

THE NOTICE

October 2014

Fingerprint Based Background Checks in Long Term Care!

The Department has proposed the promulgation of new rules in the procedures of the Department of Health as required in amendments to the Long Term Care Security Act (Title 63 O.S. § 1-1944 et. seq.), as adopted in 2012, [House Bill 2582](#). This bill authorized fingerprint based criminal history background checks on those applicants who would be employed in a variety of long-term care settings as defined in the law at [Title 63 O.S. Section 1-1945\(4\)](#). The new rules prescribe effective dates beginning in February 2014. **Providers must complete an account application for OK-SCREEN, the Department's Internet based web-screening portal, authorized in the law.**

For an application, training materials and more information, see the program website here: <http://onbc.health.ok.gov>.

Follow this link to see the proposed rules: [Chapter 2, Procedures of the Oklahoma State Department of Health, November 8, 2013](#) (70 KB pdf)

Certificate of Need matters considered by Health Resources Development Service (HRDS) are reported in *The Notice*. Comments, evidence, and requests regarding these projects should be sent to the Department at the address and phone number above.

The Department provides Long Term Care Survey inspection reports on-line. A link is available on the HRDS Web page at <http://hrds.health.ok.gov>.

I. ACTIONS TAKEN BY THE OKLAHOMA STATE DEPARTMENT OF HEALTH FROM SEPTEMBER 12, 2014 THROUGH OCTOBER 7, 2014, WERE AS FOLLOWS:

CERTIFICATE OF NEED APPLICATIONS APPROVED

Harrah Nursing Center #13-027. Contact Person: Brandie Lamberth, Ph: 478-330-5254. Harrah Whites Meadows Nursing, LLC d/b/a Harrah Nursing Center a one hundred (100) bed nursing facility applied to Oklahoma State Department of Health (OSDH) for the transfer of one hundred percent (100%) of the membership of HWMN from AdCare Operations, LLC a subsidiary of AdCare Health Systems to Chris Brogdon from Atlanta, GA. Date Filed: September 16, 2013. Incomplete: September 26, 2013. Additional Information Due: October 26, 2013. Additional Information Filed: September 30, 2013. Filing was not fully complete

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September 30, 2013. Additional Information Filed: November 1, 2013. Incomplete November 15, 2013. Additional Information Due: December 31, 2013. Additional Information Filed: November 4, 2013. Complete: December 10, 2013. Deadline for notice of intent to participate: January 2, 2014. Decision Due: February 17, 2014. Notice of inconsistencies sent: February 1, 2014. Request for extension to extend decision deadline: February 14, 2014. Extension to extend decision date granted: February 14, 2014. Additional Information Filed: February 14, 2014. Decision Due: March 17, 2014. Notice of inconsistencies sent: March 13, 2014. Request for extension to extend decision deadline received: March 14, 2014. Extension to extend decision date granted: March 14, 2014. Additional Information Filed: April 21, 2014. Decision Due: April 17, 2014. Denied: April 13, 2014. Request for reconsideration hearing: April 17, 2014. Reconsideration hearing granted April 23, 2014. Reconsideration hearing date: May 16, 2014, starting at 9:00am, in room 307, at the Oklahoma State Department of Health (OSDH), before the Honorable Suzanne Nichols, Administrative Law Judge. The Office of Administrative Hearing issued a Consent Order Case No. CN-2014-092 dated August 27, 2014. The Department and the applicant agreed to mutually agreeable resolution, which will allow Mr. Chris Brogdon acquire hundred percent (100%) of the membership.

McCloud Nursing Center #13-028. Contact Person: Brandie Lamberth, Ph: 478-330-5254. MCL Nursing, LLC d/b/a McCloud Nursing Center a eighty (80) bed nursing facility applied to Oklahoma State Department of Health (OSDH) for the transfer of one hundred percent (100%) of the membership of MCL Nursing, LLC from AdCare Operations, LLC a subsidiary of AdCare Health Systems to Chris Brogdon from Atlanta, GA. Date Filed: September 16, 2013. Incomplete: September 26, 2013. Additional Information Due: October 26, 2013. Additional Information Filed: September 30, 2013. Filing was not fully complete September 30, 2013. Additional Information Filed: November 1, 2013. Incomplete November 15, 2013. Additional Information Due: December 31, 2013. Additional Information Filed: November 4, 2013. Complete: December 10, 2013. Deadline for notice of intent to participate: January 2, 2014. Decision Due: February 16, 2014. Notice of inconsistencies sent: February 1, 2014. Request for extension to extend decision deadline: February 14, 2014. Extension to extend decision date granted: February 14, 2014. Additional Information Filed: February 14, 2014. Decision Due: March 17, 2014. Notice of inconsistencies sent: March 13, 2014. Request for extension to extend decision deadline received: March 14, 2014. Extension to extend decision date granted: March 14, 2014. Additional Information Filed: April 21, 2014. Decision Due: April 17, 2014. Denied: April 13, 2014. Request for reconsideration hearing: April 17, 2014. Reconsideration hearing granted April 23, 2014. Reconsideration hearing dates: May 16, 2014, started at 9:00am, in room 307, at the Oklahoma State Department of Health (OSDH), before the Honorable Suzanne Nichols, Administrative Law Judge. The Office of Administrative Hearing issued a Consent Order Case No. CN-2014-092 dated August 27, 2014. The Department and the applicant agreed to mutually agreeable resolution, which will allow Mr. Chris Brogdon acquire hundred percent (100%) of the membership.

Meeker Nursing Home #13-029. Contact Person: Brandie Lamberth, Ph: 478-330-5254. Meeker North Dawson Nursing, LLC (MNDN) d/b/a Meeker Nursing Center a seventy (70) bed nursing facility applied to Oklahoma State Department of Health (OSDH) for the transfer of one hundred percent (100%) of the membership of MNDN from AdCare Operations, LLC a subsidiary of AdCare Health Systems to Chris Brogdon from Atlanta, GA. Date Filed:

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September 16, 2013. Incomplete: September 26, 2013. Additional Information Due: October 26, 2013. Additional Information Filed: September 30, 2013. Filing was not fully complete September 30, 2013. Additional Information Filed: November 1, 2013. Incomplete November 15, 2013. Additional Information Due: December 31, 2013. Additional Information Filed: November 4, 2013. Complete: December 10, 2013. Deadline for notice of intent to participate: January 2, 2014. Decision Due: February 16, 2014. Notice of inconsistencies sent: February 1, 2014. Request for extension to extend decision deadline: February 14, 2014. Extension to extend decision date granted: February 14, 2014. Additional Information Filed: February 14, 2014. Decision Due: March 17, 2014. Notice of inconsistencies sent: March 13, 2014. Request for extension to extend decision deadline received: March 14, 2014. Extension to extend decision date granted: March 14, 2014. Additional Information Filed: April 21, 2014. Decision Due: April 17, 2014. Denied: April 13, 2014. Request for reconsideration hearing: April 17, 2014. Reconsideration hearing granted April 23, 2014. Reconsideration hearing date: May 16, 2014, started at 9:00 a.m., in room 307, at the Oklahoma State Department of Health (OSDH), before the Honorable Suzanne Nichols, Administrative Law Judge. The Office of Administrative Hearing issued a Consent Order Case No. CN-2014-092 dated August 27, 2014. The Department and the applicant agreed to mutually agreeable resolution, which will allow Mr. Chris Brogdon acquire hundred percent (100%) of the membership.

CERTIFICATE OF NEED APPLICATIONS HAVE BEEN WITHDRAWN, DENIED, OR RECONSIDERED

Care Living Center #14-001. Contact Person: S. Gregory Frogge, Ph: 405-552-2283. SWALK Operations, LLC d/b/a Care Living Center, Oklahoma City, Oklahoma has applied to the Oklahoma State Department of Health (OSDH) for permission acquire by lease the suspended operations, of a sixty-six (66) bed Nursing Facility located at 5512 South Western, Oklahoma City, Oklahoma 73109, from David Rhoades, Receiver for Quality Health Care, LLC. SWALK Operations, LLC is owned one hundred percent (100%) by Southwest SNF Holdings, LLC. Southwest SNF Holdings, LLC is managed by WR Investments GP Manger, Inc. with John F. Taylor as President. WR Investments GP Manager, Inc. is owned one hundred percent (100%) by WR Investments GP, Inc., and John F. Taylor is the sole owner of WR Investments GP, Inc. WR Investments GP, Inc. is the General Partner of WR Investments, LP which is the Master Holding Company and one hundred percent (100%) Member of Southwest SNF Holdings, LLC. The Limited Partners of WR Investments, LP are John F. Taylor (45.805%) Lake Creek Capital Partners, LP, (30.323%); Jim Fisher, (10.709%); Paula Pierce, (10.065%); and John Paul Taylor (3.097%). Lake Creek Capital Partners, LP are John F. Taylor (60%); John Paul Taylor (20%), Scott Campbell (20%) and LC General Partner, LLC (General Partner). John F. Taylor owns one hundred percent (100%) of LC General Partner, LLC. Date Filed: January 3, 2014. Incomplete: January 17, 2014. Additional Information Due: April 17, 2014. Additional Information Filed: April 4, 2014. Complete: April 15, 2014. Deadline for notice of intent to participate: May 12, 2014. Decision Due: June 26, 2014. Request to extend decision deadline received June 18, 2014. Granted extension request June 19, 2014. Decision deadline: July 30, 2014. Request to extend decision deadline: July 11, 2014. Decision deadline: August 11, 2014. Disapproved: August 11, 2014. UPDATE: The applicant requested reconsideration of the Oklahoma State Department of Health's August 11, 2014, decision. On August 25, 2014 the applicant was granted reconsideration. Reconsideration

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hearing date: September 25, 2014. The hearing date has been rescheduled to November 7, 2014, beginning at 9:00 a.m. before the Honorable Suzanne Nichols, Administrative Law Judge.

Hometown Memory Care #13-009. Contact Person: Jason Carter, Ph: 918-647-2349. Hometown Memory Care, LLC d/b/a Hometown Memory Care, has applied to the Oklahoma State Department of Health (OSDH) for permission to establish a sixty (60) bed Specialized Nursing Facility for Alzheimer's and/or Dementia related residents in LeFlore County. The service area included in the application list LeFlore County, Latimer County, McCurtain County, Pushmataha County and Sequoyah County. The applicant list the twenty (20) mile radius to include, Shady Point, Howe, Monroe, Cameron, Wister, Panama, Heavener, Spiro, Bokoshe, Hodgen, Pocola, Summerfield and Fanshawe. Hometown Memory Care, LLC is owned one hundred percent (100%) by Jason Carter. Date Filed: April 2, 2013. Complete: April 19, 2013. Deadline for notice of intent to participate: May 16, 2013. Decision Due: July 1, 2013. Request for extension to extend decision deadline: May 24, 2013. Request for extension to submit response to participating parties and extend Commissioner's decision deadline approved: June 11, 2013. Second Request received for extension to extend decision deadline received: July 9, 2013. Decision deadline: August 2, 2013. Request to extend decision deadline received July 9, 2013. Decision deadline: October 11, 2013. Request to extend decision deadline received September 10, 2013. Decision deadline: November 8, 2013. Request to extend decision deadline received October 9, 2013. Decision deadline: December 12, 2013. Request to extend decision deadline: November 12, 2013. Granted extension request: November 13, 2013. Additional Information Due: December 12, 2013. Decision deadline: February 13, 2014. Request to extend decision deadline received January 14, 2014. Final deadline to submit information: February 14, 2014. Decision Due: March 27, 2014. Notice of Inconsistencies in Application Criteria and Standards: March 21, 2014. Request to extend decision deadline: March 24, 2014. Granted extension request: March 26, 2014. Decision Due: May 27, 2014. Response Received: April 25, 2014. Decision Due: June 9, 2014. Approved June 9, 2014. Reconsideration hearing date: July 18, 2014, starting at 9:00 a.m., in room 307, at the Oklahoma State Department of Health (OSDH), before the Honorable Suzanne Nichols, Administrative Law Judge. Reconsideration hearing date rescheduled: September 23, 2014, starting at 9:00 a.m., before the Honorable Suzanne Nichols, Administrative Law Judge. The Reconsideration hearing date has been rescheduled to October 30–31, beginning at 9:00 a.m. each day, before the Honorable Suzanne Nichols, Administrative Law Judge.

Wadley Care Center #14-013. Contact Person: Kassie McCoy, Ph: 918-343-4100. Purcell Real Estate, LLC (PRE) and Purcell Care Center, LLC (PCC), applied to the Oklahoma State Department of Health (OSDH) for approval to acquire by purchase Wadley Care Center; a one hundred five (105) bed licensed nursing facility located at 801 North 6th Street, Purcell, OK 73080 from Davis and Lavona Wadley. There is a lease agreement between PRE (Lessor) and PCC (Lessee). PRE, LLC will be owned by BK Strategies Real Estate, LLC one hundred percent (100%). Purcell Care Center, LLC will be owned by BK Strategies, LLC. The person with authority is Bart T. Reed. Date Filed: January 27, 2014. Incomplete: February 10, 2014. Additional Information Due: May 10, 2014. Additional Information Filed: May 1, 2014. Complete: May 12, 2014. Deadline for notice of intent to participate: June 4, 2014. Decision Due: July 21, 2014. Notice of inconsistencies sent: July 8, 2014. Request for extension of 20

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days to file additional information received: July 14, 2014. Extension Request approved: July 29, 2014. Decision Due: September 2, 2014. Disapproved: August 26, 2014. The applicant requested reconsideration of the Oklahoma State Department of Health's August 26, 2014 decision. On September 11, 2014 the applicant was granted reconsideration. Reconsideration hearing date will be conducted on October 13, 2014, in room 1102, at 9:00 a.m., at the Oklahoma State Department of Health (OSDH). The reconsideration hearing date has been continued to November 10, 2014, in room 1102, at 9:00 a.m., at OSDH.

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.

Southern Hills Rehabilitation Center #14-029. Contact Person: Greg Frogge, Ph: 405-552-2283. Healthcare Management of Oklahoma, LLC (HMOO, LLC) of Edmond, Oklahoma, has applied to the Oklahoma State Department of Health (OSDH) for approval to acquire by lease, Southern Hills Rehabilitation Center; a one hundred and six (106) bed licensed nursing facility located at 5170 S. Vandalia, Tulsa, OK 74135. HMOO, LLC is owned fifty percent (50%) by Garrett R. Huxall, Managing Member and fifty percent (50%) by Gregory L. Guymon, Managing Member. Date File: June 4, 2014. Incomplete: June 16, 2014. Additional Information Due: September 22, 2014. Additional Information Filed: August 15, 2014. Complete: August 19, 2014. Deadline for notice of intent to participate: September 10, 2014. Decision Due: October 24, 2014.

Vista Nursing Home #14-032. Contact Person: Carrie Burnsed, Ph: 405-232-8700. Heavener Manor, LLC (HM, LLC) of Bella Vista, Arkansas, has applied to the Oklahoma State Department of Health (OSDH) for approval to acquire by purchase, Vista Nursing Home; a fifty-one (51) bed licensed nursing facility located at 114 West 2nd Street, Heavener, OK 74937. HM, LLC is owned one hundred percent (100%) by Bradford Montgomery, Sole Managing Member. Date File: July 21, 2014. Incomplete: August 4, 2014. Additional Information Due: November 3, 2014. Additional Information Filed: September 2, 2014. Complete: September 3, 2014. Deadline for notice of intent to participate: September 25, 2014. Decision Due: November 10, 2014.

Binger Nursing & Rehabilitation #14-033. Contact Person: Sean Bradley, Ph: 580-931-3370. Facility Acquisition. Date Filed: August 14, 2014. Incomplete: August 20, 2014. Additional Information Due: November 13, 2014. Additional Information Filed: September 9, 2014. The application was determined incomplete as of: September 12, 2014. Additional information filed: October 8, 2014. Complete: October 14, 2014. Deadline for notice of intent to participate: November 7, 2014.

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Hobart Living Centers, Inc #14-038. Contact Person: Carrie Burnsed, Ph: 405-232-8700. Facility Acquisition. Dated Filed: September 30, 2014. Complete: October 10, 2014. Deadline for notice of intent to participate: November 5, 2014. Decision Due: December 20, 2014.

III. APPLICATIONS FILED WITH THE STATE DEPARTMENT OF HEALTH UNDER THE CERTIFICATE OF NEED PROGRAM, BUT NOT DETERMINED COMPLETE AS OF OCTOBER 7, 2014 AND WHICH MAY BE SCHEDULED FOR REVIEWS AT LATER DATES ARE:

Midwest City Regional Medical Center #14-037. Contact Person: Diane Reagle, Ph: 918-850-2233. Add 34 Adult Psych beds. Date Filed: September 22, 2014. Incomplete: October 2, 2014. Additional Information Due: December 31, 2014.

IV. EXEMPTION REQUESTS FILED WITH THE STATE DEPARTMENT OF HEALTH UNDER TITLE 63 O.S. SECTIONS 1-852(C) and (D) FOR EXEMPTION OF CERTIFICATE OF NEED REVIEWS AS OF OCTOBER 7, 2014 ARE:

Binger Nursing & Rehabilitation # 14-033. Contact Person: Sean Bradley, Ph: 580-931-3370. Exemption for Management Agreement. Date Filed: August 14, 2014. Incomplete: August 15, 2014. Additional Information Filed: August 25, 2014. Complete: August 29, 2014. Decision Due: September 9, 2014. Approved: September 3, 2014.

Elk City Nursing Home #14-036. Contact Person: Carrie Burnsed, Ph: 405-232-8700. Exemption for Change of Ownership or Stock Transfer. Date Filed: August 25, 2014. Complete: August 26, 2014. Decision Due: September 9, 2014. Approved: August 29, 2014.

Gatesway Foundation, Inc IV #14-035. Contact Person: Jose Garcia, Ph: 918-259-1445. Exemption for Ten (10) Bed or Ten percent (10%) Expansion. Date Filed: August 18, 2014. Complete: August 20, 2014. Decision Due: September 2, 2014. Approved: August 25, 2014.

Oak Hills Living Center #14-024. Contact Person: Jack Atkinson, Ph: 405-330-1889. Exemption for transferring interest to new entity. Dated Filed: March 20, 2104. Complete: March 24, 2104. Decision Due: April 4, 2014. On April 3, 2014, Jack Atkinson asked the exemption from Certificate of Need be held in abeyance until April 28, 2014. On April 28, 2014, the Honorable Patricia G. Parrish, issued an Order Enjoining Defendants John Stout and Oak Hills Care Center, LLC from transferring ownership and assets of Oak Hills Care Center, LLC to The Woodlands Care Center, LLC, Case # CJ-2011-10045.

V. REQUESTS FILED WITH THE STATE DEPARTMENT OF HEALTH UNDER TITLE 63 O.S. SECTION 1-880.6 (E) FOR PSYCHIATRIC OR CHEMICAL DEPENDENCY CHANGE IN BED OR CHANGE IN CONTINUUM OF CARE AS OF OCTOBER 7, 2014:

None.

OUTSTANDING CERTIFICATE OF NEED PROJECTS

OCTOBER 2014

County	Facility Name	City	CN Number	Beds	Status
Oklahoma	Valir Medical Center	Oklahoma City	11-006	Establish 25 bed hospital based skilled nursing unit	Planning
LeFlore	Meadowbrook ICF/MR 3	Howe	09-019	Establish 8 bed SF/IID.	Planning
Tulsa	Shadow Mountain	Tulsa	12-006	Add 24 adult and 12 child psych beds	Completed 10/2/14
Oklahoma	Integris Hospital SW	Oklahoma City	14-018	Add 24 adult psych beds	Plans due 11/22/14
Noble	Albert Hall	Billings	13-003	Establish 16 bed SF/IID	Planning
Beckham	Sayre Memorial Hosp	Sayre	12-059	Relocate 10 adult beds 4 beds completed on 12-27-12	Planning
Payne	AHS Cushing Hospital LLC	Cushing	13-001	Add 8 adult beds for a total of 21 adult beds	Planning
Oklahoma	Cedar Ridge Hospital	Oklahoma	13-017	Add 16 adult psychiatric beds of which 8 will be geriatric beds for a total of 52 adult beds	Planning
Garfield	St. Mary's Regional Medical Center	Enid	14-025	Establish 15 adult psychiatric beds	Planning-Plans due 03/05/15
Payne	Epworth Living at the Ranch	Stillwater	13-019	Life care community establishing 40 bed nursing facility	Planning-Plans due 05/22/15