
THE NOTICE

Oklahoma State Department of Health

January 1, 2003

HEALTH RESOURCES DEVELOPMENT SERVICE REPORT

Certificate of Need, Workplace Medical Plan, Health Maintenance Organization and Independent Review Organization matters considered by the Health Resources Development Service are reported in The Notice. Your comments, evidence, and requests regarding these projects should be sent to the Oklahoma State Department of Health, Protective Health Services-0511, Health Resources Development Service, 1000 N. E. 10th, Oklahoma City, OK 73117-1299. The telephone number is (405) 271-6868.

I. Actions taken by the Oklahoma State Department of Health from November 24, 2002 to December 23, 2002 were as follows.

Certificate of Need Applications Approved:

Edmond Regional Medical Center, Edmond, #02-023. Contact Person: Stan Tatum, 405/341-6100. Addition of 8 beds for a total of 20 gero-psychiatric beds at this facility. Cost: \$1,000,000.00. Approved: 12/16/02.

Senior Suites Healthcare, Broken Arrow, #02-031. Contact Person: Steve Cox, 918/456-7117. Purchase of this 52 bed licensed nursing facility by Cox Building Co., which is owned by Rex Cox (50%) and Steve Cox (50%). Cost: \$175,000.00. Approved: 12/02/02.

Certificate of Need Withdrawn/Denial/ Reconsideration:

Broken Bow Nursing Home, Broken Bow, #02-005. Contact Person: Jack Atkinson, 405/405/330-1889. Stock transfer of this 105 bed licensed nursing facility. The stock of Indian Nations Health Care, L.L.C. will be held by Ann Farmer (33 1/3%), Don Farmer (33 1/3%) and Michael T. Scott (33 1/3%). Cost: \$25,000.00. Disapproved: 08/05/02. Reconsideration request filed 08/08/02 and granted 08/08/02. Pre-hearing conference is scheduled for 08/29/02 at 9:30 am in room 1102 at the Department of Health.

Go Ye Village Health Care Center, Tahlequah, #02-017. Contact Person: James Richardson, 918/456-4542. Establish a new 42 bed specialized facility for alzheimer's by Go Ye Village, Inc. located on the campus of Go Ye Village Med-Center. Denied: 11/18/02.

Shawnee Sunset Estates, Shawnee, #02-018. Contact Person: Laura Cross, 405/239-2121. Management agreement of this 72 bed licensed nursing facility by Health Systems of Oklahoma, LLC, which is owned by James Lincoln (51%) and John Vinson (49%). Cost: \$ 0. Denied: 11/18/02.

Seminole Pioneer Nursing Home, Seminole, #02-019. Contact Person: Nita Giles, 405/224-0237. Lease of this 110 bed licensed nursing facility by Seminole Nursing Home, Inc., which is owned 100% by Samuel Todd Jewell. Cost: \$84,000.00 annually for 10 years. Disapproved: 09/23/02. Reconsideration request filed 10/02/02 and granted 10/04/02. Pre-hearing conference is scheduled for 10/29/02 at 9:00 am in room 305.7 at the Department of Health.

Medford Nursing Home, Medford, #02-020. Contact Person: Michael Flanagan, 816/444-0637. Management agreement of this 84 bed licensed nursing facility by Court Appointed Receiver, Michael F. Flanagan and Tutera Health Care Services, L.L.C., which is owned by Joseph C. Tutera (1%) and Tutera Group, Inc. (99%). Cost: \$0. Disapproved: 10/25/02. Reconsideration request filed 11/4/02 and granted 11/21/02. Application withdrawn 12/06/02.

Adult Behavioral Care Center of Thomas, Inc., Thomas, #02-026. Contact Person: Rod Edwards, 405/943-3399. Establish a 12 bed gero-psychiatric unit at this licensed nursing home. \$50,000.00. Withdrawn: 12/11/02.

Susanna Wesley Center at Epworth Villa, Okla. City, #02-029. Contact Person: Floyd Austin, 405/749-3520. Addition of ten (10) nursing facility beds for a total of 70 licensed nursing facility beds. Cost: \$0. Withdrawn: 11/04/02.

Broadway Manor Nursing Home, Muskogee, #02-034. Contact Person: Jack Atkinson, 405/330-1889. Lease of this 105 bed licensed nursing facility by Broadway Manor Management, L.L.C., which is owned by Michael Scott (20%), Philip Green (20%), Eddie Martin (20%), Clayton L. Farmer (17.7%), Don Farmer (17.7%) and Fred Watts (4.46%). Cost: \$300,000.00 annually for 1 year. Disapproved: 12/16/02. Reconsideration request filed 12/18/02 and granted 12/18/02. Hearing is scheduled for 01/14/03 at 10:00 am at the Department of Health.

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. This list was prepared on December 23, 2002.

Bell Avenue Nursing Center, Elk City, #02-021. Contact Person: Michael Hulse, 405/943-3399. Lease of this 90 bed licensed nursing facility by Bell Avenue Nursing Incorporated, which is owned 100% by Steven Donald Moore. Cost: \$372,000.00 annually for 20 years. Deadline for filing notices of intent to participate is 11/13/02, and a final decision is due by 12/30/02.

This publication is issued by the Oklahoma State Department of Health, as authorized by the Commissioner of Health. 2,200 copies were printed and distributed at a cost of \$660.00. Copies have been deposited with the Publications Clearinghouse of the Department of Libraries. The Notice is now available on our website at www.health.state.ok.us. If you wish to be placed on the mailing list for The Notice or if you have a change of address, you may notify us by mail at the address shown above, by FAX at (405) 271-3442 to the Attention of Kay Determan, or by E-mail at KAYD@HEALTH.STATE.OK.US.

Oak Dale Manor, Sand Springs, #02-024. Contact Person: JoBeth Becker, 918/245-5978. Lease of this 213 bed licensed nursing facility by Sand Springs Care LLC, which is owned by John H. Stout Living Trust (45%), Lisa A. Hodges Living Trust (45%) and JoBeth Becker (10%). Cost: 252,000.00 annually for 10 years. Deadline for filing notices of intent to participate is 11/13/02, and a final decision is due by 12/30/02.

Adult Behavioral Care Center of Duncan, Duncan, #02-028. Contact Person: Rod Edwards, 405/943-3399. Establish a 12 bed gero-psychiatric unit at this licensed nursing home. \$50,000.00. Deadline for filing notices of intent to participate is 11/28/02, and a final decision is due by 01/12/03.

Cottonwood Nursing Center, Yukon, #02-030. Contact Person: Mark Moore, 405/354-8831. Lease of this 130 bed licensed nursing facility by Cottonwood Nursing Center, Inc., which is owned by Debra Ratliff (33.33%), Otis Foshee (33.33%) and Mark Moore (33.33%). Cost: \$177,013.00. Deadline for filing notices of intent to participate is 12/11/02, and a final decision is due by 01/24/03.

Adult Behavioral Care Center of Norman, Norman, #02-032. Contact Person: Rod Edwards, 405/943-3399. Addition of six (6) beds for a total of 18 gero-psychiatric beds to this facility. Cost: \$84,333.00. Deadline for filing notices of intent to participate is 12/19/02, and a final decision is due by 02/04/03.

Claremore Nursing Home, Claremore, #02-035. Contact Person: Brett Lessley, 918/341-4857. Addition of eight (8) beds for a total of 118 licensed nursing facility beds. Cost: \$500,000.00. Deadline for filing notices of intent to participate is 11/28/02, and a final decision is due by 01/12/03.

Eastgate Village Retirement Center, Muskogee, #02-036. Contact Person: Nita Giles, 405/224-0234. Lease of this 110 bed licensed nursing facility by Eastgate Village, L.L.C., which is owned by Sam D. Scott (40.05%), Philip Green (40%), Jim Breashears (9.95%) and Don Farmer (10%). Cost: \$420,000.00 annually for 5 years. Deadline for filing notices of intent to participate is 12/11/02, and a final decision is due by 01/27/03.

III. Applications filed with the State Department of Health under the Certificate of Need Program but not determined complete as of December 23, 2002, and which may be scheduled for reviews at later dates are:

Crystal Pointe Care Center, Lawton, #01-038. Contact Person: Clifton Gooding, 405/948-1978. Acquisition with subsequent lease of this 100 bed licensed nursing facility. Cost: \$865,000.00. Additional information requested and due by 04/04/02. Order for temporary injunction to stay filed and granted 02/25/02.

Cole's Nursing Home, Guthrie, #02-033. Contact Person: Nita Giles, 405/224-0234. Replacement of this 100 bed licensed nursing facility to a new location at 2300 W. Noble. Cost: \$500,000.00. Additional information requested and due 01/08/03.

Fort Gibson Nursing Home, Fort Gibson, #02-037. Contact Person: Nita Giles, 405/224-0234. Lease of this 66 bed licensed nursing facility by Fort Gibson Management, L.L.C., which is owned by Sam D. Scott (33.33%), Philip Green (16.67%), Eddie Martin (16.67%) and Don Farmer (33.33%). Cost: \$908,773.00. Additional information requested and due 02/24/03

Hillcrest Manor, Blackwell, #02-038. Contact Person: Jeff Young, 405/624-2444. Stock transfer of this 137 bed licensed nursing facility. Cost: \$0. Additional information requested and due 02/20/03.

Blackwell Nursing Home, Inc., Blackwell, #02-039. Contact Person: Jeff Young, 405/624-2444. Stock transfer of this 71 bed licensed nursing facility. Cost: \$0. Additional information requested and due 02/20/03

Rest Haven Nursing Center, Cushing, #02-040. Contact Person: Jeff Young, 405/624-2444. Stock transfer of this 63 bed licensed nursing facility. Cost: \$0. Additional information requested and due 02/20/03

McAlester Regional Health Center, McAlester, #02-041. Contact Person: Tom Giaudrone, 918/426-1800. Addition of four (4) beds for a total of 20 beds at this licensed skilled nursing facility. Cost: \$17,896.00.

IV. The following applications have been accepted under the Health Maintenance Organization Rules or the Rules for Certified Workplace Medical Plans or the Rules for Independent Review Organizations. Anyone desiring to participate in the review process or request a public hearing on a health maintenance organization application must file a written notice of intent to participate.

National Comp Care, Inc., WMP-01-005. Contact Person: Marvin Chrisite, 800-710-8121, Ext. 3793. Certificate renewal application. Found incomplete: 08/31/01. Additional information filed 11/30/01.

First Health, WMP-02-001. Contact Person: Mark Kopelman, 630-737-4106. Certificate renewal application. Found incomplete: 08/28/02.

Group Health Services of Oklahoma, Inc. dba Blue Cross Blue Shield and BlueWorks, WMP-02-002. Contact person: Bert E. Marshall, (405) 841-9602. Certificate renewal application. Found incomplete: 08/28/02.

Concentra Integrated Services, Inc. aka Concentra, WMP-02-003. Contact person: LeAnn Roberge, (615) 778-4232. Application for initial certification as a workplace medical plan. Found incomplete 10/28/02.

Travelers Medical Management Services, Inc., WMP-02-004. Contact person: Ann Parizo, (860) 277-4512. Certificate renewal application. Found incomplete 10/11/02.

PacifiCare of Oklahoma, HMO-02-007. Contact Person: Shari Singleton, 918-459-1298. Annual license renewal. Deadline for filing notice of intent to participate is 11/18/02; and a final decision is due 12/15/02.

GlobalHealth, Inc., HMO-02-008. Contact Person: Denise Suttles, 405-280-5600. Initial license application. Found incomplete 9/16/02.

CommunityCare HMO, HMO-02-009. Contact Person: Remsen Beitel, 918-594-5264. Annual license renewal filed 10/01/02. Found incomplete 10/28/02.

V. Enforcement actions initiated against health maintenance organizations.

AmCare Health Plans of Oklahoma, Inc. (HMO-01-006). The actions against this health maintenance organization arose out of the Oklahoma Department of Health's finding of violations of the Health Maintenance Organization law and Regulations for Health Maintenance Organizations and Prepaid Health Plans. Administrative Compliance Order issued 4/12/02. Second Administrative Compliance Order issued 06/28/02. Application for assessment of administrative penalty filed 07/05/02. Consent Order issued 8/20/02 denying license renewal application effective 10/1/02. Modified Consent Order issued 9/18/02.

OKLAHOMA STATE DEPARTMENT OF HEALTH LICENSURE ACTION REPORT

Enforcement actions initiated against facilities licensed under the Nursing Home Care Act, the Residential Care Act, or Title 63 O.S. Article 7 (hospitals and related institutions) are reported below. This list does not include certification sanctions under the Medicare or Medicaid programs. Your questions regarding the status of enforcement actions, or scheduling of upcoming hearings, should be sent to this address: Oklahoma State Department of Health, Special Health Services-0511, Enforcement Hearing Clerk, 1000 Northeast Tenth, Oklahoma City, OK 73117-1299. The telephone number is (405) 271-4042. This list was prepared on December 23, 2002.

Anadarko Nursing Center, Inc., Anadarko, OK, and Binger Health Care, Inc., Binger, OK, (LTC-2000-14). The actions against these Nursing Home facilities arose out of the Oklahoma Department of Health's charges of violations of the Nursing Home Care Act, and Regulations for Licensure of Nursing and Specialized Facilities. Case pending.

Barbara Savage d/b/a TLC, (LTC 2001-115). The action against this nursing home facility arose out of the Oklahoma Department of Health's charges of violations of the Home Care Act. Decision appealed in Love County District Court. Case pending.

Skyview Nursing Center (LTC-2001-131). An agreed order is to be prepared.

Pleasant Valley Health Care Center (LTC 2001-132). A hearing is scheduled for January 22 and 23, 2003, at 9:00 a.m., in Room 1102 at the Oklahoma State Department of Health, 1000 N.E. 10th, Oklahoma City, Oklahoma.

Hugo Health and Rehab Center (LTC 2001-150). Discovery in process.

Crest View Life Center (LTC 2001-191). An agreed order is to be prepared.

Heritage Nursing Center (Muskogee) (LTC 2002-002). An agreed order is to be prepared.

County Manor Nursing Home (LTC 2002-003). An agreed order is to be prepared.

Heartland Plaza (LTC-2002-019). A settlement agreement was filed November 26, 2002. Case closed.

Pawhuska Nursing Home (LTC-2002-045). Discovery in process.

Shattuck Nursing Center (LTC-2002-073). An agreed order is to be prepared.

Drumright Nursing Home (LTC-2002-078). Discovery in process.

Sunnyside Nursing Center, Inc. (LTC-2002-084). The facility filed a dismissal on December 18, 2002. Case closed.

Sunset Estates of El Reno (LTC-2002-095). An agreed order is to be prepared.

Autumn Terrace (LTC-2002-097). An agreed order is to be prepared.

Cornerstone Residential Care (LTC-2002-099). A settlement agreement was filed December 12, 2002. Case closed.

Maxine Campbell (LTC-2002-100). A settlement agreement was filed November 25, 2002. Case closed.

The Living Center (LTC-2002-101). Discovery in process.

Miami Nursing Home (LTC-2002-104). The facility filed a dismissal December 6, 2002. Case closed.

Sunset Estates of El Reno (LTC-2002-108). Discovery in process.

Lakewood Care Center (LTC-2002-115). Discovery in process.

Sunset Residential Care (LTC-2002-117). Discovery in process.

Sarah's Residential Living (LTC-2002-119). An agreed order is to be prepared.

Oak Hills Living Center (LTC-2002-135). Discovery in process.

Caddo Nursing Home (LTC-2002-139). A pre-trial conference is scheduled for January 7, 2003, at 9:00 a.m., in Room 1102 at the Oklahoma State Department of Health, 1000 N.E. 10th, Oklahoma City, Oklahoma.

Northside Nursing Home (LTC-2002-148). A pre-trial conference is scheduled for January 17, 2003, at 1:30 p.m., in Room 314 at the Oklahoma State Department of Health, 1000 N.E. 10th, Oklahoma City, Oklahoma.

Changes considered for unused prescription medications program

At press time the Oklahoma State Board of Pharmacy was considering changes in the criteria for drugs that can be donated for the unused prescription medications program. The revised criteria are expected to be effective January 1, 2003.

Under the pilot, nursing facility residents or their representatives or guardians can donate unused medications instead of having them destroyed. The county pharmacies in Oklahoma and Tulsa counties are eligible to receive donated medications. The pilot was authorized by the Legislature in 2001 as an 18-month study to evaluate the potential for donation of unused prescription medications from nursing facilities to city-county health departments or county pharmacies. The pilot started in January 2002 and is due to be reviewed and evaluated by June 2003.

The State Board of Health amended the nursing facility license rules at OAC 310:675-9-9.1, effective January 3, 2002, to allow for donation instead of destruction of unused prescription medications.

The Board of Pharmacy's January 1, 2003 changes are:

- Medication cards with 15 or more doses remaining could be donated.
- The medications must have 6 months of dating left.
- The drugs must be on the formulary.

The transfer of unused medications from nursing facilities to the county pharmacies continues to be a challenge. Comments on how to change the method of delivery for delivery or pickup will be welcome.

For more information or to discuss changes, write to Bryan Potter, D.Ph., Executive Director, Oklahoma State Board of Pharmacy, 4545 N. Lincoln Blvd, Suite 112, Oklahoma City, OK , 73105; or call (405) 521 3815.

The State Department of Health has a Web page, which may be accessed at <http://www.health.state.ok.us>. Electronic copies of Oklahoma's certificate of need and long-term care rules are available on the OSDH Web page: www.health.state.ok.us. From the OSDH home page, click on the "Programs" icon, then select "Protective Health Services." Next, select "Health Resources Development Service" for a listing of requirements and application forms for long-term care, certificate of need, nurse aide registry and certification, and home care administrator certification.

OKLAHOMA STATE DEPARTMENT OF HEALTH**Special Health Services - 0511****1000 NE 10th Street****Oklahoma City, OK 73117-1299****Return Service Requested****PRESORTED STANDARD****U.S. POSTAGE PAID****OKLAHOMA CITY, OK****PERMIT NO. 1504**