

# THE NOTICE

April 2010

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.

## **I. Actions taken by the Oklahoma State Department of Health from March 1, 2010, through April 5, 2010, were as follows:**

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

**HCA Health Services of Oklahoma, Inc. dba OU Medical Center – Edmond #10-001.** Contact Person: Ms. Beth Swafford 405-271-9405. Merger for acquisition of psychiatric beds. Cost: \$0.00. Date Filed: 01/27/2010. Incomplete: 02/10/2010. Information Due: 05/12/2010. Complete: 03/08/2010. Deadline for filing notice of intent to participate: 03/30/2010. Decision due: 04/14/2010. Approved: 04/01/2010

### **Certificate of Need Withdrawn/Denied/Reconsideration**

**Autumn Wood, #09-003.** Contact person: Janice Shively, 918/341-7218. Establish a new 60-bed licensed Specialized Facility for Alzheimer's Residents by Wood Manor Inc. Wood Manor, Inc. is owned by Dee Wayne Wood (50%) and DeAna Murlene Wood (50%). Cost: \$3,000,000. Date Filed: 2/12/09. Incomplete: 2/27/09. Complete: 3/25/09. Deadline for filing notice of intent to participate: 4/22/09. Decision due: 6/06/09. Applicant submitted a request for an extension of the decision deadline on 05/28/09, in order to provide additional information in response to the Department's staff investigation. The extension of the decision deadline was granted until 08/14/09, and the additional information is due no later than 7/31/09. Additional information received on July 31, 2009 to the staff's investigation. On August 13, 2009, the Staff's investigation was transmitted, and provided the applicant an opportunity to respond. Applicant submitted a request for an extension of the decision deadline on 08/14/09, in order to provide additional information in response to the Department's staff investigation. The extension of the decision deadline was granted until 09/14/09, and the additional information is due no later than 8/31/09. Approved: 9/14/09. Reconsideration Request Filed: 09/23/09. Reconsideration Request Granted: 10/05/2009. Reconsideration hearing was held on October 25, 2009, at 1pm, at OSDH, 1000 NE 10<sup>th</sup>, Oklahoma City, Room 1102. Decision is pending Administrative Law Judge's review and decision. The Department's approval of 9/14/09 was upheld by the Administrative Law Judge on 1-13-2010. Proponents filed a Petition To Review Administrative Order for Application For Stay in the District Court of Oklahoma County on 02/17/2010, CV-2010-171.

**Parkside Psychiatric Hospital & Clinic #09-031.** Contact Person: Debra Moore 919-582-2131. Change 9 (nine) Adult Beds to Youth Beds. Date Filed: 11/05/2009. Incomplete: 11/12/2009. Additional Information Due: 02/10/2010. Complete: 12/09/2009. Deadline for filing notice of intent to participate: 01/05/2010. Approved: 02/24/2010. Reconsideration Request Filed: 03/26/10. Reconsideration Request Granted: 04/05/2010. Reconsideration hearing scheduled for April 23, 2010, at 9:00 am, at OSDH, 1000 NE 10<sup>th</sup>, Oklahoma City, Room 1102.

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### **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.**

**Southtown Nursing and Ventilator Care #09-026.** Contact Person: William Daves 228-327-4577, primary, and 662-322-0506, secondary. Lease of Facility with 102-bed nursing facility. Cost: \$240,000.00. Date Filed: 09/02/2009. Incomplete: 09/09/2009. Additional Information Due: 12/08/2009. Complete: 12/09/2009. Deadline for filing notice of intent to participate: 01/06/2010. Jennifer Moore submitted a request for an extension of the decision deadline on 02/22/2010, in order to provide additional information in response to the Department's staff investigation. The extension of the decision deadline was granted until 03/12/2010, and the additional information is due no later than 03/05/2010. On March 4, 2010, Mr. Daves requested additional time to respond to staff investigation. An extension of the decision deadline was granted until 04/29/2010, and the additional information is due no later than 04/15/2010.

**The Golden Rule Home #09-027.** Contact Person: William Daves 228-327-4577, primary, and 662-322-0506, secondary. Purchase of 51% of Stock Transfer of 83-bed nursing facility. Cost: \$1,000,000.00. Date Filed: 09/15/09. Incomplete: 09/30/2009. Additional Information Due: 12/21/2009. Complete: 12/18/2009. Deadline for filing notice of intent to participate: 01/18/2010. On March 4, 2010, Mr. Daves requested additional time to respond to the staff investigation. An extension of the decision deadline was granted until 04/29/2010, and the additional information is due no later than 04/15/2010.

**Shawn Manor Nursing Home #09-032.** Contact Person: Jack Atkinson 405-330-1889. Purchase with subsequent lease/Management Agreement of a 96-bed nursing facility. Cost: \$ 2,639,207.00. Annual Lease: 362,697.12. Date Filed: 09/30/09. Incomplete: 10/08/2009. Information due: 01/05/2010. Complete: 12/28/2009. Deadline for filing notice of intent to participate: 01/26/2010. Decision due: 05/10/2010. On 03/11/2010, Mr. Atkinson requested additional time to respond to the staff investigation. An extension of the decision deadline was granted on 03-11-2010, for decision date of 04-05-2010, and the additional information is due no later than 03-25-2010. On 03-22-2010, Mr. Atkinson requested an additional extension of the deadline. Additional extension was granted on 03-23-2010, for the decision deadline until 05-10-2010, and the additional information due no later than 04-26-2010.

**Rolling Hills Care Center #09-033.** Contact Person: Jack Atkinson 405-330-1889. Purchase with subsequent lease/Management Agreement of a 126-bed nursing facility. Cost: \$ 2,375,252.64. Annual Lease: 246,360.72. Date Filed: 09/30/09. Incomplete: 10/07/2009. Information due: 01/05/2010. Complete: 12/28/2009. Deadline for filing notice of intent to participate: 01/24/2010. Decision due: 05/10/2010. On 03/11/2010, Mr. Atkinson requested additional time to respond to the staff investigation. An extension of the decision deadline was granted on 03-11-2010, for decision date of 04-05-2010, and the additional information is due no later than 03-25-2010. On 03-22-2010, Mr. Atkinson requested an additional extension of the deadline. Additional extension was granted on 03-23-2010, for the decision deadline until 05-10-2010, and the additional information due no later than 04-26-2010.

**Cimarron Pointe Care Center #09-034.** Contact Person: Jack Atkinson 405-330-1889. Purchase with subsequent lease/Management Agreement of a 108-bed nursing facility. Cost: \$ 3,328,004.00. Annual Lease: 346,313.40. Date Filed: 09/30/09. Incomplete: 10/07/2009. Information Due: 01/05/2010. Complete: 12/29/2009. Deadline for filing notice of intent to participate: 01/26/2010. Decision due: 05/10/2010. On 03/11/2010, Mr. Atkinson requested additional time to respond to the staff investigation. An extension of the decision deadline was granted on 03-11-2010, for decision date of 04-05-2010, and the additional information is due no later than 03-25-2010. On 03-22-2010, Mr. Atkinson requested an additional

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extension of the deadline. Additional extension was granted on 03-23-2010, for the decision deadline until 05-10-2010, and the additional information due no later than 04-26-2010.

**Sequoyah Pointe Living Center #09-035.** Contact Person: Jack Atkinson 405-330-1889. Purchase with subsequent lease/Management Agreement of a 92-bed nursing facility. Cost: \$3,104,918.00 Annual Lease: 339,837.12. Date Filed: 09/30/09. Incomplete: 10/08/2009. Information Due: 01/05/2010. Complete: 12/29/2009. Deadline for filing notice of intent to participate: 01/26/2010. Decision due: 05/10/2010. On 03/11/2010, Mr. Atkinson requested additional time to respond to the staff investigation. An extension of the decision deadline was granted on 03-11-2010, for decision date of 04-05-2010, and the additional information is due no later than 03-25-2010. On 03-22-2010, Mr. Atkinson requested an additional extension of the deadline. Additional extension was granted on 03-23-2010, for the decision deadline until 05-10-2010, and the additional information due no later than 04-26-2010.

### **III. Applications filed with the State Department of Health under the Certificate of Need Program, but not determined complete as of April 5, 2010, and which may be scheduled for reviews at later dates are:**

**Valliant Residential Living Centers #09-041.** Contact Person: Mr. Phillip Rhoades Ph# 918-790-2562. Construction of 40 new beds facility. Cost: \$3,514,800.00 Date Filed: 11/18/09. Incomplete: 11/30/09. Applicant provided additional information on 12/22/2009, information was again found to be incomplete. Applicant was sent notice of incompleteness on 2/23/2010. Information due: 05/22/2010.

**Coweta Manor Nursing Home #09-042.** Contact Person: Jack Atkinson 405-330-1889. Purchase of a 100-bed nursing facility. Cost: \$1,781,787.00. Date Filed: 11/18/2009. Incomplete: 11/30/2009. Applicant provided additional information on 02/17/10, information was again found to be incomplete. Applicant was sent notice of incompleteness on 2/23/2010. Information Due: 05/24/2010.

**Memorial Hospital #10 -002.** Contact Person: Alan Adams 918-696-310. Establishing 10 bed Gero-Psych Unit in Stilwell, OK. Cost: \$400,000.00. Date Filed: 02/17/2010. Incomplete: 03/02/2010. Information Due 06/20/2010.

**Parkside, Inc. #10-005.** Contact Person: Debra Moore 918-582-2131. Adding 20 new children(youths) psychiatric beds. Date filed: 03/31/2010.

### **IV. Exemption Requests filed with the State Department of Health under 63 O.S. § 1-852(C) (D) for exemption of Certificate of Need reviews as of March 1, 2010 are:**

**Willow Haven Nursing Home #09-021.** Exemption for Management Agreement. Filed: 07/27/2009. Incomplete: 08/14/09. Additional information received 08/24/09. Incomplete: 10/09/2009. Additional Information Due: 10/22/2009. No response received as of today's date.

**Franciscan Villa #10-003.** Exemption – Addition of 10 beds by conversation Filed: 03/02/2010. Exemption Approved 03/04/2010.

**Midwest City Nursing Center #10-004.** Exemption - Stock Transfer between existing owners. Date filed: 03/29/2010.