
THE notice

Oklahoma State Department of Health

May 1, 1999

HCFA Changes Criteria for Scheduling Facility Surveys

The Health Care Financing Administration has made changes to the State Operations Manual that affect the scheduling criteria used by the Oklahoma State Department of Health and Federal surveyors to plan standard surveys to long term care facilities. The changes are intended to make the timing of surveys less predictable. To increase the opportunity for unpredictability in standard surveys, the State Department of Health and Federal surveyors will incorporate the following procedures when planning facility surveys:

1. Nonsequential Order - Facilities, within a given geographical area, should not be surveyed in the same order as was conducted in the previous standard survey.
2. Variance in Timing (Time of Day, Day of Week, Time of Month) - When facilities are surveyed, the time of day, day of the week, and time of month should be varied from the time of the previous standard survey. The time of day that surveys begin should extend beyond the business hours of 8:00 a.m. to 6:00 p.m. and should either incorporate evening hours after 7:00 p.m. or morning hours before 7:00 a.m. In addition, the day of the week should vary to include Saturdays and Sundays. At least ten percent of surveys must begin either on the weekend or in the evening or early morning hours. Likewise, the month in which a survey begins should, if possible, not coincide with the month in which the previous standard survey was conducted. In addition, standard surveys that are conducted to satisfy the ten percent requirement must be conducted on consecutive days. Consecutive means calendar days and includes Saturdays, Sundays, and Holidays. (42 CFR 488.307 and 1819 (g)(2)(A)(I) and 1919 (g)(2)(A)(I) of the Act) (SOM Transmittal 5)

HEALTH RESOURCES DEVELOPMENT SERVICE REPORT

Certificate of Need, Workplace Medical Plan, and Health Maintenance 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, Special 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 March 24, 1998 to April 23, 1999 were as follows.

Certificate of Need Applications Approved:

Craig General Hospital, Vinita, #98-074. Contact Person: Nita Giles, 405/810/8155. New 20 bed psychiatric unit by Craig County Hospital Authority, a non-profit organization. Cost: \$1,500,000.00. Approved: 03/22/99.

Wagoner Community Hospital, Wagoner, #99-006. Contact Person: Randy DuBois, 918/579-5128. Lease this 60 bed psychiatric unit by Hillcrest Healthcare System, a non-profit organization. Cost: \$123,000.00 with an annual fee of \$10.00 for ten years. Approved: 04/01/99.

Care Nursing Center, Miami, #98-082. Contact Person: Nita Giles, 405/810-8155. Purchase of this 58 bed licensed nursing facility by Continental Healthcare of Miami, Ltd., Co., which is owned by Joseph A. Rosin (98%) and Andrea Michnea (1%). Cost: \$125,250.00. Approved: 04/01/99.

Northside Nursing Home, Sapulpa, #99-002. Contact Person: Ernest Johnson, 918/224-0833. Add ten beds for a total of 69 licensed nursing facility beds. Cost: \$10,000.00. Approved: 04/09/99.

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 April 23, 1999.

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 KAYD@HEALTH.STATE.OK.US.

Choctaw Living Center, Choctaw, #97-064. Contact Person: Nita Giles, 405/810-8155. Replace 110 bed licensed nursing facility. Cost: \$1,800,000.00. Applicant filed a request for a stay in this matter on 05/20/98, and stay was granted 05/21/98.

Watonga Nursing & Rehabilitation, Watonga, #99-001. Contact Person: Doris Milliron, 580/623-7249. Lease this 75 bed licensed nursing facility by Doris Milliron. Cost: \$240,000.00 for one year. Deadline for filing notices of intent to participate is 03/24/99, and a final decision is due 05/10/99.

McMahon Tomlinson Nursing Center, Lawton, #99-003. Contact Person: Charles Chittum, 580/357-3240. Add 11 beds for a total of 129 nursing facility beds. Cost: \$487,500.00. Deadline for filing notices of intent to participate is 04/08/99, and a final decision is due 05/24/99.

Comanche County Memorial Hospital, Lawton, #99-004. Contact Person: Randall Segler. Relocate this 19 bed geropsychiatric unit. Cost: \$1,300,000.00. Deadline for filing notices of intent to participate is 04/08/99, and a final decision is due 05/24/99.

Comanche County Memorial Hospital, Lawton, #99-005. Contact Person: Randall Segler. Relocate this 18 bed skilled nursing unit. Cost: \$1,300,000.00. Deadline for filing notices of intent to participate is 04/08/99, and a final decision is due 05/24/99.

Summit Ridge Retirement Center, Harrah, #99-008. Contact Person: Delbert Gilman, 405/454-2431. Lease this 34 bed licensed nursing facility by Care Plus, Inc., which is owned 100% by Kenneth H. Hall. Cost: \$39,000.00 annually for 5 years. Deadline for filing notices of intent to participate is 04/29/99, and a final decision is due 06/14/99.

Morningside Nursing Home, Norman, #99-0011. Contact Person: Nita Giles, 405/810-8155. Purchase of operations of this 52 bed licensed nursing facility by Brookhaven Gardens, L.L.C., which is owned by Rodney D. Thornton (30%); Glenn A. Foster, Jr. (30%); Alan Haws (30%); and Dirk O'Hara (10%). Cost: \$416,000.00. Deadline for filing notices of intent to participate is 05/17/99, and a final decision is due 06/30/99.

Hugo Baptist Retirement Center, Hugo, #99-010. Contact Person: Jerry Unruh, 405/942-3800. Replace 100 bed licensed nursing facility. Cost: \$1,500,000.00. Deadline for filing notices of intent to participate is 05/21/99, and a final decision is due 07/05/99.

III. Applications filed with the State Department of Health under the Certificate of Need Program but not determined complete as of April 23, 1999, and which may be scheduled for reviews at later dates are:

Grace Living Center-Altus House, Altus, #99-007. Contact Person: Nita Giles, 405/810-8155. Lease this 108 bed licensed nursing facility by Altus House, L.L.C., which is owned Straight Path, L.L.C., which is owned 100% by Don Greiner. Cost: \$206,550.00 for one year. Additional information is due by 06/28/99.

Prairie View Health Care Center, Clinton, #99-009. Contact Person: Nita Giles, 405/810-8155. Lease this 70 bed licensed nursing facility by Progressive Prairie View, Inc., which is owned by Thomas Graves (95.74%), J. Calvin Johnson Revocable Trust (1.06%), Shirley Johnson Living Trust (1.06%), R.N. McKone (1.06%); Jerry Linn Thompson 1985 Revocable Living Trust and Sharon Beth Thompson 1985 Revocable Living Trust (1.06%). Cost: \$186,000.00 annually for 10 years. Additional information is due by 06/28/99.

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

AmCare Health Plans of Oklahoma, Inc., HM-98-012. Contact Person: Susan Conway, 512/495-8442. Acquisition of Foundation Health an Oklahoma Health Plan. Decision due by 5/17/99.

Aetna U.S. Healthcare, Inc., HMO-99-001. Contact Person: Shelly Sowers, 215/775-5753. Annual license renewal. Approved 4/7/99.

Heartland Health Plan of Oklahoma, HMO-99-002. Contact Person: Liz Gehr, 405/239-2234. Annual license renewal and service area expansion. Approved 4/19/99.

PROklahoma Care, Inc., HMO-99-003. Contact Person: Michael K. Harrah, 405/290-5600. Annual license renewal and conversion of license form operational to organizational. Decision due by 5/17/99.

Prime Advantage Health Plan, HMO-99-004. Contact Person: Tanya Case, 580/357-6684. Annual license renewal. Deadline for filing notice of intent to participate is 5/17/99; and a final decision is due 6/14/99.

Prudential Health Care Plan, Inc., HMO-99-005. Contact Person: Cheryl Chamorro, 405/858-1350. Annual license renewal and service area reduction. Deadline for filing notice of intent to participate is 5/17/99; and a final decision is due 6/14/99.

PacifiCare of Oklahoma, Inc., HMO-98-006. Contact Person: Laura Morrow, 918/459-1100. License amendment for service area reduction. Decision due by 5/25/99.

Primary Vision Care Services, Inc., UR-99-001. Contact Person: Howard Rubin, 580/357-6912. Initial license for utilization review program certification. Additional information filed 4/6/99.

GENEX Care for Oklahoma, Oklahoma City, WMP-96-004. Contact Person: Polly McGraw, 610/964-5100. Workplace health and safety consultation revisions. Found complete 02/16/99.

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

As of April 23, 1999, the State Health Department has given preliminary approvals to four hospitals that requested critical access hospital designations. The four hospitals are Prague Municipal Hospital, Prague; Jane Phillips Nowata Health Center, Nowata; Atoka Memorial Hospital, Atoka; and Watonga Municipal Hospital, Watonga. Before a designation becomes final, the federal Health Care Financing Administration must authorize the State Health Department to conduct a certification survey at the prospective critical access hospital. Additional requests were pending at press time from Johnston Memorial Hospital and Roger Mills Memorial Hospital.

A not-for-profit hospital with no more than 15 acute care beds that is located in a rural county and at least 35 miles from the nearest hospital may be certified as a critical access hospital. The hospital may have up to 10 additional swing beds, and the distance to the nearest hospital may be as low as 15 miles if the drive is by secondary roads. The critical access hospital can keep each patient no more than 96 hours. The critical access hospital may cut services and staffing to the point of closing the facility temporarily when no inpatients are present. An on-call emergency service must be provided. Critical access hospitals qualify for cost-based reimbursement, instead of payments based on Diagnosis Related Groupings (DRGs). In Oklahoma, the certified critical access hospital likely will be licensed as a rural primary care 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) 271-6017. This list was prepared on April 23, 1999.

Sunset Acres Retirement Center, (SHS-LTC-97-03). The action against this long term care facility arose out of the Oklahoma State Department of health's charges of failure to meet minimum standards. Order to cease and desist was dated 4/28/97. Continued indefinitely.

Grand Comfort Inn, (SHS-LTC-98-09). The action against this long term care facility arose out of the Oklahoma State Department of Health's charges of failure to meet minimum standards. Petition filed 10/22/98. Hearing is set for 6/8/99.

Muskogee Nursing Center, (SHS-LTC-99-02). The action against this long term care facility arose out of the Oklahoma State Department of Health's charges of failure to meet minimum standards. Petition and Notice of Intention dated 2/18/99. Hearing was originally set for 3/31/99 and has been rescheduled for 5/5/99.

Ponca City Nursing and Rehabilitation Center, (SHS-LTC-99-03). Appeal of Civil Monetary Penalty. Decision pending.

Shawnee Colonial Estates, (SHS-LTC-99-04). Appeal of Civil Monetary Penalty. Decision is pending.

Weleetka Care Center, (SHS-LTC-99-05). The action against this long term care facility arose out of the Oklahoma State Department of Health's charges of failure to meet minimum standards. Hearing originally scheduled for 4/7/99. Dismissal of hearing request filed 4/14/99.

Ogden's Retirement Home, (SHS-LTC-99-06). The action against this long term care facility arose out of the Oklahoma State Department of Health's charges of failure to meet minimum standards. Hearing held 4/15/99. Decision pending.

Morning Star Nursing Home, (SHS-LTC-99-07). The action against this long term care facility arose out of the Oklahoma State Department of Health's charges of failure to meet minimum standards. Hearing is set for 5/26/99.

Williamson Care Center, d/b/a/ Weleetka Care Center, (SHS-LTC-99-08). Order appointing temporary manager dated 4/13/99.

Wilson Nursing Home d/b/a/ Comanche Nursing Center, (SHS-LTC-99-09). Summary suspension filed 4/15/99.

Wilson Nursing Home d/b/a/ Idaho Avenue Care Center, (SHS-LTC-99-10). Summary suspension filed 4/15/99.

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 department's Web pages.

OKLAHOMA STATE DEPARTMENT OF HEALTH

Special Health Services - 0511

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