



# THE NOTICE

March 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 FEBRUARY 5, 2014 THROUGH MARCH 7, 2014, WERE AS FOLLOWS:**

### **CERTIFICATE OF NEED APPLICATIONS APPROVED**

**Heavener Nursing Center #13-032.** Contact Person: Carrie Butnedrf, Ph: 405-232-8700. Heavener Nursing Home, Inc. d/b/a Heavener Nursing Center, Vian, Oklahoma has applied to the Oklahoma State Department of Health (OSDH) for permission to acquire by purchase Heavener Nursing Center, a forty-one (41) bed Nursing Facility located at 95112 South 4506 Road, Vian, Oklahoma. Heavener Nursing Home, Inc. is owned (one-hundred percent) 100% by Bradford Montgomery. Date Filed: November 14, 2013. Complete: November 26, 2013. Deadline for notice of intent to participate: December 26, 2013. Decision Due: February 10, 2014. Approved: February 5, 2014.

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### **Muscogee (Creek) Nation Medical formerly known as Okmulgee Medical Center # 14-002.**

Contact Person: Julie Shaffer, Ph: 918-756-4333. Muscogee (Creek) Nation, (MCN), applied to the Oklahoma State Department of Health (OSDH) for approval to acquire by purchase Okmulgee Memorial Hospital; a hospital providing psychiatric service with sixteen (16) adult beds, located at 1401 Morris Dr. Okmulgee, OK 74447, from Okmulgee Memorial Hospital Authority and Okmulgee Memorial Hospital, Inc. The hospital will operate under Creek Nation Hospital and Clinics, a division of the Muscogee (Creek) Nation Tribe and will be renamed, Muscogee (Creek) Nation Medical Center. Date Filed: January 2, 2014. Complete: January 8, 2014. Deadline for notice of intent to participate: February 4, 2014. Decision Due: February 18, 2014. Approved: February 18, 2014.

### **CERTIFICATE OF NEED APPLICATIONS HAVE BEEN WITHDRAWN, DENIED, OR RECONSIDERED**

**Bradford Village #13-018.** Contact Person: S. Gregory Frogge, Ph: 405-235-9621. BKD Bradford Village OpCo, LLC, has applied to the Oklahoma State Department of Health (OSDH) for permission to acquire by lease Bradford Village; a one hundred seventy-seven (177) bed Continuum of Care facility with one hundred twenty-two (122) Nursing facility beds located at 906 North Boulevard, Edmond, Oklahoma 73074, from BKD Bradford Village PropCo, LLC. BKD Bradford Village OpCo, LLC, has contracted with ARC Management, LLC, the facility's current manager, to provide certain management consulting and other services. BKD Bradford Village OpCo, LLC is a wholly owned subsidiary of Brookdale Senior Living Inc. (a publicly held company). Brookdale Senior Living Inc. owns one hundred percent (100%) of Brookdale Living Communities, Inc. and one hundred percent (100%) of American Retirement Corporation. Brookdale Living Communities, Inc. owns one hundred percent (100%) of BKD Bradford Village PropCO, LLC, and the real estate owner. BKD Bradford Village PropCO, LLC has leased its property to BKD Bradford Village OpCo, LLC. American Retirement Corporation owns one hundred percent (100%) of ARC Management, LLC and one hundred percent (100%) of BKD Bradford Village PropCO, LLC. ARC Management, LLC has a management agreement with BKD Bradford Village OpCo, LLC. Date Filed: July 18, 2013. Incomplete: August 2, 2013. Additional Information Due: October 31, 2013. Complete: September 13, 2013. Deadline for notice of intent to participate: October 9, 2013. Decision Due: November 23, 2013. Notice of inconsistencies sent: November 14, 2013. Request for extension to extend decision deadline: November 19, 2013. Extension to extend decision date granted: November 20, 2013. Additional information to be submitted by December 11, 2013. Notice of inconsistencies sent: December 26, 2013. Additional information received December 27, 2013. Decision Due: January 13, 2014. Denied: January 13, 2014. Request for reconsideration hearing: January 21, 2104. Reconsideration hearing granted January 27, 2014. Reconsideration hearing date: February 21, 2014, in room 1102, at 9:00am, at the Oklahoma State Department of Health (OSDH), before the Honorable Michael Mitchelson, Administrative Law Judge.

**Epworth Living at The Ranch #12-032.** Contact Person: Elise Brennan of Conner & Winters, Ph: 918-586-8315. Establishment of a thirty-nine (39) bed nursing facility by Central Oklahoma United Methodist Retirement Facility, Inc., whose person(s) with controlling interest are: John Christopher Harned, CEO & President, and Luther Aaron Short, III, CFO. Date Filed: June 14, 2012.

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Incomplete: July 3, 2012. Additional Information Due: November 5, 2012. Additional Information Filed: November 5, 2012. Complete: August 10, 2012. Deadline for notice of intent to participate: September 6, 2012. Decision Due: January 30, 2013. Denied: January 30, 2013. Request for reconsideration hearing: February 11, 2013. Reconsideration hearing granted February 19, 2013. Reconsideration hearing dates: April 11, 2013, and April 12, 2013, started at 9:00am, in room 1102, at the Oklahoma State Department of Health (OSDH), before the Honorable Michael Mitchelson, Administrative Law Judge. Hearing was concluded on April 12, 2013, with post briefs due on April 26, 2013. Decision due: June 10, 2013. Final Order dated May 22, 2013, states the Commissioner's decision has been upheld. On June 21, 2013, the applicant filed an appeal of the administrative law officer's decision in the Payne County District Court.

**Midwest Regional Medical Center #14-017.** Contact Person: Patricia Rogers, Ph: 405-552-2233. Mercy Hospital Midwest City, Inc., applied to the Oklahoma State Department of Health (OSDH) for approval to acquire by lease Midwest Regional Medical Center; a hospital providing psychiatric services with twenty (20) adult beds, located at 2825 Parkland Drive, Midwest City, OK 73110. Mercy Hospital Midwest City, Inc. is a subsidiary of Mercy Health Oklahoma Communities, Inc. which is a subsidiary of Mercy Health, Inc. a non-profit organization. Date Filed: February 7, 2014. Complete: February 10, 2014. Deadline for notice of intent to participate: March 5, 2014. Decision Due: March 20, 2014. Application withdrawn: March 5, 2014.

## **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.**

**Geary Community Nursing Home #13-035.** Contact Person: Cruz Antonio Maldonado, Ph: 405-702-6656. First Choice Home Medical, Inc. d/b/a Geary Community Nursing Home, Oklahoma City, Oklahoma has applied to the Oklahoma State Department of Health (OSDH) for permission to acquire by purchase Geary Community Nursing Home, a sixty-seven (67) bed Nursing Facility located at 720 North Galena, Geary, Oklahoma. First Choice Home Medical, Inc. is owned fifty one percent (51%) by Cruz Antonio Maldonado and forty-nine percent (49%) by Vicki Dean Russell Myers. Date Filed: December 10, 2013. Complete: December 23, 2013. Deadline for notice of intent to participate: January 22, 2014. Decision Due: March 17, 2014.

**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 September 30, 2013. Additional Information Filed: November 1, 2013. Incomplete November 15, 2013. Additional Information Due: December 31, 2013. Additional Information Filed:

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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.

**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.

**Leisure Village Health Care Center #14-015.** Contact Person: Nick Slaymaker, Ph: 405-239-4300. Leisure Village Health Care, LLC (LVHC) has applied to the Oklahoma State Department of Health (OSDH) for permission to acquire by lease Leisure Village Health Care Center, a one hundred seventeen (117) bed licensed nursing facility located at 2154 South 85<sup>th</sup> East Avenue, Tulsa, Oklahoma 74129. LVHC is owned fifty percent (50%) by Judah Bienstock and fifty percent (50%) by Baruch Jeremias. Date Filed: February 15, 2014. Incomplete: February 19, 2014. Additional Information Due: March 19, 2014. Additional Information Filed: February 28, 2014. Complete: March 4, 2014. Deadline for notice of intent to participate: March 30, 2014. Decision Due: May 14, 2014.

**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

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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.

**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: 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.

**Northside Nursing Home #14-012.** Contact Person: Bill Bush, Ph: 405-285-8166. Arbor Village Nursing, LLC applied to the Oklahoma State Department of Health (OSDH) for approval to acquire by lease Northside Nursing Home; a 69 bed licensed nursing facility located at 102 East Line, Sapulpa, Oklahoma, 74067, from DEK Management, LLC. Arbor Village Nursing, LLC is owned by Lee Pilgrim with fifty-one percent (51%) membership interest. The person with authority in Arbor Village Nursing, LLC is Lee Pilgrim, Managing Member. Date Filed: January 27, 2014. Complete: January 29, 2014. Deadline for notice of intent to participate: February 23, 2014. Decision Due: April 10, 2014.

**Rainbow Health Care Community/Rainbow Assisted Living Community #14-016.** Contact Person: Nick Slaymaker, Ph: 405-239-4300. Rainbow Health Care LLC (RHC) has applied to the Oklahoma State Department of Health (OSDH) for permission to acquire by lease Rainbow Health Care Community and Rainbow Assisted Living Community, a one twenty-six (126) bed licensed continuum of care facility with one hundred and six nursing (106) beds located at 111 East Washington, Bristow, Oklahoma 74010. RHC is owned fifty percent (50%) by Judah Bienstock and fifty percent (50%) by Baruch Jeremias. Date Filed: February 6, 2014. Incomplete: February 19, 2014. Additional Information Due: March 19, 2014. Additional Information Filed: February 28, 2014. Complete: March 4, 2014. Deadline for notice of intent to participate: March 30, 2014. Decision Due: May 14, 2014.

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

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**Care Living Center #14-001.** Contact Person: S. Gregory Frogge, Ph: 405-552-2283. Facility Acquisition. Date Filed: January 3, 2014. Incomplete: January 17, 2014. Additional Information Due: April 17, 2014.

**INTEGRIS Southwest Medical Center #14-018.** Contact Person: Susie Waugh, Ph: 405-942-0980. Add twenty-four (24) psychiatric beds. Date Filed: February 10, 2014. Incomplete: February 12, 2014. Additional Information Due: May 13, 2014. Additional Information Filed February 27, 2014

**Mercy Hospital Ardmore #14-020.** Contact Person: Pat Rogers, Ph: 405-522-2233. Add Sixteen (16) geropsychiatric beds. Dated Filed: February 20, 2014.

**Wadley Care Center #14-013.** Contact Person: Kassie McCoy, Ph: 918-343-4100. Purchase of Facility. Date Filed: January 27, 2014. Incomplete: February 10, 2014. Additional Information Due: April 26, 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 MARCH 7, 2014 ARE:**

**Betty Ann Nursing Center #14-011.** Contact Person: Brandie Lamberth, Ph: 478-330-5254. Exemption for Management Agreement. Date Filed: January 13, 2014. Incomplete: January 21, 2014. Additional Information Due: January 31, 2014. Additional Information Filed: January 27, 2014. Complete: February 3, 2014. Decision Due: February 10, 2014. Approved: February 4, 2014.

**Enid Senior Care #14-010.** Contact Person: Brandie Lamberth, Ph: 478-330-5254. Exemption for Management Agreement. Date Filed: January 13, 2014. Incomplete: January 21, 2014. Additional Information Due: January 31, 2014. Additional Information Filed: January 27, 2014. Complete: February 3, 2014. Decision Due: February, 10, 2014. Approved: February 4, 2014.

**Gatesway Foundation #14-019.** Contact Person: Jose DZul-Garcia, Ph: 918-259-1445. Exemption for Facility Replacement or Relocation. Date Filed: February 19, 2014. Complete: February 25, 2014. Decision Due: March 6, 2014. Approved: February 25, 2014.

**Grand Lake Villa #14-009.** Contact Person: Brandie Lamberth, Ph: 478-330-5254. Exemption for Management Agreement. Date Filed: January 13, 2014. Incomplete: January 21, 2014. Additional Information Due: January 31, 2014. Additional Information Filed: January 27, 2014. Complete: February 3, 2014. Decision Due: February 10, 2014. Approved: February 4, 2014.

**Kenwood Manor in Enid #14-007.** Contact Person: Brandie Lamberth, Ph: 478-330-5254. Exemption for Management Agreement. Date Filed: January 13, 2014. Incomplete: January 21, 2014. Additional Information Due: January 31, 2014. Additional Information Filed: January 27, 2014. Complete: February 3, 2014. Decision Due: February 10, 2014. Approved: February 4, 2014.

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**The Living Center #14-008.** Contact Person: Brandie Lamberth, Ph: 478-330-5254. Exemption for Management Agreement. Date Filed: January 13, 2014. Incomplete: January 21, 2014. Additional Information Due: January 31, 2014. Additional Information Filed: January 27, 2014. Complete: February 3, 2014. Decision Due: February 10, 2014. Approved: February 4, 2014.

**Medical Park West Rehabilitation & Skill #13-022.** Contact Person: Casey Taylor, Ph: 214-392-9991. Exemption for Change of Ownership or Stock Transfer. Date Filed: September 6, 2013. Incomplete: September 6, 2013. Additional Information Filed: January 30, 2014. Complete: February 10, 2014. Decision Due: February 14, 2014. Approved: February 14, 2014.

**Wadley Care Center #14-014.** Contact Person: Kassie McCoy, Ph: 918-343-4100. Exemption for Management Agreement. Date Filed: January 27, 2014. Incomplete: February 5, 2014. Additional Information Due: February 15, 2014. Additional Information Filed: February 13, 2014. Complete: February 18, 2014. Decision Due: February 27, 2014. Approved: February 21, 2014.

**Montevista Rehabilitation & Skilled Care #13-025.** Contact Person: Casey Taylor, Ph: 214-392-9991. Exemption for Change of Ownership or Stock Transfer. Date Filed: September 21, 2013. Incomplete: September 16, 2013.

**Tulsa Nursing Center #13-026.** Contact Person: Casey Taylor, Ph: 214-392-9991. Exemption for Change of Ownership or Stock Transfer. Date Filed: September 12, 2013. Incomplete: September 18, 2013.

**The Village of Southern Hills #13-024.** Contact Person: Casey Taylor, Ph: 214-392-9991. Exemption for Change of Ownership or Stock Transfer. Date Filed: September 12, 2013. Incomplete: September 18, 2013.

### **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 MARCH 7, 2014:**

INTEGRIS Baptist Medical Center, Inc filed on February 18, 2014, to decrease the designation of child/adolescent beds from one hundred eighteen (118) to ninety-four (94) and increase the adult psychiatric beds to twenty-four (24).

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**OUTSTANDING CERTIFICATE OF NEED PROJECTS****MARCH 2014**

<b>County</b>	<b>Facility Name</b>	<b>City</b>	<b>CN Number</b>	<b>Beds</b>	<b>Status</b>
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	Planning
Tulsa	Laureate Psych Clinic & Hosp.	Tulsa	12-030	Add 15 adult psych beds	Building Construction deadline 09/30/14
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