
THE NOTICE

Oklahoma State Department of Health

July 1, 2002

Rule Amendments Adopted by the State Board of Health

Recent changes to health-facility related rules are available on the Oklahoma State Department of Health Internet site at this address: <http://www.health.state.ok.us/program/prc/index.html>

Amendments going into effect on June 27, 2002 include the following chapters of the Oklahoma Administrative Code:

[Chapter 4, Certificate of Need Hearings](#)

[Chapter 641, Emergency Medical Services](#)

[Chapter 205, Alarm Industry](#)

[Chapter 656, Managed Care and Utilization Review](#)

[Chapter 234, Medical Micropigmentation](#)

[Chapter 661, Hospice](#)

[Chapter 620, Certificate of Need Acquisition Standards](#)

[Chapter 664, Home Care Administrators](#)

[Chapter 630, Certificate of Need Standards for Nursing Facility Beds](#)

[Chapter 675, Nursing and Specialized Facilities](#)

[Chapter 635, Certificate of Need Standards for Psychiatric/Chemical Dependency Beds](#)

[Chapter 677, Nurse Aide Training and Certification](#)

Amendments effective on July 1, 2002 include the following chapters of the Oklahoma Administrative Code:

[Chapter 641, Emergency Medical Services](#)

[Chapter 663, Continuum of Care and Assisted Living](#)

[Chapter 667, Hospitals](#)

[Chapter 675, Nursing and Specialized Facilities](#)

[Chapter 680, Residential Care Homes](#)

Additional changes will go into effect on July 15, 2002, when certain emergency changes lapse in Chapter 675, Nursing and Specialized changes. Those changes affect Sections 1-2, 11-7, 13-12, and 13-13. Final versions of Chapter 675 and the other rules listed above incorporating all changes to date will be available on the OSDH Internet site by July 15.

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 April 24, 2002 to May 23, 2002 were as follows.

Certificate of Need Applications Approved:

Adult Behavioral Care Center, Norman, #01-023. Contact Person: Mike Hulsey, 405/943-2299. Establish new 12 bed adult psychiatric unit by Adult Behavior Care Center L.L.C., which is owned by Virginia Moore (50%) and David Eugene Forgy (50%). Cost: \$40,000.00. Disapproved: 04/15/02. Reconsideration request filed and granted 05/15/02. Approved: 06/05/02.

Pioneer Estates Nursing Home, Chandler, #02-006. Contact Person: David Rising, 405/521-1507. Replacement of this 49 bed licensed nursing facility and combined with Chandler Nursing Center a 52 bed licensed nursing facility for a total of 101 licensed nursing facility beds to a location at Hwy 66 & Industrial Road. Cost: \$3,750,000.00. Approved: 05/31/02.

Chandler Nursing Center, Chandler, #02-007. Contact Person: David Rising, 405/521-1507. Replacement of this 52 bed licensed nursing facility and combined with Pioneer Estates Nursing Home a 49 bed licensed nursing facility for a total of 101 licensed nursing facility beds to a location at Hwy 66 & Industrial Road. Cost: \$3,750,000.00. Approved: 05/31/02.

Certificate of Need Withdrawn/Denial/ Reconsideration:

Stillwater Rosewood Care Center, fka Rosewood of Stillwater, Stillwater, #01-024. Contact Person: Laura Cross, 405/239-2121. Acquisition through management agreement of this 104 bed licensed nursing facility by Health Systems of Oklahoma, L.L.C., which is owned by James Lincoln (51%) and John Vinson (49%) Cost: \$0. Disapproved: 04/8/02. Reconsideration request filed 4/18/02 and granted 5/24/02.

Ponca City Nursing Home, fka Ponca City Nursing & Rehabilitation Center, Ponca City, #01-025. Contact Person: Laura Cross, 405/239-2121. Lease of this 157 bed licensed nursing facility with subsequent management agreement by N & R of Ponca City L.L.C. (Lessee) and Management Systems of Ponca City L.L.C. (Manager), which are both owned by James Lincoln (51%) and John Vinson (49%). Cost: \$2,070,000.00 and \$150,000.00 annually for 10 years. Disapproved: 04/8/02. Reconsideration request filed 4/18/02 and granted 5/24/02.

Westhaven Nursing Home, Stillwater, #01-026. Contact Person: Laura Cross, 405/239-2121. Lease of this 125 bed licensed nursing facility with subsequent management agreement by N & R of Ponca City L.L.C. (Lessee) and Management Systems of Ponca City L.L.C. (Manager), which are both owned by James Lincoln (51%) and John Vinson (49%). Cost: \$1,804,000.00 and \$19,500.00 annually for 10 years. Disapproved: 04/8/02. Reconsideration request filed 4/18/02 and granted 5/24/02.

Seminole Pioneer Nursing, Seminole, #01-027. Contact Person: Laura Cross, 405/239-2121. Acquisition through management agreement of this 60 bed licensed nursing facility by Health Systems of Oklahoma, L.L.C., which is owned by James Lincoln (51%) and John Vinson (49%) Cost: \$0. Disapproved: 04/8/02. Reconsideration request filed 4/18/02 and granted 5/24/02.

Parkview Nursing Home, Shawnee, #01-028. Contact Person: Laura Cross, 405/239-2121. Acquisition through management agreement of this 110 bed licensed nursing facility by Health Systems of Oklahoma, L.L.C., which is owned by James Lincoln (51%) and John Vinson (49%) Cost: \$0 Disapproved: 04/8/02. Reconsideration request filed 4/18/02 and granted 5/24/02.

Vista Nursing Home, Heavener, #01-039. Contact Person: John Montgomery, 918/489-2755. Acquisition of this 51 bed licensed nursing facility through stock transfer in Vista Nursing Home, Inc. by John B. Montgomery. Cost: \$450,000.00. Disapproved: 04/25/02. Reconsideration request filed 04/25/02 and granted 05/07/02.

Tuttle Care Center, Tuttle, #02-008. Contact Person: Laura Cross, 405/239-2121. Management agreement with subsequent lease. Summarily dismissed: 06/21/02.

Willow Park Health Care Center, Lawton, #02-009. Contact Person: Laura Cross, 405/239-2121. Management agreement with subsequent lease. Summarily dismissed: 06/21/02.

Temple Manor Nursing Home, Temple, #02-010. Contact Person: Laura Cross, 405/239-2121. Management agreement with subsequent lease. Summarily dismissed: 06/21/02.

Western Hills Health Care Center, Lawton, #02-011. Contact Person: Laura Cross, 405/239-2121. Management agreement with subsequent lease. Summarily dismissed: 06/21/02.

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 June 23, 2002.

Via Christi Oklahoma Regional Medical Center, aka St. Joseph Regional Medical Center, Ponca City, #01-040. Contact Person: Nita Giles, 405/224-0237. Addition of 2 beds to a total of 12 licensed skilled nursing facility beds at this nursing facility. Cost: \$1,900.00. Deadline for filing notices of intent to participate is 05/08/02, and a final decision is due 06/24/02.

Colonial Estates Nursing Center, fka Shawnee Colonial Estates Nursing Center, Shawnee, #02-001. Contact Person: Laura Cross, 405/239-2121. Lease of this 165 bed licensed nursing facility with subsequent management agreement by N & R of Ponca City L.L.C. (Lessee) and Management Systems of Ponca City L.L.C. (Manager), which are both owned by James Lincoln (51%) and John Vinson (49%). Cost: \$2,300,000.00 and \$168,000.00 annually for 10 years. Deadline for filing notices of intent to participate is 03/21/02, and a final decision is due 05/06/02. Applicant requested that decision be deferred pending outcome of various applications.

New Frontiers Aspen House, Okla. City, #02-002. Contact Person: Cathy Moore, 405/789-2262. Establish a new 8-bed facility for mentally retarded persons by New Horizons, Inc., which is owned by Donald R. Moore (51%) and Cathy P. Moore (49%). Cost: \$150,000.00. Deadline for filing notices of intent to participate is 05/20/02, and a final decision is due 07/15/02.

New Frontiers Santa Fe House, Okla. City, #02-003. Contact Person: Cathy Moore, 405/789-2262. Establish a new 8-bed facility for mentally retarded persons by New Horizons, Inc., which is owned by Donald R. Moore (51%) and Cathy P. Moore (49%). Cost: \$150,000.00. Deadline for filing notices of intent to participate is 05/20/02, and a final decision is due 07/15/02.

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. Deadline for filing notices of intent to participate is 06/20/02, and a final decision is due 08/05/02.

Texoma Manor Living Center, Kingston, #02-012. Contact Person: Nita Giles, 405/224-0237. Purchase of this 60 bed licensed nursing facility by Family Care Centers of Oklahoma, L.L.C., which is owned by Sharie Folmar (25%), Doug Cox (25%), Drenda Cos (25%) and Jerry Folmar (25%). Cost: \$825,000.00. Deadline for filing notices of intent to participate is 05/20/02, and a final decision is due 07/15/02.

Atlanta Place, Okemah, #02-013. Contact Person: Kaylene Bass, 405/786-2401. Establish a new six (6) bed specialized facility for mentally retarded persons by 4-B Properties, L.L.C. with subsequent lease by Eidetik of Weleetka, L.L.C. Cost: \$130,000.00. Deadline for filing notices of intent to participate is 06/27/02, and a final decision is due 08/12/02.

Liberty Place, Okmulgee, #02-014. . Contact Person: Kaylene Bass, 405/786-2401. Establish a new six (6) bed specialized facility for mentally retarded persons by 4-B Properties, L.L.C. with subsequent lease by Eidetik of Weleetka, L.L.C. Cost: \$130,000.00. Deadline for filing notices of intent to participate is 06/27/02, and a final decision is due 08/12/02.

Lexington Place, Okmulgee, #02-015. Contact Person: Kaylene Bass, 405/786-2401. Establish a new six (6) bed specialized facility for mentally retarded persons by 4-B Properties, L.L.C. with subsequent lease by Eidetik of Weleetka, L.L.C. Cost: \$130,000.00. Deadline for filing notices of intent to participate is 06/27/02, and a final decision is due 08/12/02.

Guthrie Place, Okemah, #02-016. Contact Person: Kaylene Bass, 405/786-2401. Establish a new six (6) bed specialized facility for mentally retarded persons by 4-B Properties, L.L.C. with subsequent lease by Eidetik of Weleetka, L.L.C. Cost: \$130,000.00. Deadline for filing notices of intent to participate is 07/03/02, and a final decision is due 08/19/02.

III. Applications filed with the State Department of Health under the Certificate of Need Program but not determined complete as of June 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.

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.

Shawnee Sunset Estates, Shawnee, #02-018. Contact Person: Laura Cross, 405/239-2121. Management agreement with subsequent lease. Additional information requested and due by 09/03/02.

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.

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.

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.

WorkNet, Inc. d/b/a WorkNet of Oklahoma, WMP-01-004. Contact Person: Christopher B. Lewis, 918/594-5288, Opt. #1. Certificate renewal application. Deficiencies removed 06/21/02. Approved 6/21/02.

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.

INTRACORP, WMP-01-006. Contact Person: Susan McDonough, 800-803-0344, Ext. 3129. Certificate renewal application. Found incomplete: 12/31/01. Additional information filed 04/23/02.

First Health, WMP-02-001. Contact person: Andrea Wynne, 630-737-7212. Certificate renewal application. Received: 01/22/02. Contact Person changed to Mark Kopelman, 630-737-4106 as of 02/22/02.

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: 05/23/02.

Aetna US Healthcare, HMO-02-001. Contact Person: Paul Gray, 214-200-8086. Annual license renewal. Approved 5/25/02.

Prudential Health Care Plan, Inc., HMO-02-003. Contact Person: Jodi Padilla, 405-475-6665. Annual license renewal. Deadline for filing notice of intent to participate is 7/08/02; and a final decision is due 8/05/02.

Comanche County Hospital Authority dba Prime Advantage Health Plan, HMO-02-004. Contact Person: Tanya Case, 580-357-6684. Annual license renewal. Approved 6/10/02.

AmCare Health Plans of Oklahoma, Inc., HMO-02-005. Contact Person: Andria Stolhand, 918-610-5900. Annual license renewal. Deadline for filing notice of intent to participate is 7/15/02; and a final decision is due following the public hearing.

UNICARE Health Plan of Oklahoma, Inc., HMO-02-006. Contact Person: Patricia McCandless, 512-703-1169. Annual license renewal. Approved 6/24/02.

V. Enforcement actions initiated against health maintenance organizations.

AmCare Health Plans of Oklahoma, Inc. (HMO-01-006). The action 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.

AmCare Health Plans of Oklahoma, Inc. (HMO-01-006). A preliminary conference will be scheduled not later than July 30, 2002. A public hearing on the license renewal application will be held within twenty (20) days following the conclusion of the preliminary conference.

VI. Critical Access Hospitals. The Health Care Financing Administration has authorized the Oklahoma State Department of Health to designate and survey rural nonprofit hospitals as Critical Access Hospitals.

As of June 23, 2002, the State Health Department has certified eighteen rural hospitals as Critical Access Hospitals (CAH). The hospitals are: 1. Anadarko Municipal Hospital, Anadarko, 2. Atoka Memorial Hospital, Atoka 3. Cimarron Memorial Hospital, Boise City 4. Drumright Memorial Hospital, Drumright 5. Healdton Municipal Hospital, Healdton 6. Jane Phillips Nowata Health Center, Nowata 7. Jefferson County Hospital, Waurika 8. Johnston Memorial Hospital, Tishomingo 9. Kingfisher Regional Hospital, Kingfisher 10. Lindsay Municipal Hospital, Lindsay 11. Mercy Health-Love County, Marietta 12. Pawhuska Memorial Hospital, Pawhuska 13. Prague Municipal Hospital, Prague 14. Roger Mills Memorial Hospital, Cheyenne 15. St. John Sapulpa, Sapulpa 16. Stroud Municipal Hospital, Stroud 17. Watonga Municipal Hospital, Watonga 18. Wetumka General Hospital, Wetumka.

Applications for the following hospitals are in the review process. 1. Cleveland Area Hospital. 2. Fairfax Memorial Hospital, Inc. 3. Logan Hospital and Medical Center.

Note: All the hospitals on this list have received approval for payment as a CAH from the CMS Regional Office with the exception of Lindsay Municipal Hospital.

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 June 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.

TLC Health Care, Inc., d/b/a Shawnee Colonial Estates Nursing Home and Rocky Lemon, Shawnee, OK, (LTC-2000-20). The action against this Nursing Home facility 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. Decision appealed to Supreme Court. 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 Nursing Home Care Act, and Regulations for Licensure of Nursing and Specialized Facilities. Decision appealed in Love County District Court. Case pending.

Skyview Nursing Center (LTC-2001-131). Documents are being reviewed in anticipation of settlement.

Pleasant Valley Health Care Center (LTC 2001-132). A settlement agreement is pending.

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

First Shamrock Care Center (LTC 2001-185). A settlement agreement was filed June 12, 2002.

Okeene Nursing Center, Inc. (LTC 2001-186). A status conference was held June 20, 2002. A hearing date has not been set, pending settlement.

Crest View Life Center (LTC 2001-191). A final pre-trial conference will be held August 19, 2002, in Room 1102; a hearing is scheduled for September 10, 2002, at 10:00 a.m., in Room 314, both to be held at the Oklahoma State Department of Health, 1000 N.E. 10th, Oklahoma City, Oklahoma.

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.

Joe R. Bussey, An individual, Washita Health Care, LLC, an Oklahoma Limited Liability company, and Focusone, Inc., an Oklahoma Corporation (LTC-2002-013). The Judge is reviewing briefs.

Heartland Plaza (LTC-2002-019). The Judge is reviewing briefs.

Sweetbriar Nursing Center (LTC-2002-022). The Judge is reviewing briefs.

Edna Lee Keaton d/b/a Poteau Residential Care (LTC-2002-024). A Settlement Agreement was filed May 31, 2002.

Golden Outlook (LTC-2002-037). A telephone status conference is scheduled for September 23, 2002, at 10:00 a.m.; depositions are to be conducted in the interim.

Nilus Jean Travis d/b/a Jeanie's Residential Care (LTC-2002-038). A hearing is scheduled for June 28, 1:30 p.m., Room 1102, Oklahoma State Department of Health, 1000 N.E. 10th, Oklahoma City, Oklahoma.

New Day Residential Care (LTC-2002-039). A hearing is scheduled for July 5, 1:30 p.m., Room 314, Oklahoma State Department of Health, 1000 N.E. 10th, Oklahoma City, Oklahoma.

Pawhuska Nursing Home (LTC-2002-045). A Status Conference is scheduled for July 10, 2002, 9:30 a.m., Room 1102, at the Oklahoma State Department of Health, 1000 N.E. 10th, Oklahoma City, Oklahoma.

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

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