
THE NOTICE

Oklahoma State Department of Health

September 1, 1999

ALZHEIMER'S DISEASE OR RELATED DISORDERS DISCLOSURE FORM NOW AVAILABLE

The Oklahoma State Department of Health released the Alzheimer's Disease or Related Disorders Disclosure Form (ODH 613) on August 23, 1999. The form must be completed by any facility if it advertises, markets, or otherwise promotes itself as providing care or treatment to persons with Alzheimer's disease or related disorders in a special care unit or under a special program. The form is authorized under the Alzheimer's Disease Special Care Disclosure Act (63 O.S. Supp. 1998, Section 1-879.2a et seq.) and the Alzheimer's Disease Special Care Disclosure Rules (OAC 310:673). During September 1999, the Department will mail a copy of the disclosure form and the rules to each nursing facility, residential care home, adult day care center, continuum of care facility, and assisted living center. The disclosure form also is available on the Department's web page: www.health.state.ok.us.

CONTINUUM OF CARE/ASSISTED LIVING AND RESIDENTIAL CARE RULE AMENDMENTS

The State Board of Health in a public meeting at 1:00 p.m. on Thursday, September 16, will consider amendments to the license rules for continuum of care facilities and assisted living centers and for residential care homes.

Amendments to the Residential Care Home Regulations (OAC 310:680) clarify the types of heaters that cannot be used in assisted living centers. The current rules prohibit all open-face unvented heaters. The amendments would limit the prohibition to open-face unvented combustion heaters and electrical heaters with exposed heating elements.

Changes to the Continuum of Care and Assisted Living Rules (OAC 310:663) remove an inconsistent requirement regarding the types of personnel who must complete resident assessments. The amendments clarify physical plant requirements, including those on bathing facilities and resident control of room temperature. The amendments authorize the filing of the establishment application separate from the license application, in order that an operator may obtain approval for a continuum of care facility or assisted living center prior to construction.

The Board meets in Room 307 of the State Health Department Building. Copies of the draft amendments may be obtained from the Health Resources Development Service at (405) 271-6868.

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 July 24, 1999 to August 23, 1999 were as follows.

Certificate of Need Applications Approved:

Franciscan Villa, Inc., Broken Arrow, #99-025. Contact Person: Irene Hulsey, 918/355-1596. Addition of ten (10) beds for a total of 80 licensed nursing facility beds. Cost: \$27,000.00. Approved: 08/23/99.

Certificate of Need Applications Disapproved/Withdrawn:

Hillcrest Manor, Blackwell, #99-014. Contact Person: Nita Giles, 405/810-8155. Lease this 137 bed licensed nursing facility by TLC Health Care, Inc., which is owned 100% by Rocky Lemon. Cost: \$300,000.00 for one year. Disapproved: 08/09/99.

Blevins Retirement & Care Center, McAlester, #99-036. Contact Person: Nita Giles, 405/810-8155. Lease of this 55 bed licensed nursing facility by TLC Health Care, Inc., which is owned 100% by Rocky Lemon. Cost: \$259,200.00 annually for one year. Application withdrawn effective 08/20/99.

Cyril Nursing Home, Cyril, #99-037. Contact Person: Nita Giles, 405/810-8155. Lease of this 80 bed licensed nursing facility by TLC Health Care, Inc., which is owned 100% by Rocky Lemon. Cost: \$170,400.00 annually for one year. Application withdrawn effective 08/20/99.

Rosewood Manor Nursing Center, Norman, #99-038. Contact Person: Nita Giles, 405/810-8155. Lease of this 200 bed licensed nursing facility by TLC Health Care, Inc., which is owned 100% by Rocky Lemon. Cost: \$360,000.00 annually for one year. Application withdrawn effective 08/20/99.

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.

Ardmore Care Center, Ardmore, #99-039. Contact Person: Nita Giles, 405/810-8155. Lease of this 76 bed licensed nursing facility by TLC Health Care, Inc., which is owned 100% by Rocky Lemon. Cost: \$170,400.00 annually for one year. Application withdrawn effective 08/20/99.

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 August 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.

Grace Living Center-Altus House, Altus, #99-007. Contact Person: Nita Giles, 405/810-8155. Stock transfer of this 108 bed licensed nursing facility by Altus House Nursing Home, L.P., who is owned by Straight Path, L.L.C., which is owned 100% by Don Greiner. Cost: \$206,550.00 for one year. Deadline for filing notices of intent to participate is 7/29/99, and a final decision is due 09/13/99.

Redwood Place, Wetumka, #99-012. Contact Person: Gerrol Adkins, 405/786-2266. Relocate 16 beds from Pioneer Nursing Home of Hughes County to establish a specialized facility for the mentally retarded. Cost: \$250,000.00. Deadline for filing notices of intent to participate is 07/29/99, and a final decision is due 09/13/99.

Logan Hospital & Medical Center, Guthrie, #99-017. Contact Person: Judy Feuquay, 405/282-6700. Add four skilled nursing facility beds for a total of 12 medicare-certified skilled beds. Cost: \$16,687.00. Deadline for filing notices of intent to participate is 07/15/99, and a final decision is due 08/30/99.

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. Deadline for filing notices of intent to participate is 09/16/99, and a final decision is due 11/01/99.

Oak Place, Wetumka, #99-019. Contact Person: Gerrol Adkins, 405/786-2266. Relocate 6 beds from Pioneer Nursing Home of Hughes County to establish a specialized facility for the mentally retarded. Cost: \$65,000.00. Deadline for filing notices of intent to participate is 07/29/99, and a final decision is due 09/13/99.

Cypress Place, Wetumka, #99-020. Contact Person: Gerrol Adkins, 405/786-2266. Relocate 6 beds from Pioneer Nursing Home of Hughes County to establish a specialized facility for the mentally retarded. Cost: \$65,000.00. Deadline for filing notices of intent to participate is 07/29/99, and a final decision is due 09/13/99.

Aspen Place, Wetumka, #99-021. Contact Person: Gerrol Adkins, 405/786-2266. Relocate 6 beds from Pioneer Nursing Home of Hughes County to establish a specialized facility for the mentally retarded. Cost: \$65,000.00. Deadline for filing notices of intent to participate is 07/29/99, and a final decision is due 09/13/99.

Willow Place, Wetumka, #99-022. Contact Person: Gerrol Adkins, 405/786-2266. Relocate 16 beds from Pioneer Nursing Home of Hughes County to establish a specialized facility for the mentally retarded. Cost: \$20,000.00. Deadline for filing notices of intent to participate is 07/29/99, and a final decision is due 09/13/99.

Maple Place, Wetumka, #99-023. Contact Person: Gerrol Adkins, 405/786-2266. Relocate 16 beds from Pioneer Nursing Home of Hughes County to establish a specialized facility for the mentally retarded. Cost: \$20,000.00. Deadline for filing notices of intent to participate is 07/29/99, and a final decision is due 09/13/99.

Quapaw Nursing Home, Quapaw, #99-024. Contact Person: Nita Giles, 405/810-8155. Donation of this 72 bed licensed nursing facility to Harvest Time Tabernacle of Miami, Inc., a non-profit organization. Cost: \$130,704.19. Deadline for filing notices of intent to participate is 08/12/99, and a final decision is due 09/27/99.

New Frontiers-Donald Ave., Okla. City, #99-026. Contact Person: Cathy Moore, 405/789-2262. New six (6) bed nursing facility for mentally retarded persons by New Horizons, Inc. Cost: \$130,000.00. Deadline for filing notices of intent to participate is 08/25/99, and a final decision is due 10/08/99.

Willow Crest Hospital, Miami, #99-027. Contact Person: Anne Anthony, 918/542-1836. Addition of 18 adolescent psychiatric beds for a total of 68 adolescent psychiatric beds at this licensed facility. Cost: \$223,786.00. Deadline for filing notices of intent to participate is 08/19/99, and a final decision is due 10/04/99.

Artesian Home, Sulphur, #99-028. Contact Person: Nita Giles, 405/810-8155. Stock transfer/purchase of this 72 bed licensed nursing facility by Elmbrook Properties, Inc., which is owned by Tom Coble (56%), Don N. Jackson (32%), Shane Watkins (4%), Jonathon McAlister (4%) and Bill Hix (4%). Cost: \$2,088,641.00. Deadline for filing notices of intent to participate is 08/25/99, and a final decision is due 10/08/99.

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. Deadline for filing notices of intent to participate is 09/02/99, and a final decision is due 10/18/99.

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. Deadline for filing notices of intent to participate is 09/02/99, and a final decision is due 10/18/99.

Brookhaven Gardens, Norman, #99-033. Contact Person: Nita Giles, 405/810-8155. Replace 52 bed licensed nursing facility fka Morningside Nursing Center, 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: \$3,000,000.00. Deadline for filing notices of intent to participate is 08/26/99, and a final decision is due 10/11/99.

Second Shamrock Care Center, Kingfisher, #99-041. Contact Person: Kelly Mitchell, 918/775-6200. Replace 48 bed licensed nursing facility by Shamrock Care Centers, L.L.C., which is owned Bob G. Mitchell (37.5%); Gilbert f. Green (25%); Philip M. Green (25%) and Kelly O. Mitchell (12.5%). Cost: \$400,000.00. Deadline for filing notices of intent to participate is 09/09/99, and a final decision is due 10/25/99.

Colonial Park Nursing Home Inc., Okemah, #99-042. Contact Person: Jim Smart, 405/257-3353. Addition of 10 beds for a total of 80 licensed nursing facility beds. Cost: \$10,000.00. Deadline for filing notices of intent to participate is 09/08/99, and a final decision is due 10/25/99.

Chandler Nursing Center, Chandler, #99-043. Contact Person: David Rising, 405/521-1507. Replace this 52 bed licensed nursing facility, to combine with Pioneer Estate Nursing Home, to make a 102 bed facility. Cost: \$1,544,554.50. Deadline for filing notices of intent to participate is 09/23/99, and a final decision is due 11/08/99.

Pioneer Estate Nursing Home, Chandler, #99-044. Contact Person: David Rising, 405/521-1507. Replace this 49 bed licensed nursing facility, to combine with Chandler Nursing Center, to make a 102 bed facility. Cost: \$1,455,445.50. Deadline for filing notices of intent to participate is 09/23/99, and a final decision is due 11/08/99.

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

Crest View Life Center, Lawton, #99-031. Contact Person: Nita Giles, 405/810-8155. Lease this 95 bed licensed nursing facility by TLC Health Care Inc. Cost: \$217,944.00 annually for one year. Additional information is due by 11/02/99.

Cedar Crest Manor, Lawton, #99-032. . Contact Person: Nita Giles, 405/810-8155. Lease this 95 bed licensed nursing facility by TLC Health Care Inc. Cost: \$236,106.00 annually for one year. Additional information is due by 11/02/99.

Bryant Village Nursing Home, Oklahoma City, #99-034. Contact Person: Nita Giles, 405/810-8155. Lease of this 59 bed licensed nursing facility by Sooner Geriatrics, L.L.C., which is owned 100% by Straight Path, L.L.C. Cost: \$108,000.00 annually for 5 years. Additional information is due by 11/03/99.

Wildewood Manor Health Care Center, Okla. City, #99-035. . Contact Person: Nita Giles, 405/810-8155. Lease of this 107 bed licensed nursing facility by Sooner Geriatrics, L.L.C., which is owned 100% by Straight Path, L.L.C. Cost: \$342,660.00 annually for 5 years. Additional information is due by 10/28/99.

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. Additional information is due by 11/02/99.

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

Primary Vision Care Services, Inc., UR-99-001. Contact Person: Howard Rubin, 580/357-6912. Initial license for utilization review program certification. Found complete 08/23/99.

CIGNA HealthCare of Oklahoma, HMO-99-006. Contact Person: Helen Rangel, 405/943-7711. Application withdrawn 08/12/99.

PacifiCare of Oklahoma, Inc., HMO-99-007. Contact Person: Laura Morrow, 918/459-1100. Annual license renewal.

Travelers Medical Management, Inc., dba TMMS Oklahoma Workplace Medical Plan, Hartford, CT, WMP-97-001. Contact Person: Michael Donovan, 860/277-2679. Service area expansion.

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 August 5, 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 August 5, 1999, two other hospitals were awaiting surveys for critical access hospital certification. Those two are Cimarron Memorial Hospital, Boise City and Latimer County General Hospital, Wilburton.

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) 271-6017. This list was prepared on August 23, 1999.

Ponca City Nursing and Rehabilitation Center, (SHS-LTC-99-03). Appeal of Civil Monetary Penalty. Hearing held 3/18/99. Decision pending.

Shawnee Colonial Estates, (SHS-LTC-99-04). Appeal of Civil Monetary Penalty. Hearing is set for 3/24/99.

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. Decision pending. Consent order filed 7/21/99.

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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