
THE NOTICE

Oklahoma State Department of Health

February 1, 2001

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, Special Health Services-0511, Health Resources Development Service, 1000 N. E. 10th, Oklahoma City, OK 73117-1299. The telephone number is (405) 271-9201.

I. Actions taken by the Oklahoma State Department of Health from December 24, 2000 to January 23, 2001 were as follows.

Certificate of Need Applications Approved:

Cordell Manor, fka Cordell Care Center, Cordell, #00-038. Contact: Rex Hodges, 405/236-2881. Purchase of this 80 bed nursing facility by H.A. Cordell, LLC, Chicago, IL, owned 100% by Harvey J. Angell. Cost: \$1,700,000. Disapproved: 10/02/00. Request for reconsideration filed 10/02/00 and granted 10/18/00. Hearing set for 11/7/00 at the Oklahoma State Department of Health. Approved: 12/21/00.

Tulsa Christian Care Center, Tulsa, #00-048. Contact Person: Jack Atkinson, 405/810-9232. Purchase of assets and assuming liabilities with subsequent lease of this 121 bed licensed nursing facility by F & F Enterprises, which is owned by J.L. Franks (84%) and George Perry Farmer (16%) with the lease to Tulsa Christian Care Center, Inc., which is owned by J.L. Franks (83.5%) and George Perry Farmer (16.5%). Cost: \$312,000.00 annually for 10 years. Denied: 11/22/00. Request for reconsideration filed 12/4/00 and granted 12/14/00. Hearing set for 12/29/00 at the Oklahoma State Department of Health. Approved: 12/29/00.

Colonial Park Nursing Home, Inc., Okemah, #00-050. Contact Person: Nita Giles, 405/848-1640. Lease this 80 bed licensed nursing facility by Peak Medical Oklahoma No. 12, Inc., which is owned 100% by Peak Medical Corporation, Albuquerque, NM. Cost: 160,000.00 annually for 10 years. Denied: 10/30/00. Request for reconsideration filed 11/09/00 and granted 11/28/00. Hearing set for 12/14/00 at the Oklahoma State Department of Health. Approved: 01/11/01.

Wewoka Nursing Home, Inc., Wewoka, #00-051. Contact Person: Nita Giles, 405/848-1640. Lease this 87 bed licensed nursing facility by Peak Medical Oklahoma No. 11, Inc., which is owned 100% by Peak Medical Corporation, Albuquerque, NM. Cost: 174,000.00 annually for 10 years. Denied: 10/30/00. Request for reconsideration filed 11/09/00 and granted 11/28/00. Hearing set for 12/14/00 at the Oklahoma State Department of Health. Approved: 01/11/01.

Lake Drive Home, Henryetta, #00-052. Contact Person: Nita Giles, 405/848-1640. Lease this 60 bed licensed nursing facility by Peak Medical Oklahoma No. 13, Inc., which is owned 100% by Peak Medical Corporation, Albuquerque, NM. Cost: 96,000.00 annually for 10 years. Denied: 10/30/00. Request for reconsideration filed 11/09/00 and granted 11/28/00. Hearing set for 12/14/00 at the Oklahoma State Department of Health. Approved: 01/11/01.

McLoud Nursing Center, Inc., McLoud, #00-053. Contact Person: Nita Giles, 405/848-1640. Lease this 80 bed licensed nursing facility by Peak Medical Oklahoma No. 9, Inc., which is owned 100% by Peak Medical Corporation, Albuquerque, NM. Cost: 160,000.00 annually for 10 years. Denied: 10/30/00. Request for reconsideration filed 11/09/00 and granted 11/28/00. Hearing set for 12/14/00 at the Oklahoma State Department of Health. Approved: 01/11/01.

Seminole Estates, Inc., Seminole, #00-054. Contact Person: Nita Giles, 405/848-1640. Lease this 106 bed licensed nursing facility by Peak Medical Oklahoma No. 10, Inc., which is owned 100% by Peak Medical Corporation, Albuquerque, NM. Cost: \$212,000.00 annually for 10 years. Denied: 10/30/00. Request for reconsideration filed 11/09/00 and granted 11/28/00. Hearing set for 12/14/00 at the Oklahoma State Department of Health. Approved: 01/11/01.

Harrah Nursing Center, Inc., Harrah, #00-056. Nita Giles, 405/848-1640. Purchase of this 100 bed licensed nursing facility by GEMS Holdings, Inc. and subsequent lease to Peak Medical Oklahoma No. 7, Inc., which is owned by Peak Medical Corporation 100%, Albuquerque, NM. Cost: \$335,556.00 annually for 10 years. Denied: 12/04/00. Request for reconsideration filed 12/08/00 and granted. Hearing set for 12/14/00 at the Oklahoma State Department of Health. Approved: 01/11/01.

Meeker Nursing Center, Inc., Meeker, #00-057. Nita Giles, 405/848-1640. Purchase of this 70 bed licensed nursing facility by GEMS Holdings, Inc. and subsequent lease to Peak Medical Oklahoma No. 8, Inc., which is owned by Peak Medical Corporation 100%, Albuquerque, NM. Cost: \$234,227.00 annually for 10 years. Denied: 12/04/00. Request for reconsideration filed 12/08/00 and granted. Hearing set for 12/14/00 at the Oklahoma State Department of Health. Approved: 01/11/01.

Vista Nursing Home, Heavener, #00-059. Contact Person: John Montgomery, 918/489-5188. Replacement of this 51 bed licensed nursing facility to a new location at HWY 270 & Industrial Rd., Heavener, OK. Cost: \$1,500,000.00. Approved: .

NOCA, Miami, #00-064. Contact Person: Robin Still, 918/542-2845. Addition of 10 beds for a total of 22 licensed chemical dependency beds. Cost: \$500.00. Approved: 01/06/01.

Miami Nursing Center, Miami, #00-071. Contact Person: Lloyd Haskins, 918/775-4439. Purchase this 82 bed licensed nursing facility by Oklahoma Nursing Homes, LTD., which is owned by Clayton L. Farmer Trust A 5.944697%; Lloyd Haskins 5.156168%; Stanley I. Tubbs Trust A 8.571738%; Jim Breashears 5%; Barnie J. Cheek 7.347799% and other persons with less than 5%. Cost: \$2,244,400.00. Approved: 01/14/01.

Eastwood Manor, Commerce, #00-072. Contact Person: Lloyd Haskins, 918/775-4439. Purchase this 80 bed licensed nursing facility by Oklahoma Nursing Homes, LTD., which is owned by Clayton L. Farmer Trust A 5.944697%; Lloyd Haskins 5.156168%; Stanley I. Tubbs Trust A 8.571738%; Jim Breashears 5%; Barnie J. Cheek 7.347799% and other persons with less than 5%. Cost: \$2,162,000.00. Approved: 01/14/01.

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.

Certificate of Need Withdrawn/Denial/ Reconsideration:

Cordell Christian Home, Cordell, #00-031. Contact Person: Rick Cooper, 405/273-2282. Purchase of this 110 bed nursing facility by HIS Nursing Home co. LLC VII, which is owned by Kenneth G. Harbeston & Joyce G. Harbeston, Trustees of the Harbeston Trust (7.5%); Galen Kirkland (7.5%); Jerry Scott (5%); Tim and/or Kym Tate (5%); Amy Fent (5%); Tamera Hennen (5%); Barbara Bess (3.75%); James & Cheryl Willis (1%); Brent & Sherry Todd (1%); Chester and/or Maureen Oliver, JT (2%); James Cooper, Jr. (4.25%); and Cooper Nursing Home Corp. (53%). Cost: \$2,402,500. Denied: 10/02/00. Request for reconsideration filed 10/02/00 and granted 10/22/00. Hearing set for 11/11/00 at the Oklahoma State Department of Health has been continued indefinitely to a date to be scheduled.

The 89'er Guest House, Guthrie, #00-035. Contact Person: Rick Cooper, 405/273-2282. Lease of this 100 bed licensed nursing facility by HIS Nursing Home Co. LLC IV, which is owned by Kenneth G. Harbeston & Joyce G. Harbeston, Trustees of the Harbeston Trust (7.5%); Galen Kirkland (7.5%); Jerry Scott (5%); Tim and/or Kym Tate (5%); Amy Fent (5%); Tamera Hennen (5%); Barbara Bess (3.75%); James & Cheryl Willis (1%); Brent & Sherry Todd (1%); Chester and/or Maureen Oliver, JT (2%); James Cooper, Jr. (4.25%); and Cooper Nursing Home Corp. (53%). Cost: \$140,165.88 annually for 5 years. Denied: 11/13/00. Request for reconsideration filed 11/27/00 and granted 12/06/00. Hearing set for 12/22/00 at the Oklahoma State Department of Health.

INTEGRIS Baptist Medical Center, Okla. City, #00-044. Contact Person: Murali Krishna, 405/720-4944. Add 41 child psychiatric beds at the Spencer campus. Cost: \$116,000.00. Denied: 10/09/00. Request for reconsideration filed 11/08/00 and granted 11/28/00. Hearing set for 12/15/00 at the Oklahoma State Department of Health. Decision pending.

Integrated Health Services at Midwest City, Midwest City, #00-046. Contact Person: Hendrick Melton, 410/773-1000. Lease of this 106 bed licensed nursing facility by Lyric Health Care LLC, which is owned by Integrated Health Services, Inc. (50%) and TFN Health Care Investors, LLC (50%). Cost: \$388,684.00 annually for 10 years. Denied: 01/08/01. Request for reconsideration filed 01/17/02 and granted 01/19/01. Hearing set for 02/13/01 at the Oklahoma State Department of Health.

Prairie View Living Center, Clinton, #00-049. Contact Person: Nita Giles, 405/848-1640. Purchase of this 70 bed licensed nursing facility by Peak Medical Oklahoma No. 6, Inc., which is owned 100% by Peak Medical Corporation, Albuquerque, NM. Cost: \$1,700,000.00. Denied: 10/30/00. Request for reconsideration filed 11/09/00 and granted 11/28/00. Hearing set for 12/14/00 at the Oklahoma State Department of Health. Application Denied: 12/29/00.

Rest Haven Nursing Center, Tulsa, #00-058. Contact: Nita Giles, 405/848-1640. Lease of 131 bed nursing facility by Peak Medical Oklahoma Operations Inc., which is owned 100% by Peak Medical Corporation, Albuquerque, NM. Cost: \$180,000 annually for 10 years. Denied: 10/30/00. Request for reconsideration filed 11/09/00 and granted 11/28/00. Hearing set for 12/14/00 at the Oklahoma State Department of Health. Decision pending.

Stratford Nursing Center, Stratford, #00-069. Contact Person: Randy Goodman, 405/737-8557. Lease of this 106 bed licensed nursing facility by HeartBeets L.L.C., which is owned by Billy C. Beets, Jr., M.D. (50.50%), Sharon K. Beets (48.50%) and C. Dale Owens (1%). Cost: \$86,625.00 annually for five years. Application withdrawn 12/22/00.

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 January 23, 2001.

Central Oklahoma Christian Home, Okla. City, #00-063. Contact Person: Clifton Gooding, 405/948-1978. Lease of this 148 bed licensed nursing facility by Central Oklahoma Christian, LLC, which is owned 100% by Alpha Care Properties, LLC, which is owned 100% by Douglas Humphreys. Cost: \$88,000.00 annually for ten (10) years. Deadline for filing notices of intent to participate is 01/31/01, and a decision is due 03/29/01.

Rosewood Manor Nursing Center, Norman, #00-065. Contact Person: Floyd Propps, 405/840-4220. Lease of this 200 bed licensed nursing facility by Rosewood Nursing Home, Inc., which is owned by John Yance Rich (30%), Edwin Leslie Gage (30%), Virginia Moore (30%) and David Eugene Forgy (10%). Cost: \$270,000.00 annually for 5 years. Deadline for filing notices of intent to participate is 01/31/01, and a decision is due 03/29/01.

Parkview Nursing Home, Shawnee, #00-066. Contact Person: Rick Cooper, 405/273-2282. Lease of this 60 bed licensed nursing facility by HIS Nursing Home Co. XII, which is owned by Kenneth G. Harbeston & Joyce G. Harbeston, Trustees of the Harbeston Trust (7.5%); Galen Kirkland (7.5%); Jerry Scott (5%); Tim and/or Kym Tate (5%); Amy Fent (5%); Tamera Hennen (5%); Barbara Bess (3.75%); Chester and/or Maureen Oliver (2%); James Cooper Jr. (4.25%) and Cooper Nursing Home Corp. (55%). Cost: \$192,000.00 annually for ten years. Deadline for notices of intent to participate is 02/08/01, and a decision is due 03/26/01.

Colonial Estates Nursing Home, fka Shawnee Colonial Estates Nursing Home, Shawnee, #00-067. Contact Person: Rick Cooper, 405/273-2282. Lease of this 165 bed licensed nursing facility by HIS Nursing Home Co. XII, which is owned by Kenneth G. Harbeston & Joyce G. Harbeston, Trustees of the Harbeston Trust (7.5%); Galen Kirkland (7.5%); Jerry Scott (5%); Tim and/or Kym Tate (5%); Amy Fent (5%); Tamera Hennen (5%); Barbara Bess (3.75%); Chester and/or Maureen Oliver (2%); James Cooper Jr. (4.25%) and Cooper Nursing Home Corp. (55%). Cost: \$396,000.00 annually for ten years. Deadline for notices of intent to participate is 02/08/01, and a decision is due 03/26/01.

Seminole Pioneer Nursing Home, Seminole, #00-068. Contact Person: Rick Cooper, 405/273-2282. Lease of this 110 bed licensed nursing facility by HIS Nursing Home Co. XII, which is owned by Kenneth G. Harbeston & Joyce G. Harbeston, Trustees of the Harbeston Trust (7.5%); Galen Kirkland (7.5%); Jerry Scott (5%); Tim and/or Kym Tate (5%); Amy Fent (5%); Tamera Hennen (5%); Barbara Bess (3.75%); Chester and/or Maureen Oliver (2%); James Cooper Jr. (4.25%) and Cooper Nursing Home Corp. (55%). Cost: \$240,000.00 annually for ten years. Deadline for notices of intent to participate is 02/08/01, and a decision is due 03/26/01.

Cyril Nursing Home, Cyril, #00-079. Contact Person: Floyd Propps, 405/840-4220. Lease of this 80 bed licensed nursing facility by Cyril Nursing Home, Inc., which is owned by John Yance Rich (30%), Edwin Leslie Gage (30%), Virginia Moore (30%) and David Eugene Forgy (10%). Cost: \$108,000.00 annually for five years. Deadline for filing notices of intent to participate is 01/31/01, and a decision is due 03/19/01.

High Pointe, Okla. City, #00-080. Contact Person: Johnny Smith, 405/424-3383. Replace 36 bed licensed adolescent psychiatric facility on existing campus. Cost: \$2,000,000.00. Deadline for filing notices of intent to participate is 12/20/00, and a decision is due 02/03/01.

Silver Crest Manor, Anadarko, #00-084. Contact Person: Floyd Propps, 405/840-4220. Lease of this 92 bed licensed nursing facility by Silver Crest Nursing Center, LLC, which is owned by John Yance Rich (30%), Edwin Leslie Gage (30%), Virginia Moore (30%) and David Eugene Forgy (10%). Cost: \$230,000.00 annually for five years. Deadline for filing notices of intent to participate is 01/31/01, and a decision is due 03/19/01.

III. Applications filed with the State Department of Health under the Certificate of Need Program but not determined complete as of January 23, 2001, and which may be scheduled for reviews at later dates are:

Crest View Life Center, Lawton, #00-081. Contact Person: Jack Atkinson, 405/810-9232. Stock transfer of this 95 bed licensed nursing facility. Cost: \$0. Additional information due by 02/25/01.

Cedar Crest Manor, Lawton, #00-082. Contact Person: Jack Atkinson, 405/810-9232. Stock transfer of this 95 bed licensed nursing facility. Cost: \$0. Additional information due by 02/25/01.

Haskell Nursing Home, fka Haskell Manor, Haskell, #00-083. Contact Person: Clifton Gooding, 405/948-1978. Purchase this 58 bed licensed nursing facility. Cost: \$994,000.00. Additional information due by 03/13/01

Stratford Nursing Center, Stratford, @01-001. Contact Person: Randy Goodman, 405/737-8557. Lease of this 106 bed licensed nursing facility by Comprehensive Professional Services, L.L.C., which is owned by Shauna sue Morse (32%), Mildred Gail Chapa (31%), Sharon Rene Moore (31%), J. Calvin Johnson Revocable Trust (2%), Rod N. McKone (2%), and Shirley Johnson Living Trust (1.6%). Cost: \$86,625.50 annually for five (5) years.

Heritage Villa Nursing Center, Bartlesville, #01-002. Contact Person: Lisa McCusker, 413/448-2111. Lease of this 100 bed licensed nursing facility by Bartlesville Nursing Home Partnership which is owned by Fellowserve of Tyler, Inc. (50%) and New England Healthcare, Inc. (50%). Cost: \$50,000.00 annually for fifteen (15) years.

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.

Humana Workers' Compensation Services, Inc. acquired by Protegrity Services, Inc., WMP-99-002. Contact Person: Kay Tyler, 502/580-3732. Initial application to operate a workplace medical plan. Found incomplete 08/22/00.

OneComp Health Systems, WMP-00-001. Contact Person: Karen Barzar, 972/887-0489, ext. 231. Initial application to operate a workplace medical plan. Found incomplete: 06/22/00.

HealthCare Oklahoma, Inc., HMO-00-009. Contact Person: Kim Decker, 405/951-4720. Annual license renewal. Deadline for filing notice of intent to participate is 01/22/01; and a final decision is due 02/19/01.

GHS Health Maintenance Organization, Inc., d/b/a/ BlueLincs HMO, HMO-00-010. Contact Person: Susan Furgerson, 918/561-9905. Annual license renewal. Deadline for filing notice of intent to participate is 01/29/01; and a final decision is due 02/26/01.

The Center for Health Dispute Resolution, IRO-00-006. Contact Person: David Richardson, 716/586-1770. Initial application to be an independent review organization.

V. 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 January 23, 2001, 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.

Note: All the hospitals on this list have received approval for payment as a CAH from the HCFA Regional Office with the exception of Lindsay Municipal Hospital and Stroud Municipal Hospital. These two hospitals are currently closed. Stroud Hospital should open in late February of 2001. The Lindsay Hospital opening is delayed until further notice.

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) 271-5217. This list was prepared on January 23, 2001.

Anadarko Nursing Center, Inc., Anadarko, OK, and Binger Health Care, Inc., Binger, OK, (LTC-2000-14). The actions against these Nursing Home facility's 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. Hearing scheduled for January 31, 2001, 9:00 am in room 1102.

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.

Girling Health Care, Inc., (LTC-2000-26). 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. Petition filed on August 21, 2000. Settlement Pending.

Ponderosa Residential Care, (LTC) 2000-30). The action against this Residential Care facility arose out of the Oklahoma Department of Health's charges of violations of the Residential Care Act. Petition filed on November 1, 2000. Hearing set for January 30, 2001, at 10:00 a.m., Room 1102.

Cole's Rest Haven Nursing Home, (LTC 2000-32). The action against this Nursing Home facility arose out of the Oklahoma Department of Health's charges of violation of the Nursing Home Care Act. Petition filed on November 29, 2000. Petition Withdrawn, fine paid.

Advanced Homecare Services, Inc., Yukon, OK (HRI-2000-02). The action against this Home Care facility arose out of the Oklahoma Department of Health's charges of violations of the Home Care Act and the Home Care Agencies Rules. Settlement Pending.

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
STANDARD**

**Special Health Services - 0511
1000 NE 10th Street
Oklahoma City, OK 73117-1299**

PRESORTED

**U.S. POSTAGE PAID
OKLAHOMA CITY, OK
PERMIT NO. 1504**

Return Service Requested

PROPOSED RULE CHANGES -- FEBRUARY 2001

Amendments to the following seven chapters of Oklahoma State Department of Health rules are scheduled for consideration by the State Board of Health during a public meeting at 1:00 p.m., February 15, 2001. The meeting will be in Room 307 of the State Health Department, 1000 NE 10 St., Oklahoma City.

Copies of the rule proposals will be available on the Health Department's Internet site at www.health.state.ok.us. Copies also may be obtained from Protective Health Services, Oklahoma State Department of Health, 1000 Northeast 10th Street, Oklahoma City, OK 73117-1299, or by electronic mail request through the contact persons listed below.

Interested persons may submit written comments or electronic mail before February 15, 2001 to the contact person listed for each rule. Interested persons also may ask to present written or oral views at the hearing. Protective Health Services staff are available to informally discuss any of the proposed rules. Business entities affected by these proposed rules are requested to provide the agency with information, in dollar amounts if possible, about the increase in level of direct costs, indirect costs, or other costs expected to be incurred by the business entity due to compliance with the proposed rules. Business entities may submit this information in writing or by electronic mail before February 15, 2001 to the contact person.

CHAPTER 2. PROCEDURES OF THE STATE DEPARTMENT OF HEALTH The proposed amendment describes the uniform employment application for nurse aide staff. The application form is required by Title 63 O.S. Supp. 2000, Section 1-1950.4. The form will require each nurse aide applicant to provide personal information, type of employment desired, U.S. military record, prior work history, educational background, certification, references, background information, applicant's employment application certification and agreement, a nurse aide registry tracking section, previous certified nurse aide training, certification of no previous conviction, authorization to proceed with criminal history record checks, and any additional information needed to answer all questions fully. This application will be required for use in the hiring of nurse aides by nursing and specialized nursing facilities, residential care homes, assisted living centers, continuum of care facilities, hospice programs, adult day care centers and home care agencies. Contact: Carol Swink, Ph.D., R.N., Director, Nurse Aide Registry, Oklahoma State Department of Health, 1000 N.E. 10th Street, Oklahoma City, OK 73117-1299. Tel: (405) 271-4085. E-mail: carols@health.state.ok.us

CHAPTER 4. CERTIFICATE OF NEED HEARINGS These amendments are intended to update procedures for review of certificate of need applications. Statutory references are updated. Acceptable methods for determining capital costs are clarified. The persons or entities that shall be required to apply are specified. The amendments distinguish between an initial determination of an application's adequacy and a subsequent finding based on a thorough investigation. Decision factors are specified for nursing facilities that have been cited with administrative penalties. The time frame from which an applicant's operational history is drawn is extended from 24 months to 60 months, consistent with recent statutory changes. If the applicant does not have 60 months of experience, the applicant must disclose the operational histories of its persons with controlling interest. The descriptions of the application forms are updated to require information sufficient to enable the Department to verify felony criminal offenses. Contact: Henry Hartsell, Chief, Health Resources Development Service, Oklahoma State Department of Health, 1000 N.E. 10th Street, Oklahoma City, OK 73117-1299. Tel: (405) 271-6868. E-mail: hank@health.state.ok.us

CHAPTER 620. CERTIFICATE OF NEED STANDARDS FOR HEALTH CARE FACILITY ACQUISITIONS The amendments are intended to update the acquisition review standards. The amendments update statutory references. The applicant or at least one person with controlling interests will be required to demonstrate a minimum of sixty months experience as a responsible operator, manager, or administrator of a nursing facility, specialized nursing facility, skilled nursing facility, or hospital. The definition of applicant is deleted because it is replaced in amendments to 310:4. Requirements for documentation from non-chartered lenders are added. The amendments require submission of a recent statement of revenues and expenses for the facility. Contact: Henry Hartsell, chief, Health Resources Development Service, Oklahoma State Department of Health, 1000 N.E. 10th Street, Oklahoma City, OK 73117-1299. Tel: (405) 271-6868. E-mail: hank@health.state.ok.us

CHAPTER 630. CERTIFICATE OF NEED STANDARDS FOR LICENSED NURSING FACILITY BEDS The amendments are intended to update standards that have not been significantly revised since 1990. The changes will permit the appropriate development of new or expanded nursing facilities. The amendments update statutory references. The requirements for service areas are revised to allow consideration of alternative geographic areas. Revisions of service area requirements authorize the Department to consider the special circumstances of qualified continuing care facilities as provided under the Internal Revenue Code. The service area occupancy threshold of 92% is reduced to 90% in the Oklahoma City and Tulsa areas, and 85% in other areas. Provisions are made to exclude from consideration any service area facility that has demonstrated significant compliance problems with state and federal requirements for nursing facilities. The amendments delete language that has been superseded by more specific language in the Long Term Care Certificate of Need Act. The applicant or at least one person with controlling interests will be required to demonstrate a minimum of sixty months experience as a responsible operator, manager, or administrator of a nursing facility, specialized nursing facility, skilled nursing facility, or hospital. Contact: Henry Hartsell, chief, Health Resources Development Service, Oklahoma State Department of Health, 1000 N.E. 10th Street, Oklahoma City, OK 73117-1299. Tel: (405) 271-6868. E-mail: hank@health.state.ok.us

CHAPTER 667. HOSPITAL STANDARDS The proposed revisions to Subchapter 15, 19, 21, and 39 relate to removing the requirement for physicians to sign their verbal orders within 72 hours. Physicians are still required to sign verbal orders as soon as possible, but these revisions will remove the 72-hour time limit for such signatures. The proposed amendments to Subchapter 59 add psychology to the list of specialties required to be on call and immediately available in order for facilities to be classified at Level I or Level II for trauma and emergency operative services. Psychology services are currently available in most tertiary care centers and should be required to be available for trauma patients in facilities providing the most comprehensive care for trauma and emergency operative services. Contact: Gary Glover, Chief, Medical Facilities, Oklahoma State Department of Health, 1000 NE 10th Street, Oklahoma City, OK 73117-1299. Tel: ((405) 271-6576. E-mail: gary@health.state.ok.us or medicalfacilities@health.state.ok.us

CHAPTER 669. TRAUMA CARE ASSISTANCE REVOLVING FUND This rule is intended to implement a new revolving trauma care assistance revolving fund pursuant to 63 O.S. Supp. 2000, Section 330.97. The rule establishes standards and procedures for the submission of reports and for distribution of the fund. Contact: Ms. Nora House, Managed Care Specialist, Health Resources Development Service, Oklahoma State Department of Health, 1000 N.E. 10th Street, Oklahoma City, OK 73117-1299. Tel: (405) 271-6868. E-mail: norah@health.state.ok.us.

PROPOSED RULE CHANGES -- MARCH 2001

Amendments to the following seven chapters of Oklahoma State Department of Health rules are scheduled for consideration by the State Board of Health during a public meeting at 1:00 p.m., March 15, 2001. The meeting will be in Room 307 of the State Health Department, 1000 NE 10 St., Oklahoma City.

On and after February 15, 2001, copies of the rule proposals will be available on the Health Department's Internet site at www.health.state.ok.us. Copies also may be obtained on and after February 15, 2001 from Protective Health Services, Oklahoma State Department of Health, 1000 Northeast 10th Street, Oklahoma City, OK 73117-1299, or by electronic mail request through the contact persons listed below.

Interested persons may submit written comments or electronic mail before March 15, 2001 to the contact person listed for each rule. Interested persons also may ask to present written or oral views at the hearing. Protective Health Services staff are available to informally discuss any of the proposed rules. Business entities affected by these proposed rules are requested to provide the agency with information, in dollar amounts if possible, about the increase in level of direct costs, indirect costs, or other costs expected to be incurred by the business entity due to compliance with the proposed rules. Business entities may submit this information in writing or by electronic mail before March 15, 2001 to the contact person.

CHAPTER 605. ADULT DAY CARE CENTER REGULATIONS The amendments update statutory references and language repeated from the law. The proposal provides for pro-rating of renewal fees, and updates requirements relating to animals that visit or are kept as pets in centers. The amendments clarify that documentation of first aid and CPR training is required only in personnel records of staff members who must have such training. Contact: Henry Hartsell, chief, Health Resources Development Service, Oklahoma State Department of Health, 1000 N.E. 10th Street, Oklahoma City, OK 73117-1299. Tel: (405) 271-6868. E-mail: hank@health.state.ok.us

CHAPTER 655. HEALTH MAINTENANCE ORGANIZATIONS AND PREPAID HEALTH PLANS These amendments modify the rules to be consistent with changes in federal law and to provide details for administrative penalties allowable under state law. General provisions are amended to include additional definitions. The requirements for a license are modified to conform to changes in federal laws regarding guaranteed renewal, small group offering and special enrollment periods. The requirements for termination of members are modified to address disenrollment for cause and certificates of creditable coverage. The requirements for discontinuation of an HMO are modified to conform to changes in federal laws regarding discontinuing a policy form on all coverage in the individual and group markets. The changes clarify exchange of information and sharing of responsibility with the Oklahoma Insurance Commissioner, including provisions for review and approval of premiums, recommendations on financial statements and projections, ownership, availability of books and records, action against a license, minimum net worth, security deposit, liability insurance, subordinated debt, financial examinations, insolvency protections, the exercising of certain powers by an HMO, and reimbursement of claims. The requirements for sanctions are amended to include imposing administrative penalties. Standards and procedures are added for imposing administrative penalties. Ms. Lajuana Wire, Director, Managed Care Systems, Oklahoma State Department of Health, 1000 N.E. 10th Street, Oklahoma City, OK 73117-1299; or may ask to present written or oral views at the hearing. lajuana@health.state.ok.us.

CHAPTER 663. CONTINUUM OF CARE AND ASSISTED LIVING RULES This amendment requires a minimum of two persons to be on duty and awake at all times if the assisted living center serves cognitively impaired residents. Contact: Henry Hartsell, chief, Health Resources Development Service, Oklahoma State Department of Health, 1000 N.E. 10th Street, Oklahoma City, OK 73117-1299. Tel: (405) 271-6868. E-mail: hank@health.state.ok.us

CHAPTER 664. HOME CARE ADMINISTRATOR CERTIFICATION These amendments remove outdated requirements regarding waivers and other provisions that expired in 1996, and that are no longer effective. Deeming criteria for all categories are now equivalent. Amendments also allow for submission of an OSBI report within 60 days of application, which is a more reasonable time frame than the now-required 30 days. Amendments allow for a clarification of home study to include Internet offerings and undergraduate courses. Grammatical errors are also corrected. These amendments delete provisions that the applicant for a provisional license must be registered for a test and that they must submit proof of secondary education. These changes are intended to remove an unnecessary requirement that is irrelevant to an applicant's qualifications to provide services and another requirement for documentation that is duplicative. Contact: Carol Swink, Ph.D., R.N., Director, Nurse Aide Registry, Oklahoma State Department of Health, 1000 N.E. 10th Street, Oklahoma City, OK 73117-1299. Tel: (405) 271-4085. E-mail: carols@health.state.ok.us

CHAPTER 675. REGULATIONS FOR LICENSURE OF NURSING AND SPECIALIZED FACILITIES General provisions are amended to include additional definitions and requirement for staff members to wear identification badges. This proposal adds modifications in the complaint process. Requirements regarding pets and animals are upgraded. This proposal includes amendments regarding the storage of over-the-counter powdered topical medications. This proposal adds additional requirements of documentation for residents who refuse vaccination. The requirements for direct-care-staff-to-resident ratios are modified. This proposal adds inspection protocols and quality assurance officers. This proposal includes modifications to the requirements regarding temporary managers. Contact: Henry Hartsell, chief, Health Resources Development Service, Oklahoma State Department of Health, 1000 N.E. 10th Street, Oklahoma City, OK 73117-1299. Tel: (405) 271-6868. E-mail: hank@health.state.ok.us

CHAPTER 677. NURSE AIDE TRAINING AND CERTIFICATION These amendments remove outdated requirements regarding waivers and other provisions that expired in 1996 and that are no longer effective. The amendments update several sections by incorporating requirements to include nurse aide trainees in the registry and to supply trainees with Department-issued nontransferable identification badges; these changes make the rule consistent with current law. The amendments also clarify the calculation of cumulative days of training. Amendments will allow the Department to review requests to waive the competency evaluation in certain instances for placement on the registry. The Department will allow a nurse aide to remain on the registry after expiration of certification when the nurse aide has completed a practical or registered nurse program. The amendments modify definitions to be consistent with current statutes. Contact: Carol Swink, Ph.D., R.N., Director, Nurse Aide Registry, Oklahoma State Department of Health, 1000 N.E. 10th Street, Oklahoma City, OK 73117-1299. Tel: (405) 271-4085. E-mail: carols@health.state.ok.us

CHAPTER 680. RESIDENTIAL CARE HOME REGULATIONS **This proposal includes requirements from current law regarding the license applicant's attestation of information regarding possible felony convictions. This proposal also complies with recent changes in the law by establishing a procedure for receiving and investigating complaints. This proposal adds requirements relating to the appointment of temporary managers. Requirements regarding pets and visiting animals are upgraded to protect residents from zoonotic diseases and infections. The amendments correct misspellings in the definition section of the rule. Contact: Henry Hartsell, chief, Health Resources Development Service, Oklahoma State Department of Health, 1000 N.E. 10th Street, Oklahoma City, OK 73117-1299. Tel: (405) 271-6868. E-mail: hank@health.state.ok.us**