area- A2.2-2.6.8.11; Minimum 13 foot headwall width A2.2-2.6.2.2; Dedicated staff lounge on ICU- A2.2-2.6.9.1.

The facility was not ready to present at this time due to the happening of COVID-19 and requested to move to the October agenda.

Facilities Closures

The facility closures report was given.

BOARD POLICY CONSENTS:

The following Board Policy Consent requests were presented –

Board Policy #81-
Dickson Health and Rehab #72, Dickson

Midtown Center for Health and Rehabilitation #255, Memphis
Signature HealthCare of South Pittsburg Rehab & Wellness Center #176, South Pittsburg
Boulevard Terrace Rehabilitation and Nursing Center #217, Murfreesboro

Mr. Boyd made a motion to approve; Dr. Jeter seconded.

A roll call vote was taken:

Mr. Paul Boyd – yes
Mr. Robert Breeden – yes
Dr. Evelyn Brock – yes
Mr. Louis Caputo – yes
Dr. Patsy Carihfield – yes
Mr. Joshua Crisp – not available
Mr. Chuck Griffin – yes
Dr. Julie Jeter – yes
Ms. Patricia Ketterman – yes
Ms. Carissa Lynch – yes
Mr. Roger Mynatt – yes
Ms. Susan Peach – yes
Dr. Sherry Robbins – yes
Dr. Renè Saunders – abstain
Mr. Jim Shulman – not available
Ms. Gina Throneberry – yes
Ms. Janet Williford – yes
Mr. Bobby Wood – yes

The motion was approved.

Board Policy #39-

Princeton Transitional Care & Assisted Living, Johnson City (NH-339) & (ACLF-486), respectively

Dr. Robbins made a motion to approve; Ms. Lynch seconded.

A roll call vote was taken:

Mr. Paul Boyd – yes
Mr. Robert Breeden – yes
Dr. Evelyn Brock – yes
Mr. Louis Caputo – yes
Dr. Patsy Carihfield – yes
Mr. Joshua Crisp – not available
Mr. Chuck Griffin – yes
Dr. Julie Jeter – yes
Ms. Patricia Ketterman – yes
Ms. Carissa Lynch – yes
Mr. Roger Mynatt – yes
Ms. Susan Peach – yes
Dr. Sherry Robbins – yes

Dr. Renè Saunders – abstain
Mr. Jim Shulman – not available
Ms. Gina Throneberry – yes
Ms. Janet Williford – yes
Mr. Bobby Wood – yes

The motion was approved.

ORDER(S):

Consent Orders-

The following consent order was presented by Ms. Tippens-

The Pointe at Lifespring – A life safety survey conducted resulting in \$2,500.00 CMP. **Mr. Mynatt made a motion to approve; Dr. Robbins seconded.**

A roll call vote was taken:

Mr. Paul Boyd – yes
Mr. Robert Breeden – yes
Dr. Evelyn Brock – yes
Mr. Louis Caputo – yes
Dr. Patsy Carihfield – yes
Mr. Joshua Crisp – not available
Mr. Chuck Griffin – yes
Dr. Julie Jeter – yes
Ms. Patricia Ketterman – yes
Ms. Carissa Lynch – yes
Mr. Roger Mynatt – yes
Ms. Susan Peach – yes
Dr. Sherry Robbins – yes
Dr. Renè Saunders – abstain
Mr. Jim Shulman – not available
Ms. Gina Throneberry – yes
Ms. Janet Williford – yes
Mr. Bobby Wood – yes

The motion was approved.

The meeting was adjourned.