
THE NOTICE

Oklahoma State Department of Health

November 1, 2002

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 September 24, 2002 to October 23, 2002 were as follows.

Certificate of Need Applications Approved:

Southern Oaks Manor, Oklahoma City, #02-022. Contact Person: Denver McCormick, 405/616-2144. Replacement of this 114 bed licensed nursing facility to a location of 10701 S. Western, Okla. City. Cost: \$5,500,000.00. Approved: 10/09/02.

Certificate of Need Withdrawn/Denial/ Reconsideration: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.

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.

Adult Behavioral Care Center of Atoka, Atoka, #02-027. Contact Person: Rod Edwards, 405/943-3399. Establish a 12 bed gero-psychiatric unit at this licensed nursing home. \$50,000.00. Withdrawn 10/01/02.

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 October 23, 2002.

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. Deadline for filing notices of intent to participate is 10/02/02, and a final decision is due by 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. Deadline for filing notices of intent to participate is 10/03/02, and a final decision is due by 11/18/02.

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. Deadline for filing notices of intent to participate is 09/10/02, and a final decision is due 11/25/02.

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.

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. Deadline for filing notices of intent to participate is 09/26/02, and a final decision is due by 11/20/02.

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.

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. Deadline for filing notices of intent to participate is 10/18/02, and a final decision is due by 12/02/02.

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.

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. Deadline for filing notices of intent to participate is 11/20/02, and a final decision is due by 12/16/02.

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

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. Additional information requested and due 10/24/02.

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. Additional information requested and due 10/24/02.

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. Additional information requested and due 11/04/02.

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. Additional information requested and due 11/10/02.

Adult Behavioral Care Center of Norman, Norman, #02-032. Contact Person: Rod Edwards, 405/943-3399. Addition of six (6) beds to this psychiatric facility. Cost: \$0. Additional information requested and due 01/12/03.

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.

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.

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 Christie, 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.

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. Found incomplete 8/30/02.

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.

Medical Care Management Corporation, IRO-02-005. Contact Person: Dr. Peter Goldschmidt, 301-652-1818. IRO renewal application filed 08/20/02. Approved 10/23/02.

Prest & Associates, IRO-02-006. Contact Person: Susan Prest, 800-358-5129. IRO renewal application filed 9/29/02. Approved 10/23/02.

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.

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 October 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 October 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). A hearing is scheduled for December 2 and 3, 2002, at 9:00 a.m., in Room 1102 at the Oklahoma State Department of Health, 1000 N.E. 10th, Oklahoma City, Oklahoma.

Pleasant Valley Health Care Center (LTC 2001-132). A hearing is scheduled for December 16 and 17, 2002, 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.

Okeene Nursing Center, Inc. (LTC 2001-186). A settlement agreement was filed October 17, 2002. Case closed.

Crest View Life Center (LTC 2001-191). A hearing is scheduled for November 18 and 19, 2002, at 9:00 a.m., in Room 328 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.

Heartland Plaza (LTC-2002-019). An agreed order is to be prepared.

Golden Outlook (LTC-2002-037). Discovery in process.

New Day Residential Care (LTC-2002-039). A settlement agreement was filed October 1, 2002. Case closed.

Pawhuska Nursing Home (LTC-2002-045). Discovery is to be completed by October 31, 2002; an e-mail status conference has been arranged between the parties and the Administrative Law Judge to take place on October 31, 2002.

Shattuck Nursing Center (LTC-2002-073). A hearing is scheduled for December 9, 2002, at 9:00 a.m., in Room 1102 at the Oklahoma State Department of Health, 1000 N.E. 10th, Oklahoma City, Oklahoma.

Country Living Inc. (LTC-2002-077). A settlement agreement was filed October 17, 2002. Case closed.

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

Sunnyside Nursing Center, Inc. (LTC-2002-084). A hearing is scheduled for November 21, 2002, at 9:00 a.m., in Room 1102 at the Oklahoma State Department of Health, 1000 N.E. 10th, Oklahoma City, Oklahoma.

Rose Manor Nursing Center (LTC-2002-088). Rose Manor to withdraw the case.

Sunset Estates of El Reno (LTC-2002-095). A hearing is scheduled for October 28, 2002, at 3:30 p.m., in Room 314 at the Oklahoma State Department of Health, 1000 N.E. 10th, Oklahoma City, Oklahoma.

Victory Residential Care Home (LTC-2002-096). A hearing is scheduled for November 14, 2002, at 1:30 p.m., in Room 1102 at the Oklahoma State Department of Health, 1000 N.E. 10th, Oklahoma City, Oklahoma.

Autumn Terrace (LTC-2002-097). A hearing is scheduled for November 26, 2002, at 9:00 a.m., in Room 1102 at the Oklahoma State Department of Health, 1000 N.E. 10th, Oklahoma City, Oklahoma.

Cornerstone Residential Care (LTC-2002-099). A hearing is scheduled for November 6, 2002, at 1:30 p.m., in Room 1102 at the Oklahoma State Department of Health, 1000 N.E. 10th, Oklahoma City, Oklahoma.

Maxine Campbell (LTC-2002-100). A hearing is scheduled for November 13, 2002, at 8:30 a.m., in Room 314 at the Oklahoma State Department of Health, 1000 N.E. 10th, Oklahoma City, Oklahoma.

The Living Center (LTC-2002-101). A pre-trial conference is scheduled for November 5, 2002, at 3:30 p.m., in Room 1102 at the Oklahoma State Department of Health, 1000 N.E. 10th, Oklahoma City, Oklahoma.

Miami Nursing Home (LTC-2002-104). A pre-trial conference is scheduled for December 5, 2002, at 9:00 a.m., in Room 1102 at the Oklahoma State Department of Health, 1000 N.E. 10th, Oklahoma City, Oklahoma.

Long Term Care Rule and Law Changes for 2002

Oklahoma rules and laws are undergoing several changes in 2002 affecting long-term care service providers. Providers may obtain those changes in three formats:

1. Detail of changes. Electronic copies of the documents referenced in the listing below show detailed changes. Those are available through the Oklahoma State Department of Health Internet site at www.health.state.ok.us/program/prc/changes2002.html
2. Complete copies with changes incorporated. Updated copies of Oklahoma Long Term Care laws and rules are available by Internet at <http://www.health.state.ok.us/program/ltc/index.html>. Or, paper copies of the complete updated rules and laws may be obtained by returning the enclosed invoice with required copy fees.
3. Inserts. Rule booklets printed on 3-hole paper were mailed to licensed long term care providers in November 2001. The Department will mail inserts needed to update those booklets to providers at no charge in November 2002.

If you have questions, please call (405) 271-6868 and ask for information on "Long Term Care Rule and Law Changes for 2002."

Certificate of Need

Effective June 27, 2002

- Management contract requirements; capital costs for stock transfers; refunds of fees; completion of structure or modification; confidentiality of financial records. ([OAC 310:4: Amendments](#))
- Fund and reserve requirements; operational plans. ([OAC 310:620 Amendments](#))
- Service areas for life care communities; operational plans. ([OAC 310:630 Amendments](#))

Effective November 1, 2002

- Deadlines for construction and acquisition projects (See Section 2 in [House Bill 2604](#))

Continuum of Care and Assisted Living

Effective July 1, 2002:

- Secondhand tobacco smoke ([OAC 310:663-1-3](#))

Nursing and Specialized Nursing Facilities (including ICF/MR)

Effective June 27, 2002:

- Permanent rule to implement Utilization of Unused Prescription Medications Act (See OAC 310:675-9-9.1(d)(7) and (e)(1) in [OAC 310:675 Amendments](#))
- Permanent rule on temporary managers (See OAC 310:675-15 in [OAC 310:675 Amendments](#))

Effective July 1, 2002:

- Secondhand tobacco smoke ([OAC 310:675-1-4](#))
- Direct-care staffing ratios, reimbursement, and penalty changes (See Section 1 of [House Bill 2218](#))
- One-hour variation in starting/ending times of shifts (Section 1, [House Bill 2218](#))
- Liability requirements in the Utilization of Unused Prescription Medications Act (Section 3 of [Senate Bill 1571](#))

Effective September 1, 2002

- Conspicuous posting required of names/titles of all direct care staff and supervising nurse on duty each day (Section 1, [House Bill 2218](#))

Effective November 1, 2002

- Facility managers (Section 3, [House Bill 2604](#))
- Financial resources (Sections 4, 6, 7, 8, 9, 10 of [House Bill 2604](#))
- License suspensions for temporary closures (Section 4, [House Bill 2604](#))
- Nursing Facility Administrative Penalties Fund; emergency events (Section 5, [House Bill 2604](#))
- Actions against facilities controlled by same owner/operator (Section 7, [House Bill 2604](#))
- release of temporary manager (Section 8, [House Bill 2604](#))
- Notice of judgments, tax liens, bankruptcies, payroll checks refused, and other events (Section 10, [House Bill 2604](#))
- Court-appointed receivers (Sections 11 through 14, [House Bill 2604](#))
- Resident rights (Section 1, [Senate Bill 1657](#))

Nurse Aide Training and Certification*Effective June 27, 2002:*

- Training limits and related requirements (Sections 310:677-1-3 and 1-5 in [OAC 310:677 Amendments](#))
- Nurse Aide Training and Competency Evaluation Program applications, requirements, and records (Subchapter 3 in OAC 310:677 Amendments)
- Renewals and removals from the Registry (See Subchapter 5 in OAC [OAC 310:677 Amendments](#))
- Clarification of requirements for Home Care Aides (Subchapter 5), Long-Term Care Aides (Subchapter 11), Certified Medication Aides (Subchapter 13), Developmentally Disabled Direct Care Aides (Subchapter 15), Residential Care Aides (Subchapter 17), and Adult Day Care Aides (Subchapter 19). See [OAC 310:677 Amendments](#)

Effective November 1, 2002

- Nurse aide training limits (Section 15, [House Bill 2604](#))
- Misappropriation of resident or client property (Section 16, [House Bill 2604](#))
- Facility must furnish trainee badges (Section 16, [House Bill 2604](#))

Residential Care Homes*Effective July 1, 2002:*

- Secondhand tobacco smoke ([OAC 310:680-1-3](#))

Turning Point Sets 5th Annual Forum and Council meeting

Oklahoma's Turning Point Program, a process to develop state and local partnerships for health improvement, will hosts its Fifth Annual Forum and Council Meeting on Friday, December 6, 2002, from 8:00 a.m. to 4:30 p.m. at the University Center of the University of Central Oklahoma, 100 North University, Edmond.

Persons from communities throughout the state are invited to attend the forum in an effort to become actively engaged in the public health needs of their local communities. Joining them will be state-level partners who are working to strengthen state and community collaboration to improve the health of Oklahomans. Items for discussion will include:

- learning how to maximize the effective use of resources;
- discovering innovative methods of community education, data resources, and leadership building;
- engaging technical assistance resources and community participating from public, private and voluntary agencies, businesses, education and faith leaders; and
- identifying community organization goals that complement improved public health outcomes, innovations, and funding priorities.

For information on registering for the forum, contact Karen Higgins, Office of Community Development, Oklahoma State Department of Health, phone (405) 271-6127, or register online at www.otpc.org.

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

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