Health Resources Development Service
Oklahoma State Department of Health

Health Facility Systems
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THE NOTICE

August 2010

Certificate of Need matters considered by Health Resources Development Service (HRDS) are reported in *The Notice*. Comments, evidence, and requests regarding these projects should be sent to the Department at the address and phone number above.

NEW: The Department now provides Long Term Care inspection reports on-line. A link is available on the HRDS Web Page at http://hrds.health.ok.gov.

I. Actions taken by the Oklahoma State Department of Health from July 1, 2010, through August 4, 2010, were as follows:

CERTIFICATE OF NEED APPLICATIONS APPROVED

Valliant Residential Living Centers #09-041. Contact Person: Mr. Phillip Rhoades Ph# 918-790-2562. Construction of 40 new beds facility. Cost: $3,514,800.00. Date Filed: 11/18/09. Incomplete: 11/30/09. Applicant provided additional information on 12/22/2009, information was again found to be incomplete. Applicant was sent notice of incompleteness on 2/23/2010. Information due: 05/22/2010. Complete: 05/26/2010. Deadline for filing notice of intent to participate: 06/22/2010. Decision Due: August 6, 2010. Approved: 07/30/2010.

CERTIFICATE OF NEED WITHDRAWN/DENIED/RECONSIDERATION

Autumn Wood, #09-003. Contact person: Janice Shively, 918/341-7218. Establish a new 60-bed licensed Specialized Facility for Alzheimer's Residents by Wood Manor Inc. Wood Manor, Inc. is owned by Dee Wayne Wood (50%) and DeAna Murlene Wood (50%). Cost: $3,000,000. Date Filed: 2/12/09. Incomplete: 2/27/09. Complete: 3/25/09. Deadline for filing notice of intent to participate: 4/22/09. Decision due: 6/06/09. Applicant submitted a request for an extension of decision deadline on 05/28/09, in order to provide additional information in response to the Department's staff investigation. Extension of decision deadline granted until 08/14/09. Additional information due and received 7/31/09. Staff investigation transmitted August 13, 2009, providing applicant opportunity to respond. Applicant submitted request for extension of decision deadline on Aug. 14, 2009. Extension of decision deadline granted until Sept. 14, 2009. Additional information due and submitted Aug. 31, 2009. Application approved: Sept. 14, 2009. --- Reconsideration request filed: Sept. 23, 2009. Reconsideration request granted: Oct. 5, 2009. Reconsideration hearing held Oct. 25, 2009. Department's approval upheld by Administrative Law Judge on Jan. 13, 2010. --- Claremore Nursing Home Inc. and Inola health Care Center Inc. filed *Petition To Review Administrative Order and Application For Stay*, CV-2010-171, in the District Court of Oklahoma County on Feb. 12, 2010. Amity Care L.L.C. filed *Petition For Review of Final Agency Order*, CJ-2010-1252, in the District Court of Oklahoma County on Feb. 16, 2010. Department filed *Answer Of Respondent, Oklahoma State Department Of Health, To Petition To Review Administrative Order And Application For Stay*, Mar. 10, 2010. Department filed *Motion to Remand*, Mar. 10, 2010. Claremore Nursing Home Inc. and Inola Health Care Center Inc. filed *Response to Request for Motion to Remand* on March 26, 2010. District Court grants oral motion of the parties to consolidate pending actions and issues *Order Granting Motion to Remand*, to address statutorily required findings of fact consistent with 63 O.S. § 1-853(A), Apr. 23, 2010. Department filed with the Court a revised *Order* granting

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certificate of need on May 6, 2010. Judge Robertson held a scheduling conference June 30, 2010, and issued an order establishing the briefing schedule.

II. The following Certificate of Need applications are complete and ready for review under the Long Term Care Certificate of Need Act, Certificate of Need Hearing Rules, and the Psychiatric and Chemical Dependency Facility Certificate of Need Act. The reviews below rely on submission of written evidence and argument instead of public hearings.

Coweta Manor Nursing Home #09-042. Contact Person: Jack Atkinson 405-330-1889. Purchase of a 100-bed nursing facility. Cost: $1,781,787.00. Date Filed: 11/18/2009. Incomplete: 11/30/2009. Applicant provided additional information on 02/17/10, information was again found to be incomplete. Applicant was sent notice of incompleteness on 2/23/2010. Information Due: 05/24/2010. Applicant provided additional information on 05/03/10, information was again found to be incomplete. Applicant was sent notice of incompleteness on 05/12/2010. Information Due: 08/10/2010. Complete: 07/02/2010. Deadline for filing notice of intent to participate: Jul. 27, 2010. Decision Due: Sept. 10, 2010.

Shawn Manor Nursing Home #09-032. Contact Person: Jack Atkinson 405-330-1889. Purchase with subsequent lease/Management Agreement of a 96-bed nursing facility. Cost: $ 2,639,207.00. Annual Lease: 362,697.12. Date Filed: 09/30/09. Incomplete: 10/08/2009. Information due: 01/05/2010. Complete: 12/28/2009. Deadline for filing notice of intent to participate: 01/26/2010. Initial decision due date was May 10, 2010. The Department and applicant have agreed to a series of extensions based on revisions and responses to the preliminary investigative reports. The current decision deadline is 09/27/2010.

Cimarron Pointe Care Center #09-034. Contact Person: Jack Atkinson 405-330-1889. Purchase with subsequent lease/Management Agreement of a 108-bed nursing facility. Cost: $ 3,328,004.00. Annual Lease: 346,313.40. Date Filed: 09/30/09. Incomplete: 10/07/2009. Information Due: 01/05/2010. Complete: 12/29/2009. Deadline for filing notice of intent to participate: 01/26/2010. Initial decision due date was May 10, 2010. The Department and applicant have agreed to a series of extensions based on revisions and responses to the preliminary investigative reports. The current decision deadline is 09/27/2010.

Sequoyah Pointe Living Center #09-035. Contact Person: Jack Atkinson 405-330-1889. Purchase with subsequent lease/Management Agreement of a 92-bed nursing facility. Cost: $3,104,918.00 Annual Lease: 339,837.12. Date Filed: 09/30/09. Incomplete: 10/08/2009. Information Due: 01/05/2010. Complete: 12/29/2009. Deadline for filing notice of intent to participate: 01/26/2010. Initial decision due date was 05/10/ 2010. The Department and applicant have agreed to a series of extensions based on revisions and responses to the preliminary investigative reports. The current decision deadline is 09/27/2010.

Golden Oaks Nursing Center #10-013. Contact Person: Jack Atkinson 405-303-1889. Facility Acquisition Lease of an 80-bed nursing facility. Lease cost $12,000 per month. Date Filed: 06/08/2010. Incomplete: 06/16/2010. Information due: 09/14/2010. Applicant provided additional information 06/22/2010. Application again found incomplete 06/25/2010. Additional information received 07/6/2010. Complete 07/14/2010. Deadline for filing notice of intent to participate: 08/09/2010. Decision due: 09/23/2010.

III. Applications filed with the State Department of Health under the Certificate of Need Program, but not determined complete as of August 4, 2010, and which may be scheduled for reviews at later dates are:

Parkside, Inc. #10-005. Contact Person: Debra Moore 918-582-2131. Adding 20 new Under-18 Psychiatric beds for children and youth. Date filed: 03/31/2010. Incomplete Date: 04/14/2010. Information Due: 07/15/2010. Additional information received: 07/26/2010.

IV. Exemption Requests filed with the State Department of Health under 63 O.S. § 1-852(C) (D) for exemption of Certificate of Need reviews as of August 4, 2010 are:

Willow Haven Nursing Home #09-021. Exemption for Management Agreement. Filed: 07/27/2009. Incomplete: 08/14/09. Additional information received 08/24/09. Incomplete: 10/09/2009. Additional Information Due: 10/22/2009. No response received as of today's date.

Golden Oaks Nursing Center #10-009. Exemption - Management Agreement. Date filed: 04/12/2010. Incomplete: 05/04/2010.

Care Living Center of El Reno #10-011. Exemption – Management Agreement. Date filed: 05/26/2010. Incomplete: 06/02/2010.

Crestview Life Center #10-012. Exemption for Management Agreement. Date filed: 06/02/2010. Incomplete: 06/15/2010. Approved: 06/30/2010.

Green Park Nursing & Rehabilitation Center #10-014. Exemption for Facility Relocation. Date filed: 06/14/2010. Incomplete: 06/21/2010. Approved: 07/12/2010.

The Cottage Extended Care #10-015. Exemption for Facility Relocation. Date filed: 06/14/2010. Incomplete date: 06/21/2010. Approved: 07/12/2010.

Broken Bow Nursing Home #10-016. Exemption for Management Agreement. Date filed: 07/12/2010. Incomplete: 07/27/2010.

McMahon-Tomlinson Nursing Center #10-017. Exemption for Management Agreement. Date filed: 07/22/2010. Exemption Approved: 07/30/2010.

Greenbrier Nursing Home Number Two #10-018. Exemption for Change of Ownership or Stock Transfer. Date filed: 07/23/2010.