

THE NOTICE

December 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.

NEW: The Department now provides Long Term Care 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 November 1, 2010, through December 7, 2010, were as follows:

CERTIFICATE OF NEED APPLICATIONS APPROVED

None

CERTIFICATE OF NEED WITHDRAWN/DENIED/RECONSIDERATION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 decision deadline on 05/28/09, in order to provide additional information in response to the Department's staff investigation. Extension of decision deadline granted until 08/14/09. Additional information due and received 7/31/09. Staff investigation transmitted 08/13/2009, providing applicant opportunity to respond. Applicant submitted request for extension of decision deadline on 08/14/2009. Extension of decision deadline granted until 09/14/2009. Additional information due and submitted 08/31/2009. Application approved: 09/14/2009. --- Reconsideration request filed: 09/23/2009. Reconsideration request granted: 10/05/2009. Reconsideration hearing held 10/25/2009. Department's approval upheld by Administrative Law Judge on 01/13/2010. --- Claremore Nursing Home Inc. and Inola health Care Center Inc. filed *Petition To Review Administrative Order and Application For Stay*, CV-2010-171, in the District Court of Oklahoma County on 02/12/2010. Amity Care L.L.C. filed *Petition For Review of Final Agency Order*, CJ-2010-1252, in the District Court of Oklahoma County on 02/16/2010. Department filed *Answer Of Respondent, Oklahoma State Department Of Health, To Petition To Review Administrative Order And Application For Stay*, 03/10/2010. Department filed *Motion to Remand*, 03/10/2010. Claremore Nursing Home Inc. and Inola Health Care Center Inc. filed *Response to Request for Motion to Remand* on 03/26/2010. District Court grants oral motion of the parties to consolidate pending actions and issues *Order Granting Motion to Remand*, to address statutorily required findings of fact consistent with 63 O.S. § 1-853(A), 04/23/2010. Department filed with the Court a revised *Order* granting certificate of need on 05/06/2010. Judge Robertson held a scheduling conference 06/30/2010, and issued an order establishing the briefing schedule. Oral arguments scheduled for 1:30 pm, 10/20/2010 in District Court of Oklahoma County. On November 16, 2010, Judge Vicki Robertson affirmed, Chief Administrative Law Judge Gary E. Payne's Final Order on Reconsideration dated 01/14/2010.

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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.

Meadow brook ICF/MR#3 #09-019. Contact Person: Bobby Cox 918-658-2180. New eight (8) Bed ICF/MR Facility. Cost \$380,000. Date Filed: 07/07/2009. Incomplete: 07/16/2009. Information due: 10/15/2009. Additional information filed: 10/15/2010. Incomplete 11/6/2009. Application summarily dismissed: 11/19/2009. Application dismissal withdrawn: 4/14/2010. Additional information due 07/13/2010. Additional information filed 9/16/2010. Complete 09/20/2010. Deadline for filing notice of intent to participate: 10/18/2010. Decision due: 12/02/2010. Initial decision due date was: 12/02/2010. The Department and applicant have agreed to an extension based on revisions and responses to the preliminary investigative report. The current decision deadline is 12/30/2010.

Rolling Hills Hospital #10-020. Contact Person: McAfee & Taft, Patricia Rogers. (405)-552-2233. Add eight (8) new adult psychiatric beds. Date filed: 09/14/2010. Complete: 09/17/2010. Deadline for filing notice of intent to participate: 10/14/2010. Initial decision due date was 11/29/2010. The Department and applicant have agreed to an extension based on revisions and responses to the preliminary investigative report. The current decision deadline is 12/20/2010.

Broken Bow Nursing Home #10-024. Contact Person: Jack Atkinson, 405-330-1889. Facility Acquisition – Lease. Date Filed: 10/07/2010. Incomplete date: 10/21/2010. Information Due: 01/19/2011. Additional information filed 11/29/2010. Complete 11/30/2010. Deadline for filing notice of intent to participate: 12/23/2010. Decision due: 02/07/2011.

III. Applications filed with the State Department of Health under the Certificate of Need Program, but not determined complete as of December 7, 2010, and which may be scheduled for reviews at later dates are:

Betty Ann Nursing Center #10-035. Contact Person: Nita Giles, 405-848-1640. Facility Acquisition of a 60 bed Nursing Center. Date Filed: 11/12/2010. Incomplete date: 11/17/2010. Information Due: : 02/17/2011.

Grand Lake Villa #10-036. Contact Person: Nita Giles, 405-848-1640. Facility Acquisition of a 100 bed Nursing Center. Date Filed: 11/12/2010. Incomplete date: 11/17/2010. Information Due: 02/17/2011.

The Living Center #10-037. Contact Person: Nita Giles, 405-848-1640. Facility Acquisition of a 50 bed Nursing Center. Date Filed: 11/12/2010. Incomplete date: 11/17/2010. Information Due: 02/17/2011.

Enid Senior Care #10-038. Contact Person: Nita Giles, 405-848-1640. Facility Acquisition of a 102 bed Nursing Center. Date Filed: 11/12/2010. Incomplete date: 11/17/2010. Information Due: : 02/17/2011.

Kenwood Manor #10-039. Contact Person: Nita Giles, 405-848-1640. Facility Acquisition of a 60 bed Nursing Center. Date Filed: 11/12/2010. Incomplete date: 11/17/2010. Information Due: 02/17/2011.

Shoan Springs Nursing and Rehab #10-040. Contact Person: Nita Giles, 405-810-9999. Facility Acquisition of an 82 bed Nursing Center. Date Filed: 12/02/2010.

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 December 7, 2010, are:

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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.

Golden Oaks Nursing Center #10-009. Exemption - Management Agreement. Date filed: 04/12/2010. Incomplete: 05/04/2010. No response received as of today's date.

Tuttle Care Center #10-021. Exemption – Change of Ownership- Estate Planning. Date filed: 10/01/2010. Incomplete date: 10/11/2010.

Temple Manor Nursing Home #10-022. Exemption – Change of Ownership- Estate Planning. Date filed: 10/01/2010. Incomplete date: 10/11/2010.

Willow Park Health #10-023. Exemption – Change of Ownership- Estate Planning. Date filed: 10/01/2010. Incomplete date: 10/11/2010.

The Gardens #10-025. Exemption-10 bed increase. Date filed: 10/15/2010. Complete: 10/20/2010. Decision due: 10/30/2010. Complete date: 10/20/2010. Approved date: 11/04/2010.

Harrah Nursing Center #10-026. Exemption – Management Agreement. Date filed: 10/19/2010. Incomplete Date: 11/03/2010.

Harrah Nursing Center #10-027. Exemption – Management Agreement. Date filed: 10/19/2010. Incomplete Date: 11/01/2010.

Edwards Redeemer Nursing Center #10-028. Exemption – Management Agreement. Date filed: 10/19/2010. Incomplete Date: 11/03/2010.

Edwards Redeemer Nursing Center #10-029. Exemption – Management Agreement. Date filed: 10/19/2010. Incomplete Date: 11/01/2010.

Northwest Nursing Center # 10-030. Exemption – Management Agreement. Date filed: 10/19/2010. Incomplete date: 11/01/2010.

Northwest Nursing Center # 10-031. Exemption – Management Agreement. Date filed: 10/19/2010. Incomplete date: 11/03/2010.

Wewoka Nursing Home, Inc. # 10-032. Exemption – Ownership Change – Operation of Law. Date filed: 11/04/2010. Complete 12/07/2010, Decision due 12/22/2010.

Colonial Park Nursing Home # 10-033. Exemption – Ownership Change – Operation of Law. Date filed: 11/04/2010.

Duncan Care Center # 10-034. Exemption – Replacement /Relocation. Date filed: 11/05/2010.

Colonial Park Nursing Home. # 10-041. Exemption – Management Agreement. Date filed: 12/01/2010.

Wewoka Nursing Home, Inc. # 10-042. Exemption – Management Agreement. Date filed: 12/01/2010. Complete 12/07/2010, Decision due 12/22/2010.