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# THE NOTICE

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Oklahoma State Department of Health

January 1, 2000

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## **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) 271-9201.

### **I. Actions taken by the Oklahoma State Department of Health from November 24, 1999 to December 23, 1999 were as follows.**

#### **Certificate of Need Applications Approved:**

Bryant Village Nursing Home, Oklahoma City, #99-034. Contact Person: Nita Giles, 405/810-8155. Purchase of this 59 bed licensed nursing facility by Sooner Geriatrics, L.L.C., which is owned 100% by Straight Path, L.L.C. Cost: \$1,102,437.00. Approved: 12/05/99.

Wildewood Manor Health Care Center, Okla. City, #99-035. . Contact Person: Nita Giles, 405/810-8155. Purchase of this 107 bed licensed nursing facility by Sooner Geriatrics, L.L.C., which is owned 100% by Straight Path, L.L.C. Cost: \$342,600.00 annually for 5 years. Approved: 12/05/99.

Grace Living Center-Brookwood, Okla. City, #99-040. Contact Person: Nita Giles, 405/810-8155. Addition of 12 beds for a total of 132 licensed nursing facility beds. Cost: \$100,000.00. Approved: 11/05/99.

Spanish Cove Retirement Center, Yukon, #99-054. Contact Person: Sherman Huff, 405/354-1901. Replace this 29 bed licensed nursing facility to new location of 11 Palm Street, Yukon. Cost: \$6,000,000.00. Approved: 11/24/99.

#### **Certificate of Need Denial/ Reconsideration's:**

Shawnee Sunset Estates, Shawnee, #99-046. Contact Person: Rick Cooper, 405/273-2282. Lease this 72 bed licensed nursing facility by HIS Nursing Home Company, L.L.C.V. Cost: \$287,000.00 annually for 1 year. Denied: 12/16/99. Reconsideration requested 12/20/99 and granted 12/27/99.

Faith Homes, Cleveland, #99-048. Contact Person: Daniel Parker, 918/862-3188. New 6 bed specialized facility for mentally retarded persons. Cost: \$789,700.00. Withdrawn 12/10/99.

Heritage Manor, Oklahoma City, #99-029. Contact Person: Nita Giles, 405/810-8155. Lease this 55 bed licensed nursing facility by Heritage Manor, LLC, which is owned by Virginia Moore (33.33%); Steve Moore (33.33%) and David Forgy (33.33%). Cost: \$102,007.00 annually for one year. Denied: 10/18/99. Reconsideration requested 10/29/99 and granted 11/08/99.

Heritage Park, Oklahoma City, #99-030. Contact Person: Nita Giles, 405/810-8155. Lease this 55 bed Alzheimer's licensed nursing facility by Heritage Manor, LLC, which is owned by Virginia Moore (33.33%); Steve Moore (33.33%) and David Forgy (33.33%). Cost: \$113,693.00 annually for one year. Denied: 10/18/99. Reconsideration requested 10/29/99 and granted 11/08/99.

Cordell Care Center, Cordell, #99-018. Contact Person: Nita Giles, 405/810-8155. Lease this 80 bed licensed nursing facility by Progressive Cordell, Inc., which is owned 100% by Progressive Living Centers, Inc. Cost: \$222,000.00 for one year. Disapproved: 11/05/99. Reconsideration requested 11/15/99 and denied 11/30/99.

### **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 December 23, 1999.**

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.

Edwards Redeemer Nursing Center, Okla. City, #99-045. Contact Person: Bobby England, 580/226-7222. Acquisition, thru management agreement, of the 12 certified skilled beds by Saber Management Systems, Inc., which is owned by James Montfort (31%); Bobby G. England (18%); Gary Cook (12%); William W. Rahhal (7%); and Eugene A. Kitteken (7%). Cost: \$0. Deadline for filing notices of intent to participate is 01/14/2000, and a final decision is due 03/02/2000.

Fairland Nursing Home, Fairland, #99-047. Contact Person: Sharie Folmar, 361/852-4392. Purchase of this 29 bed licensed nursing facility by Family care Centers of Oklahoma, L.L.C. V which is owned by Sharie Folmar (25%), Doug Cox (25%), Jerry Folmar (25%), and Drenda Cost (25%). Cost: \$435,000.00. Deadline for filing notices of intent to participate is 11/18/99, and a final decision is due 01/03/2000.

Skyline Terrace Nursing Center, Tulsa, #99-049. Contact Person: Nita Giles, 405/810-8155. Purchase this 209 bed licensed nursing facility by Montereau, Inc., a non-profit Oklahoma organization. Cost: \$720,000.00. Deadline for filing notices of intent to participate is 12/16/99, and a final decision is due 02/01/2000.

<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 KAYD@HEALTH.STATE.OK.US.</p>
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St. Anthony Hospital, Okla. City, #99-051. Contact Person: Paula Johnstonbaugh, 405/272-6552. Addition of 26 adolescent psychiatric beds through relocation of adult psychiatric bed, for a total of 87 adolescent psychiatric and 87 adult psychiatric beds. Cost: \$0. Deadline for filing notices of intent to participate is 11/12/99, and a final decision is due 12/27/99.

INTEGRIS Baptist Regional Health Center, Miami, #99-053. Contact person: JoAnne Mancusi, 918/540-7196. Add 12 adult psychiatric beds for a total of 32 adult psychiatric beds. Cost: \$200,000.00. Deadline for filling notices of intent to participate is 12/30/99, and a final decision is due 02/15/2000.

Whispering Oaks, Ardmore, #99-060. Contact Person: Gary Porter, 580/490-9200. Purchase this 76 bed licensed nursing facility, fka Ardmore Care Center, by Premier Health Care, L.L.C., which is owned 100% by Gary L. Porter. Cost: \$475,000.00. Deadline for filing notices of intent to participate is 12/23/99, and a final decision is due 02/08/2000.

New Frontiers Cherokee House, Okla. City, #99-063. Contact Person: Cathy Moore, 405/. New 6 bed specialized facility for the mentally retarded, by New Horizons, Inc., which is owned by Donald Moore (51%) and Cathy Moore (49%). Cost: 130,000.00. Deadline for filing notices of intent to participate is 12/20/99, and a final decision is due 02/03/2000.

High Pointe, Oklahoma City, #99-068. Contact Person: Jay Jackson, 918/712-7011. Purchase this 36 bed adolescent psychiatric facility by Linden Investments, L.L.C., which is owned by 100% by David E. Linden, M.D. Cost: \$5,645,161.00. Deadline for filing notices of intent to participate is 1/6/2000, and a final decision is due 1/20/2000.

Blevins Retirement & Care Center, McAlester, #99-070. Contact Person: Pat Kates, 918/485-3933. Purchase of this 55 bed licensed nursing facility by SMK of McAlester, Inc., which is owned by James H. Martin (30%), Larry J. Sparks (30%), Pat Kates (30%), and Edie Price (10%). Cost: \$1,000,000.00. Deadline for filing notices of intent to participate is 01/13/2000, and a final decision is due 03/01/2000.

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

Tuttle Care Center, Tuttle, #99-055. Contact Person: Rick Cooper, 405/273-2282. Lease this 52 bed licensed nursing facility by HIS Nursing Home Company, L.L.C. X, 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: \$101,076.00 annually for 20 years. Additional information is due by 02/07/2000.

Willow Park Health Care Center, Lawton, #99-056. Contact Person: Rick Cooper, 405/273-2282. Lease this 151 bed licensed nursing facility by HIS Nursing Home Company, L.L.C. X, 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: \$425,580.00 annually for 20 years. Additional information is due by 02/07/2000.

Temple Manor, Temple, #99-057. Contact Person: Rick Cooper, 405/273-2282. Lease this 48 bed licensed nursing facility by HIS Nursing Home Company, L.L.C. X, 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: \$136,680.00 annually for 20 years. Additional information is due by 02/07/2000.

Colonial Village Nursing Home, Grandfield, #99-058. Contact Person: Rick Cooper, 405/273-2282. Lease this 40 bed licensed nursing facility by HIS Nursing Home Company, L.L.C. X, 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: \$111,456.00 annually for 20 years. Additional information is due by 02/07/2000.

Western Hills Healthcare Center, Lawton, #99-059. . Contact Person: Rick Cooper, 405/273-2282. Lease this 151 bed licensed nursing facility by HIS Nursing Home Company, L.L.C. X, 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: \$461,208.00 annually for 20 years. Additional information is due by 02/07/2000.

Rosewood Manor Nursing Center, Norman, #99-061. Contact Person: Nita Giles, 405/810-8155. Lease this 200 bed licensed nursing facility by JBA, Inc., which is owned by Grant Rhodes (33.33%), James O. Brown (33.34%) and Jeff Young (33.33%); with a subsequent lease to Progressive Rosewood, Inc., which is owned 100% by Progressive Living Centers, Inc. Cost: \$360,000.00 annually for 10 years for first lease; subsequent lease is \$360,000.00 annually for 10 years. Additional information is due by 02/14/2000.

Cyril Nursing Home, Cyril, #99-062. Contact Person: Nita Giles, 405/810-8155. Lease this 80 bed licensed nursing facility by JBA, Inc., which is owned by Grant Rhodes (33.33%), James O. Brown (33.34%) and Jeff Young (33.33%); with a subsequent lease to Progressive Cyril, Inc., which is owned 100% by Progressive Living Centers, Inc. Cost: \$132,000.00 annually for 10 years for first lease; subsequent lease is \$194,356.00 annually for 10 years. Additional information is due by 02/14/2000.

Southwest Living Center, Lawton, #99-064. Contact Person: William A. Matthey, 580/357-3126. Purchase this 100 bed licensed nursing facility, fka Crystal Pointe Care Center, by Southwest Allied Medical Services, Inc., which is owned by William A. Matthey II (25%), Alan Aycocock, M.D. (25%), Keith Aycocock (25%), and Byron Aycocock, M.D. (25%). Cost: \$600,000.00. Additional information is due by 02/15/2000.

Eidetik of Weleetka, Inc., Weleetka, #99-065. Contact Person: Lucille Foster, 405/786-2401. Purchase this 61 bed licensed nursing facility by Eidetik, Inc., which is owned William F. Beaven (50%) and Marsha H. Beaven (50%). Cost: \$1,200,000.00.

Narconon Chilocco, Newkirk, #99-066. Contact Person: Michael St.Amand, 580/448-3904. Addition of 30 adult chemical dependency beds for a total of 105 licensed adult chemical dependency beds. Cost: \$17,000.00.

Narconon Chilocco, Newkirk, #99-067. Contact Person: Michael St.Amand, 580/448-3904. Replace this 75 bed chemical dependency facility through relocation to SW/4 Section 34-T11N-R16E, Checotah. Cost: \$3,814,300.00. Additional information is due by 03/09/2000.

Yukon Care Center, Yukon, #99-069. Contact Person: Grant Rhodes, 918/333-9000. Purchase 130 bed facility fka Cottonwood Manor by Yukon Health Facilities, Inc., which is owned by James O. Brown (25%); Grant Rhodes (22.5%); Jeff young (22.5%); Alex Dout (15%) and Tony Wilkins (15%). Cost: \$2,450,000.00.

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

Community Care HMO, HMO-99-008. Contact Person: Remsen Beitel, 918/594-5264. Annual license renewal. Approved: 12/15/99.

HealthCare Oklahoma, Inc., HMO-99-009. Contact Person: Kim Decker, 405/951-4720. Annual license renewal.

GHS Health Maintenance Organization, Inc., d/b/a/ BlueLines HMO, HMO-99-010. Contact Person: Susan Furgerson, 918/561-9905. Annual license renewal.

Crawford and Company, WMP-99-001. Contact Person: Rene Wilson, 405/843-5318. Initial application to operate a workplace medical plan. Found incomplete 10/27/99.

Humana Workers' Compensation Services, Inc., WMP-99-002. Contact Person: Kay Tyler, 502/580-3732. Initial application to operate a workplace medical plan. Found incomplete 10/29/99.

CCN Managed Care, Inc., WMP-99-003. Contact Person: Erin Baldwin, 1-800-247-3898, ext. 2157. Initial application to operate a workplace medical plan. Found incomplete 12/16/99.

NATALSCO, Inc., WMP-99-004. Contact Person: Tami Stevenson, 954/452-4000, x 1080. Initial application to operate a workplace medical plan.

**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 December 23, 1999, the State Health Department had surveyed and certified seven rural hospitals as critical access hospitals. The seven hospitals are: Prague Municipal Hospital, Prague; Jane Phillips Nowata Health Center, Nowata; Atoka Memorial Hospital, Atoka; Watonga Municipal Hospital, Watonga; Mercy Health-Love County, Marietta; Roger Mills Memorial Hospital, Cheyenne; and Johnston Memorial Hospital, Tishomingo.

As of December 23, 1999, two other hospitals were awaiting surveys for critical access hospital certification. Those two are Cimarron Memorial Hospital, Boise City.

**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).**

**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 December 23, 1999.**

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

Shawnee Colonial Estates, Shawnee, OK, (SHS-LTC-99-04). Appeal of Civil Monetary Penalty. Pending.

Colonial Village Nursing Home, Grandfield, OK, Temple Manor Nursing Home, Temple, OK, Tuttle Care Center, Tuttle, OK, Western Hills Health Care Center, Lawton, OK, Willow Park Health Care Center, Lawton, OK, (SHS-LTC-99-17). Notice of Intent to Appoint Temporary Manager filed 8/25/99.

Western Hills Residential Care, Inc., Ardmore, Oklahoma, (SHS-LTC-99-21). This action against this long term care facility arose out of the Oklahoma State Department of Health's charges of operating as nursing facility without a license due to license being expired. Petition for cease and desist and administrative penalty filed 9/23/99. Dismissal Without Prejudice filed on December 3, 1999.

Frances K. Gomez, Oklahoma City, OK, (SHS-LTC-99-23). This action against this long term care facility arose out of the Oklahoma State Department of Health's charges of operating as a nursing facility without a license. Petition for cease and desist order filed 11/16/99. The hearing is set for December 9, 1999 at 9:00 a.m.. This hearing is rescheduled for January 4, 2000 at 10:00 a.m.

Gaylia Green and Shirley Johns, d/b/a FoxFire Homes (f/k/a Maple Ridge South), (SHS-LTC-99-24). This action against this long term care facility arose out of the Oklahoma State Department of Health's charges of operating a nursing facility without a license. Petition for cease and desist order filed 11/12/99. The hearing is set for November 30, 1999 at 9:00 a.m., continuance filed 11/23/99. Dismissal Without Prejudice filed on December 21, 1999.

Michael Dore, (SHS-HRI-99-01). Petition for revocation of certification as a Home Care Administrator filed. The hearing is set for January 26, 2000, at 9:00 a.m. Consent Order filed on December 21, 1999.

Grannies of Oklahoma, Inc., Tulsa, OK (SHS-HRI-99-02). This action against this home care agency arose out of the Oklahoma State Department of Health's charges of history of non-compliance with the Home Care Act and Rules. Petition for revocation of license and administrative fine filed 10/28/99. The hearing is set for November 29, 1999 at 10:00 a.m. Consent Order filed on December 14, 1999.

Keystone Home Care, Inc., Norman, OK (SHS-HRI-99-03). This action against this home care agency arose out of the Oklahoma State Department of Health's charges of violations for the Home Care Act and Regulations. Petition for revocation and administrative penalty filed 11/19/99. The hearing is set for January 11, 2000 at 9:00 a.m.

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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**Oklahoma City, OK 73117-1299**

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