
THE notice

Oklahoma State Department of Health

March 1, 1997

CERTIFICATE OF NEED DIVISION REPORT

Certificate of Need and Health Maintenance Organization matters considered by the Certificate of Need Division are reported in The Notice. Your comments, evidence, and requests regarding these projects should be sent to the Oklahoma State Department of Health, Special Health Services-0511, Certificate of Need Division, 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 January 24, 1997 to February 23, 1997 were as follows.

Certificate of Need Applications Approved:

Eastern Oklahoma Medical Center, Poteau, #96-033. Contact Person: Bobby D. Cox, 918/647-8161. Establish a ten bed skilled nursing unit. Cost: \$0. Approved: 02/19/97.

Woodview Home, Inc., Ardmore, #96-083. Contact Person: Kenneth J. Walker, 405/226-5454. Replacement of this 68 bed licensed nursing facility. Cost: \$1,750,000. Approved: 03/11/97.

Frances Streitel Senior Care Center, Collinsville, #97-001. Contact Person: Charles Anderson, 918/744-2471. Purchase of this 119 bed licensed nursing facility, fka Collinsville Manor, by Frances Streitel SeniorCare Corporation, a non-profit organization. Cost: \$3,094,000.00. Approved:

Elk City Nursing Center, Elk City, #96-082. Contact Person: Rick Cooper, 405/598-5599. Lease of this 118 bed licensed nursing facility by HIS Nursing Home Company, L.L.C., II. Cost: \$25,000.00 for one year. Approved: 02/26/97.

II. The following Certificate of Need applications are complete and ready for review under the Long Term Care Certificate of Need Act, the Psychiatric and Chemical Dependency Facility Certificate of Need Act, and the Certificate of Need Hearing Rules. The short reviews below utilize submission of written evidence and argument instead of public hearings. Short reviews are completed no more than five days after the public comment period ends. Acquisitions, facility relocations, and expansions of ten beds or ten percent of capacity may qualify for short reviews. All other types of projects require standard reviews, with formal public hearings and a longer decision-making process. This list was prepared on February 23, 1997.

Choctaw Living Center No. 2, Choctaw, #94-083. Contact Person: Mr. Ralston B. Daily, 405/840-2628. New 16 bed specialized nursing facility for mentally retarded persons. Cost: \$280,000. Approval date: 11/23/94. Reconsideration of the approval was ordered by the Commissioner on 12/9/94. Hearing has been deferred to a date to be announced.

Choctaw Living Center No. 3, Choctaw, #94-084. Contact Person: Mr. Ralston B. Daily, 405/840-2628. New 16 bed specialized nursing facility for mentally retarded persons. Cost: \$280,000. Approval date: 11/23/94. Reconsideration of the approval was ordered by the Commissioner on 12/9/94. Hearing has been deferred to a date to be announced.

Bell Avenue Nursing Center, Elk City, #96-083. Contact Person: Rick Cooper, 405/598-5599. Lease of this 90 bed licensed nursing facility by HIS Nursing Home Company, L.L.C., II. Cost: \$25,000.00 for one year. Deadline for filing notices of intent to participate under the short review process is 02/10/97, and a final decision is due by 03/25/97.

Great Plains Care Center, Helena, #97-003. Contact Person: Douglas G. Maddux, 918/273-3649. Purchase of this 50 bed licensed nursing facility, fka Helena Care Center, by Lightning Creek Investment Group, Inc., which is owned by Johnny W. Krouse (33.3%), Sherman D. Honea (33.3%), and Douglas G. Maddux (33.3%). Cost: \$300,000.00. Deadline for filing notices of intent to participate under the short review process is 03/03/97, and a final decision is due by 04/17/97.

Guinn Nursing Home, Jay, #97-002. Contact Person: Mayor Bill Roberts, 918/253-4307. Purchase of this 98 bed licensed nursing facility by the City of Jay. Cost: \$126,207.00. Deadline for filing notices of intent to participate under the short review process is 03/03/97, and a final decision is due by 04/17/97.

Colonial Manor Nursing Home, Midwest City, #97-004. Contact Person: David Rising, 405/521-1507. Addition of ten (10) beds for a total of 110 licensed nursing facility beds. Cost: \$200,000.00. Deadline for filing notices of intent to participate under the short review process is 03/10/97, and a final decision is due by 04/24/97.

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| <p>This publication is issued by the Oklahoma State Department of Health, as authorized by J.R. Nida, M.D., 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. 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 CN@HEALTH.STATE.OK.US.</p> |
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III. Applications filed with the State Department of Health under the Certificate of Need Program but not determined complete as of February 23, 1997, and which may be scheduled for reviews at later dates are:

Stillwater Medical Center, Stillwater, #96-081. Contact Person: Patricia Lawson, 405/742-5705. Add five skilled beds for a total of 23 skilled nursing facility beds. Cost: \$97,000.00. Additional information has been requested and is due by 03/06/97.

Barnsdall Nursing Home, Barnsdall, #97-005. Contact Person: Janet Hardin, 405/234-2064. Addition of ten (10) beds for a total of 50 licensed nursing facility beds. Cost: \$100,000.00. Additional information has been requested and is due by 03/17/97.

Stroud Health Care Center South, Oklahoma City, #97-006. Contact Person: Kevin Garrett, 918/968-2507. Lease of this 50 bed licensed nursing facility by Debbie Jo Garrett 100%. Additional information has been requested and is due by 03/21/97.

Cedar Creek Living Center, Norman, #97-007. Contact Person: David Forgy, 405/879-2277. Lease of this 89 bed licensed nursing facility by RM&G, Inc., which is owned by Edwin L. Gage (33.3%), Donald R. Moore (33.3%), and John V. Rich (33.3%). Cost: \$264,000.00 for one year.

Atoka Care Center, Atoka, #97-009. Contact Person: John Rich, 405/879-2277. Lease of this 96 bed licensed nursing facility by RM&G, Inc., owned by Ed Gage (50%) and John Rich (50%). Cost: \$155,808.00. Additional information has been requested and is due by 03/27/97.

Hillcrest Nursing Home, Moore, #97-008. Contact Person: David Forgy, 405/879-2277. Lease of this 89 bed licensed nursing facility by RM&G, Inc., which is owned by Edwin L. Gage (33.3%), Donald R. Moore (33.3%), and John V. Rich (33.3%). Cost: \$316,200.00 for one year.

IV. The following applications have been accepted under the Health Maintenance Organization Rules or the Rules for Certified Workplace Medical Plans.

Foundation Health, an Oklahoma Health Plan, HMO-97-001. Contact Person: Richard McCutchen, 918/621-5900. Annual renewal. Deadline for comments is 02/10/97, and a final decision is due by 03/10/97.

PacifiCare of Oklahoma, Inc., Tulsa, HMO-96-007. Contact Person: Chris Whitty, 918/459-1100. Annual license renewal. Approved: 02/11/97.

Prime Advantage Health Plan, Lawton, HMO-96-002. Contact Person: Tanya Case, 405/357-6684. License amendment to include products to serve commercial and medicare members. Approved 01/08/97. Reconsideration request filed 01/21/97, decision pending.

CommunityCare HMO, Inc., HMO-96-008. Contact Person: Karen Gallagher, 918/5945200. Annual license renewal. Approved: 02/21/97.

Board of Regents, University of Oklahoma, dba Heartland Health Plan of Oklahoma, HMO-96-009. Contact Person: Mike Duncan, 405/552-6500. Deadline for comments is 01/27/97, and a final decision is due by 03/13/97.

HealthCare Oklahoma, Inc., HMO-96-010. Contact Person: Kim Decker, 405/951-4720. Annual license renewal and service area expansion. Deadline for comments is 01/06/97. Approved: 01/29/97.

BlueLincs HMO, HMO-96-011. Contact Person: Susan Furgerson, 918/561-9905. Annual license renewal and service area expansion. Approved: 01/29/97.

PruCare of Tulsa, HMO-96-012. Contact Person: Lucy Malone, 918/624-4747. Annual license renewal and service area expansion. Approved: 01/29/97.

Group Health Services of Oklahoma, Inc., WMP-96-012. Contact Person: Bert Marshall, 405/841-9602. Initial application to operate a workplace medical plan.

HealthCare COMPARE Corp., Downers Grove, IL, WMP-96-015. Contact Person: Susan T. Smith, 630/241-7545. A conditional certificate was approved 02/20/97.

MetraComp, Inc., San Antonio, TX, WMP-96-017. Contact Person: Ms. Pat Townsend, 210/617-6861. Initial application to operate a workplace medical plan.

WorkCare Oklahoma, Oklahoma City, WMP-96-018. Contact Person: Loretta Copeland, 405/951-5000. Application to expand service area

National CompCare, Inc., Springdale, AR, WMP-96-019. Contact Person: Loretta Copeland, 405/951-5000. Application to expand service area.

Travelers Medical Management Services, Inc., Hartford, CT, WMP-97-001. Contact Person: Robin R. Kearns, 860/954-6144. Initial application to operate a workplace medical plan.

Health Benefit Management Cost Containment Corp., dba Forte, Inc., Austin, TX, WMP-97-002. Contact Person: Larry Mattingly, 512/371-8100. Initial application to operate a workplace medical plan.

NURSING AND SPECIALIZED FACILITY 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) 271-6868. This list was prepared on February 23, 1997.

Lakeview Lodging Residential Care Home, Yukon, (SHS-LTC-96-07). The action against this facility arose out of the Oklahoma State Department of Health's charges of failure to meet minimum standards. Notice dated 12/24/96, hearing concluded on 01/20/97. Administrative Law Judge's decision is pending.

Getty Up Go Home Health Care, Inc. (SHS-HRI-96-09). The action against this home health agency arose out of the Oklahoma State Department of Health's charges of failure to meet minimum standards. Petition and notice of intent dated 10/24/96. Was adjudged that the facility pay administrative penalties in the amount of \$700.00, due 02/28/97.

Texoma Manor, Kingston, (SHS-LTC-97-01). The action against this facility arose out of the Oklahoma State Department of Health's charges of failure to meet minimum standards. Order banning admissions was issued 01/24/97.

Country Cottage Residential Care Home, Inc., Lone Grove (SHS-LTC-97-02). The action against this facility arose out of the Oklahoma State Department of Health's charges of failure to meet minimum standards. Order banning admissions, suspending the license and ordering the immediate relocation of residents was issued 02/05/97.

Quartz Mountain Care Center, (SHS-LTC-96-06). The action against this facility arose out of the Oklahoma State Department of Health's charges of failure to meet minimum standards. Order for hearing dated 01/03/97 setting hearing for 01/28/97.

The Certificate of Need Division is now on the Internet. Our E-mail address is CN@HEALTH.STATE.OK.US. You may use the Internet to request copies of rules, applications and other publications compiled by this Division.

The State Department of Health has a Web page, which may be accessed at <http://www.health.state.ok.us>. Selected Certificate of Need laws, rules, forms and reports may be reviewed and copied from the division's Web pages.

**RULE CHANGES ADOPTED BY THE BOARD OF HEALTH
DURING ITS FEBRUARY 20th MEETING
TO BE EFFECTIVE APPROXIMATELY JUNE 15, 1997**

| <u>OAC Title:Chapter</u> | <u>Contact Person</u> | <u>Name of Chapter</u> |
|--------------------------|-----------------------|-----------------------------|
| 310:004 Rules | Henry F. Hartsell | Certificate of Need Hearing |

Summary: This rule sets out procedures for filing applications and making final decisions on certificate of need proposals for long term care, psychiatric, and chemical dependency treatment facilities. The amendments provide for consideration of written materials instead of oral presentations prior to a decision by the Commissioner on any type of project. Requirements relating to application filing fees and time deadlines are modified. The amendments specify conditions under which the review must be extended to persons with controlling interests, and they set the criterion for history of noncompliance. Application forms are described, and the amendments correct errors of spelling, grammar, format and construction in the rule text. The proposed changes are prompted by recent amendments to the Long Term Care Certificate of Need Act (63 O.S. Supp. 1996, Section 1-850 et seq.). The changes are intended to make the certificate of need review process conform to statutory provisions and to make the process less complex for all participants.

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| 310:215 | James L. Walker | Bedding Regulations |
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Summary: This rule outlines the regulations to manufacture, renovate, and germicidally treat both new and used mattresses and bedding materials. The types of materials to be used as fill defined in the regulations are modified. The types of germicidal treatment regimens are modified. The requirements for law labels are modified. The permit application has been modified to include the non-revenue stamp permits if an establishment supplies more than 100 pieces of bedding to the State per calendar quarter. Corrections of spelling and grammar have been proposed. The proposed changes are prompted by changes in the Oklahoma Bedding Regulations Act (63 O.S. Supp 1996 Sections 1-1001.1 et seq.). The changes are intended to address techniques, materials, and practices presently used by bedding manufacturers, renovators, retailers, and those that do germicidal treatment.

310:620

Henry F. Hartsell

Certificate of Need Facility Acquisitions

Summary: This rule sets out standards for review of certificate of need applications filed for acquisitions of long term care, psychiatric, and chemical dependency treatment facilities. The amendments remove language which is inconsistent with the statute and adds a description of a form used to provide notice to residents and families. The amendments correct errors of spelling, grammar, format and construction in the rule text. The proposed changes are prompted by recent amendments to the Long Term Care Certificate of Need Act (63 O.S. Supp. 1996, Section 1-850 et seq.). The changes are intended to make the certificate of need review standards conform to statutory provisions and to make the process less complex for all participants.

310:657

Henry F. Hartsell

Workplace Medical Plans

*Adopted by Commissioner

Summary: This rule sets standards for certification of workplace medical plans. The amendments add language which permits plans to contract with insureds as well as insurers. The amendments correct errors of spelling, grammar, format and construction in the rule text. The proposed changes are prompted by recent amendments to the Workers' Compensation Act (85 O.S. Supp. 1996, Sections 3, 14, 14.2 and 14.3). The changes are intended to make the rules conform to statutory provisions and to make the certification process less complex for all participants.

310:661

Gary Glover

Hospice Regulations

Summary: This proposal makes changes in the regulations required by amendments to the Oklahoma Hospice Licensing Act (63 O.S. 1991, Section 1-806.1 et seq. as amended by the 1996 O.S.L.). Provisions allowing hospices to operate without a license in communities with populations of 25,000 or less have been removed to conform to the amended law. Added provisions include base of operation requirements, license eligibility specifications, requirements for compliance with other laws and regulations, deadlines for application filing, filing location, transfer of ownership requirements, a description of the initial and renewal application forms, requirements for medical record archival, and rights and responsibility requirements. The proposal also clarifies certain definitions and corrects errors in grammar, format and rule construction.

310:662

Gary Glover

Home Care Agencies

Summary: This proposal makes changes required by amendments to the Home Care Act (63 O.S. Supp. 1992 1-1960 et. seq., as amended by 63 O.S. Supp. 1995 and 1996). Rule revisions required by statutory changes include: additional definitions; applicant information requirements; initial application fee; allowances for legal license assignment; acquisition requirements; license issuance and renewal requirements; application filing deadlines; financial requirements for agency operation; requirements for qualified administrators and designated alternates; restrictions on in-home assessments; and prohibitions on soliciting, coercing or harassing a consumer of home care or an individual who may need home care. Requirements for client care policies and infectious waste disposal were also added. This proposal corrects errors of spelling, grammar, format and construction in rule text.

OKLAHOMA STATE DEPARTMENT OF HEALTH

Special Health Services - 0511

1000 NE 10th Street

Oklahoma City, OK 73117-1299

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