



The Tennessee Sunshine Law Passed by the General Assembly in 1974 requires that meetings of state, city and county government bodies be open to the public and that any such governmental body give adequate public notice of such meeting.

TENNESSEE DEPARTMENT OF HEALTH

MEMORANDUM

AMENDED

Date: October 6, 2020

To: Shelley Walker, Director of Communications and Media Relations

From: Wanda E. Hines, Board Administrator

Name of Board or Committee: Board for Licensing Health Care Facilities
Board Meeting

Date of Meeting: October 7, 2020

Time: 9:00 a.m. Central Time

Place: **WebEx Event: Due to COVID-19 considerations, please join us in our virtual meeting which is open to the public using the instructions below.**

During the meeting, please join using the information below:

Join as an attendee:

<https://tngov.webex.com/tngov/onstage/g.php?MTID=eca04faadb2948d0f21d7c1a46fcdf3d>

Event Number: 171 533 2891

Event Password: HCF2020

Join the audio conference only

To join the meeting telephonically call the number below and enter the access code.

US TOLL +1-415-665-0003 Event number/Access code: 171 533 2891

Major Item(s) on Agenda: See Attached Agenda

Board members will be participating by WebEx Event/telephone.

This memo shall be forwarded from individual programs to the Public Information Office on the 15th day of the preceding month. The Public Information Office will prepare the monthly list of meetings within the Department and have ready for distribution to state media by the 28th day of the preceding month.



LISA PIERCEY, MD, MBA, FAAP
COMMISSIONER

BILL LEE
GOVERNOR

*THE MISSION OF THE TENNESSEE DEPARTMENT OF HEALTH IS TO PROTECT, PROMOTE AND IMPROVE
THE HEALTH AND PROSPERITY OF PEOPLE IN TENNESSEE*

AGENDA

BOARD FOR LICENSING HEALTH CARE FACILITIES

WEBEX BOARD MEETING

OCTOBER 7, 2020

IRIS CONFERENCE ROOM, FIRST FLOOR

9:00 a.m.

**PLEASE REMEMBER TO SILENCE YOUR ELECTRONIC DEVICES
WHEN THE BOARD IS IN SESSION**

- I. WELCOME NEW BOARD MEMBERS:** Jennifer Tatum-Cranford, Pharm. D., Doctor of Pharmacy Representative replacing Carissa Lynch and Dr. Howard Daniel Clark, DDS, Oral Surgeon Representative replacing Dr. Jennifer Gordon-Maloney.
- II. CALL THE MEETING TO ORDER AND ESTABLISH A QUORUM.**
- III. LICENSE STATUS REQUESTS.**

A. CHRISTIAN CARE CENTER OF BOLIVAR, BOLIVAR (NH #116)

This sixty-seven (67) bed skilled nursing home facility is seeking a second extension waiver for their license to remain on inactive status through February 2022. The owner of the nursing home holds a Certificate of Need (CON) for the construction of a replacement facility, which is necessary for its re-opening and resumption of services. The construction of the CON authorized replacement facility has been delayed due to weather and COVID-19. An extension of the CON until December 2021 will be requested from HSDA and is expected to be granted at its October 2020 meeting. Christian Care Center of Bolivar's license was placed on inactive status for one (1) year on October 18, 2017; an extension waiver for inactive status was granted on October 3, 2018 until December 1, 2020 to coincide with the current Certificate of Need expiration date.

REPRESENTATIVE(S): Jerry W. Taylor, Attorney

B. CHRISTIAN CARE CENTER OF MEDINA, MEDINA (NH #308)

This sixty-six (66) bed skilled nursing home facility is requesting a third extension waiver for their license to remain on inactive status through October 2021. The owner of the nursing home holds a Certificate of Need (CON) for the construction of a replacement facility, which is necessary for the re-opening and the resumption of services. The CON is valid until February 1, 2022, and construction of the replacement facility is expected to be completed around November of 2021 assuming no unusual delays due to weather or other factors. Christian Care Center of Medina's license was placed on inactive status for one (1) year on June 7, 2017; an extension waiver for inactive status was granted for an additional one (1) year on June 6, 2018; a second extension for inactive status was granted for an additional one (1) year on June 5, 2019 which will expire on October 7, 2020.

REPRESENTATIVE(S): Jerry W. Taylor, Attorney

C. CHRISTIAN CARE CENTER OF WASHINGTON COUNTY, f/k/a FAMILY MINISTRIES JOHN M. REED CENTER, LIMESTONE (NH #293)

This sixty-three (63) bed skilled nursing home facility is requesting a second extension waiver for their license to remain on inactive for an additional one (1) year through October 7, 2021. The owner of the nursing home was granted a Certificate of Need (CON) on August 26, 2020 for the construction of a replacement facility for its re-opening and the resumption of services. The CON will be valid until approximately November 1, 2022 (the date has not yet been definitively set). Christian Care Center of Washington County's license was placed on inactive status for one (1) year on October 4, 2018; an extension waiver for inactive status was granted for an additional twelve (12) months on October 2, 2019 which will expire on October 7, 2020.

REPRESENTATIVE: Jerry W. Taylor, Attorney

D. COPPER BASIN MEDICAL CENTER, COPPERHILL (HOSP #94)

This twenty-five (25) bed hospital facility is requesting a third extension of the inactive status extension for one (1) additional year through October 7, 2021. The county of Polk and the City of Ducktown currently hold the title to Real Property and Personal Property, since acquiring the property they have been working on finding a potential buyer. Currently, Copper Basin has leased the Medical Building to a couple of doctors and a physical therapy group which helps retain some health services for the community. They have talked with other hospitals about possible health services for their community and they are still in communication with some of these potential providers. Copper Basin Medical Center's license was placed on inactive status for one (1) year on October 4, 2017; an extension waiver for inactive status was granted on October 3, 2018 for an additional one (1) year; and a second extension waiver for inactive status for an additional one (1) year was granted on October 2, 2019 which will expire on October 7, 2020.

REPRESENTATIVE(S): Mayor Doug Collins, Administrator

- E. JAMESTOWN REGIONAL MEDICAL CENTER, JAMESTOWN (HOSP #48)**
This eighty-five (85) bed hospital facility is requesting to place their license back on inactive status for one (1) additional year. Jamestown Regional Medical Center was previously on inactive status expired on June 3, 2020. Mr. Michael Alexander was unable to attend the June 2020 meeting; he requested to be placed on the October 7-8, 2020 Board meeting agenda to request a further inactive status of the facility's license. Jamestown Regional Medical Center will not be admitting or treating patients at this location. At this time, no patients needed to be relocated to other facilities.

REPRESENTATIVE(S): Michael Alexander, CEO

- F. KINGSPORT AMBULATORY SURGERY CENTER, KINGSPORT (ASTC #113)**
This ambulatory surgical treatment center is requesting to place their license on inactive status for a period of two (2) years. COVID-19 has affected the ability for elective surgeries to be performed at Kingsport Ambulatory Surgery Center. Currently, the owner is evaluating all its options.

REPRESENTATIVE(S): Kim Harvey Looney, Attorney

- G. SAINT THOMAS OUTPATIENT NEUROSURGICAL CENTER, NASHVILLE (ASTC #126) d/b/a ASCENSION SAINT THOMAS**
This ambulatory surgical treatment center is requesting an extension waiver for their license to remain on inactive status for an additional one (1) year through October 2021 as Ascension Saint Thomas continues to perform an administrative review. Saint Thomas Outpatient Neurosurgical Center was placed on inactive status on October 2, 2019 for one (1) year which will expire on October 2020.

REPRESENTATIVE(S): Timothy Shalvey, Attorney

- H. TENNOVA HEALTHCARE HOSPICE IN-PATIENT HOSPICE HOUSE, KNOXVILLE (RHF #2)**
This eighteen (18) bed residential hospice facility is requesting a third extension waiver for their license to remain on inactive status for an additional one (1) year through October 2021. This facility is reviewing its status and hopes to be able to reopen if it can be financially feasible. Tennova Healthcare Hospice In-patient Hospice House was placed on inactive status on October 4, 2017 which expired on October 4, 2018, an extension was granted October 3, 2018 which expired October 2019.

REPRESENTATIVE(S): Kim Harvey Looney, Attorney

IV. WAIVER REQUESTS.

A. MABRY HEALTH CARE AND REHAB, GAINESBORO (NH #136)

This eighty-three (83) bed skilled nursing facility is requesting to waive Nursing Home Rule 1200-08-06-.04(1) to allow the interim nursing home administrator who is also the Director of Nursing to assume both roles until a permanent administrator can be hired. This rule states in part, “The nursing home shall have a full-time (working at least 32 hours per week) administrator licensed in Tennessee, who shall not function as the director of nursing.” Mabry Health Care and Rehab was granted a waiver for an unexpected loss of administrator according to Nursing Home Rule 1200-08-06-.04(4) at the February 5, 2020 Board meeting. The facility is in a rural area that has fewer resources to find a replacement for either of these two positions. The facility’s plan is for their current Business Administrative Assistant and Assisted Living Administrator to assume this role as a Nursing Home Administrator once she obtains her degree and NHA license. This will take approximately one (1) year.

REPRESENTATIVE(S): Heather Stafford, Interim Administrator/Director of Nursing

B. PERRY COMMUNITY HOSPITAL, LINDEN (HOSP #93)

This fifty-three (53) bed rural hospital is requesting to waive Hospital Rule 1200-08-01-.06(4)(c) which states in part, “There must be supervisory and staff personnel for each department or nursing unit to ensure, when needed, the immediate availability of a registered nurse for bedside care of any patient.” Due to the current COVID-19 Pandemic this hospital is having a difficult time in meeting the requirement for 1 RN per unit. Currently, LPNs and CNAs are assisting in provision of patient care under the supervision of the RN. This hospital is requesting this waiver requirement until at such time they can recruit and train adequate RNs to meet this requirement or the ending of this current pandemic.

REPRESENTATIVE(S): Liane Parker, Administrator

C. SISKIN HOSPITAL FOR PHYSICAL REHABILITATION, CHATTANOOGA (HOSP #67)

This eighty-eight (88) bed hospital is requesting to increase their rehab beds count for eight (8) additional beds. The total licensed acute beds complement will be ninety-six (96) beds upon approval. This request is made pursuant to the Tennessee Health Services and Development Agency statute T.C.A. §68-11-1607(g).

Siskin Hospital for Physical Rehabilitation second request is an extension of the temporary addition of twelve (12) IRF beds until August 31, 2021. Due to the COVID-19 pandemic, as allowed via CMS 412.29(c)(2) Hospital without Walls, the Governor’s Executive Orders #36 and #50, and Board Policy #82, Siskin was approved for the use of twelve (12) IRF beds in the adjacent nursing home, St. Barnabas at Siskin Hospital, effective August 17, 2020. This extension request is to carry Siskin through the completion of the build out of their 2-East Unit in which the permanent ten percent triennial increase would be put into place.

REPRESENTATIVE(S): Matthew Gibson, President and CEO and Carol Arnhart, Vice President, Finance and Chief Financial Officer

D. ST. JUDE CHILDREN’S RESEARCH HOSPITAL, MEMPHIS #113

St. Jude Children’s Research Hospital, Memphis is requesting expansion of services provided at their temporary COVID-19 locations. The federal and state COVID-19 waivers allow hospital services to expand to new temporary locations, to enforce distancing and prevent unnecessary exposure. St. Jude hopes this will allow their temporary COVID-19 and respiratory illness drive-thru sample collection sites to continue past the October 7, 2020 and to expand their scope beyond specimen collection for laboratory testing and verbal screening, to add vaccination services.

REPRESENTATIVE(S): Monica M. Hon, Vice President & Director of Client Solutions, Advis and Robert R. Clark, Chief Government Affairs Officer, St Jude

E. THE UNIVERSITY OF TENNESSEE MEDICAL CENTER, KNOXVILLE (HOSP #46)

The University of Tennessee Medical Center (UTMC), Knoxville operates a COVID-19 screening and testing facility in a temporary testing structure on its campus in accordance with Board Policy #82. Approximately 700 COVID-19 tests per week are performed in the temporary testing structure. In its absence, these tests would be performed in the UTMC Emergency Department. UTMC requests that if Board Policy #82, is not extended UTMC be granted a waiver from all Board rules and policies which would otherwise prevent the hospital from continuing to operate the temporary testing structure on its campus as needed. UTMC requests the waiver be effective until October 2021 board meeting.

REPRESENTATIVE(S): Jerry W. Taylor, Attorney

F. VANDERBILT UNIVERSITY MEDICAL CENTER, NASHVILLE (HOSP #27)

Vanderbilt University Medical Center (VUMC), Nashville is seeking to continued operation of its temporary structure known as the E-Pod Unit and E-Pod Employee Assessment Center located in the VUMC parking garage across from the VUMC adult emergency department (“ED”) according to Board Policy #82. The facility used to evaluate patients who present to the ED, and who are either identified as COVID-19 patient or who are exhibiting symptoms consistent with COVID-19. VUMC fully supports the extension of Board Policy #82, as it relates to temporary hospital structures. If Board Policy #82 is not extended VUMC respectfully requests (1) approval by the Board to continue operation of the E-Pod until the Board’s meeting in October of 2021 and (2) waiver of any facility guidelines applicable to the E-Pod except those set forth in Board Policy #82.

REPRESENTATIVE(S): Dan H. Elrod, Attorney

V. DISCUSSION(S).

- A.** Revisit-Approved Interpretative Guidelines regarding the COVID-19 Crisis waivers in effect until the October 7, 2020 Board meeting.

- B.** CoPEC Final Draft of Pediatric Emergency Care Facilities Rules-Chapter 1200-08-30 for Board Approval.

REPRESENTATIVE(S): Natasha Kurth, Executive Director
Children's Emergency Care Alliance of Tennessee (CECA TN)

- C.** DIDD Submission of Interpretative Guideline for PSS Agency Survey.

REPRESENTATIVE(S): Karen Wills, Director, Therapeutic Services
Office of Clinical Services

- D.** Home Medical Equipment Licensure Requirement.

REPRESENTATIVE(S): David Baxter, President, Baxter Management

- E.** Request Rule Change for Ambulatory Surgery Treatment Centers according to CMS changes.

REPRESENTATIVE(S): Judy Eads, RN Consultant
Key Management Associates LLC

- F.** Propose Board Meeting Dates for Year 2021.

VI. BOARD POLICY CONSENTS.

- A. THE FOLLOWING NURSING HOMES ARE REQUESTING TO WAIVE NURSING HOME REGULATIONS 1200-08-06-.04(1) FOR A TENNESSEE REPLACEMENT IS HIRED OR RECEIVES HIS/HER LICENSE IN TENNESSEE BY BOARD POLICY #81:**

1. Donalson Care Center, Fayetteville (NH #159)
- Jack Grove, Temporary Administrator
2. Magnolia Healthcare and Rehabilitation Center, Columbia (NH #182)
- Jason Stewart, Temporary Administrator
3. Tennessee State Veteran's Home, Humboldt (NH #346)
- Jennifer McNabb Mullikin, Temporary Administrator
4. Diversicare of Martin, Martin (NH #281)
- Scottie Casey, Temporary Administrator

VII. CONSIDERATION AND RATIFICATION OF LICENSURE APPLICATIONS (CHANGE OF OWNERSHIP (CHOWS) AND (INITIALS)).

A. SPECIAL CONSIDERATION

1. (INITIALS)
N/A

2. (CHOWS)
N/A

B. RATIFICATION.

1. **QUALIFYING APPLICATIONS (Approval)**

(INITIALS)

(a) Assisted Care Living Facility

Harbor Chase of Germantown, Memphis
South High Senior Living, Knoxville
The Lantern at Morning Pointe Alzheimer's Center, Knoxville

(b) End Stage Renal Dialysis Clinics

Kingsport Kidney Center, Kingsport

(c) Home Medical Equipment

Neurology Clinic, PC, Cordova
Queen City Medical Supply, LLC, Clarksville

(d) Outpatient Diagnostics Centers

Lebanon PET Scan Center, LLC, Lebanon

(e) Professional Support Services

Americare Home Health Agency, LLC, Memphis
Lorie Bain, Franklin
North Delta Medical Services, Inc., Memphis
Rhonda Bolton, Johnson City

2. (CHOWS)
N/A

VIII. APPROVAL OF MINUTES.

- A. May 27, 2020 – Emergency Called Rulemaking Hearing
- B. June 3, 2020 – Board Meeting
- C. September 8, 2020 – Emergency Called WebEx Board Meeting
- D. September 15, 2020 – Performance Improvement Issue Standing Committee Meeting

IX. LICENSE STATUS UPDATES.

DEACONESS HOMECARE, MT. JULIET (HHA #282)

This home health agency had experience flooding due to broken pipes. The main provider was temporarily working from the branch office in Cookeville, TN and has forwarded their phones and faxes to that location. Deaconess HomeCare has notified the department they are no longer working with their branch office in Cookeville, TN. All issues have been resolved and their phone lines were returned to their main office.

DIALYSIS ASSOCIATES OF MURFREESBORO HOME TRAINING, MURFREESBORO (ESRD #133)

Effective June 22, 2020, Dialysis Associates of Murfreesboro Home Training, Murfreesboro clinic flooded due to a subcontractor hitting the sprinkler head and causing the fire alarm and sprinkler system to come on. The clinic is currently under repairs, but it is taking longer than previously estimated for this completion. Dialysis Associates of Murfreesboro Home Training currently has 65 patients that need their monthly visits as well as 8 additional patients that need to be admitted and trained on Home Therapy. Until August 29th we are going to utilize a previously licensed and certified Home Therapy treatment room in our FKC Franklin clinic. The FKC Franklin clinic has 1 pod available that we can use the 4 chairs to draw labs and do assessments. There are some patients that are not able to travel to the Franklin clinic, so they are using one of the exam rooms at the physician's office that is across the street from the Home clinic in Murfreesboro. Dialysis Associates of Murfreesboro Home Training is estimating the required repair work to the clinic will take until August 29th to complete. They are hoping to move their patients back to the clinic by August 31st.

UNICOI COUNTY HOSPITAL, ERWIN (HOSP #119), HAWKINS COUNTY MEMORIAL HOSPITAL, ROGERSVILLE (HOSP #60) AND HANCOCK COUNTY HOSPITAL, SNEEDVILLE (HOSP #165)

Effective July 16, 2020 Ballad Health Hospitals will temporarily suspend inpatient services at Unicoi County Hospital, Erwin; Hawkins County Memorial Hospital, Rogersville; and Hancock County Hospital, Sneedville. The emergency departments of such hospitals will remain open to assist residents with urgent medical needs-this temporary suspension only affects inpatient services. Any inpatients at the three hospitals on the effective date will continue to be treated at the facility until they are medically cleared for discharge. Ballad intends that such temporary suspension will be in effect only if the COVID-19 patient surge requires such additional staffing in the COVID-19 units. Once the COVID-19 surge subsides, Ballad will restore inpatient services at all three hospitals through a coordinated strategy and communications plan.

CST COMMUNICATION & SWALLOWING THERAPIES (PSS #295)

This PSS provider was on the June 3, 2020 Board agenda but was not present regarding an unacceptable Plan of Correction and further disciplinary action was pending. The owner of CST Communication & Swallowing Therapies, Knoxville voluntarily closed the license effective July 14, 2020.

UNITY MEDICAL CENTER, MANCHESTER (HOSP #17)

This forty-nine (49) bed hospital would like to withdraw their waiver request sent to the licensing agency on January 24, 2020 concerning the proposed 4 bed ICU. After collaboration with the State of Tennessee Plans Review Section and architectural and engineering firms, a plan was developed. This plan allowed Unity Medical Center to meet current codes for the ICU making a waiver request no longer necessary.

DIALYZE DIRECT TN, LLC, MEMPHIS (ESRD #270)

This ESRD facility was granted approval on April 1, 2020 to allow Dialyze Direct TN, LLC, Memphis an initial licensure approval. This approval was conditioned upon the submission of responses to Plan Review comments dated July 31, 2019 to the Office of Health Care Facilities, Plans Review. Plans have been submitted to the Office of Health Care Facilities, Plans Review thereby meeting the requested requirement.

***FACILITY CLOSURES**

See attachment.

X. REPORTS.

- A. **EMS REPORT** – Robert Seesholtz, Trauma System Manager, EMS
- B. **NURSE AIDE REPORT** – Wanda King, Program Manager, CNA
- C. **OFFICE OF GENERAL COUNSEL REPORT** – Caroline Tippens,
Senior Associate General Counsel
- D. **OFFICE OF HEALTH CARE FACILITIES REPORT** – Vincent Davis, Director
Health Care Facilities
- E. **PERFORMANCE IMPROVEMENT ISSUE STANDING COMMITTEE
MEETING REPORT – SEPTEMBER 15, 2020** – Ann Reed

XI. ORDERS.

- A. **CONSENT ORDER(S).**

XII. REGULATION(S).

- A. **BOARD APPROVAL FOR RULEMAKING HEARING**
N/A
- B. **PROPOSED RULE LANGUAGE**
N/A

**MINUTES
BOARD FOR LICENSING HEALTH CARE FACILITIES
BOARD MEETING
OCTOBER 7, 2020**

The Board for Licensing Health Care Facilities meeting began on October 7, 2020. Dr. René Saunders, chair, called the meeting to order.

A quorum roll call vote was taken:

Mr. Paul Boyd—not here
Mr. Robert Breeden—here
Mr. Louis Caputo—here
Dr. Howard Clark—here
Dr. Patsy Carihfield—here
Mr. Joshua Crisp—here
Mr. Chuck Griffin—here
Dr. Julie Jeter—here, arrived at 9:40am
Ms. Patricia Ketterman—here
Mr. Roger Mynatt—here
Ms. Susan Peach—here
Dr. Sherry Robbins—here
Dr. René Saunders—here
Mr. Jim Shulman—not here, arrived later in the afternoon
Ms. Jennifer Tatum-Cranford—here
Ms. Gina Throneberry—here
Ms. Janet Williford—not here, arrived later in the afternoon
Mr. Bobby Wood—not here

A quorum was established.

Able to hear response given by each participant to the roll call:

Mr. Robert Breeden—yes
Mr. Louis Caputo—yes
Dr. Howard Clark—yes
Dr. Patsy Carihfield—yes
Mr. Joshua Crisp—yes
Mr. Chuck Griffin—yes
Ms. Patricia Ketterman—yes
Mr. Roger Mynatt—yes
Ms. Susan Peach—yes
Dr. Sherry Robbins—yes
Dr. René Saunders—yes
Ms. Jennifer Tatum-Cranford—yes
Ms. Gina Throneberry—yes

LICENSE STATUS REQUEST:

Ms. Ann Reed presented 9 licensure status requests.

Christian Care Center of Bolivar, Bolivar (NH #116)

This sixty-seven (67) bed skilled nursing home facility sought a second extension waiver for their license to remain on inactive status through February 2022. The owner of the nursing home holds a Certificate of Need (CON) for the construction of a replacement facility, which is necessary for its re-opening and resumption of services. The construction of the CON authorized replacement facility has been delayed due to weather and COVID-19. An extension of the CON until December 2021 will be requested from HSDA and is expected to be granted at its October 2020 meeting. **Mr. Mynatt made a motion to approve the waiver until October 2021; Dr. Robbins seconded.**

A roll call vote was taken:

- Mr. Robert Breeden–no response
- Mr. Louis Caputo–yes
- Dr. Howard Clark–yes
- Dr. Patsy Carihfield–yes
- Mr. Joshua Crisp–yes
- Mr. Chuck Griffin–yes
- Ms. Patricia Ketterman–yes
- Mr. Roger Mynatt–yes
- Ms. Susan Peach–yes
- Dr. Sherry Robbins–yes
- Dr. René Saunders–abstain
- Ms. Jennifer Tatum-Cranford–yes
- Ms. Gina Throneberry–yes

The motion was approved.

Christian Care Center of Medina, Medina (NH #308)

This sixty-six (66) bed skilled nursing home facility requested a third extension waiver for their license to remain on inactive status through October 2021. The owner of the nursing home holds a Certificate of Need (CON) for the construction of a replacement facility, which is necessary for the re-opening and the resumption of services. The CON is valid until February 1, 2022, and construction of the replacement facility is expected to be completed around November of 2021 assuming no unusual delays due to weather or other factors. The representative for the facility was Mr. Jerry Taylor. **Mr. Mynatt made a motion to approve the waiver until February 2022 to coincide with the CON; Dr. Robbins seconded.**

A roll call vote was taken:

- Mr. Robert Breeden–no response
- Mr. Louis Caputo–yes
- Dr. Howard Clark–yes
- Dr. Patsy Carihfield–yes
- Mr. Joshua Crisp–yes
- Mr. Chuck Griffin–yes
- Ms. Patricia Ketterman–yes

Mr. Roger Mynatt–yes
Ms. Susan Peach–yes
Dr. Sherry Robbins–yes
Dr. René Saunders–abstain
Ms. Jennifer Tatum-Cranford-yes
Ms. Gina Throneberry–yes

The motion was approved.

Christian Care Center of Washington County, f/k/a Family Ministries of John M. Reed Center, Limestone (NH #293)

This sixty-three (63) bed skilled nursing home facility requested a second extension waiver for their license to remain on inactive for an additional one (1) year through October 7, 2021. The owner of the nursing home was granted a Certificate of Need (CON) on August 26, 2020 for the construction of a replacement facility for its re- opening and the resumption of services. The CON will be valid until approximately November 1, 2022 (the date has not yet been definitively set). The representative for the facility was Mr. Jerry Taylor. **Mr. Mynatt made a motion to grant the waiver until October 2022; Ms. Ketterman seconded.**

A roll call vote was taken:

Mr. Robert Breeden–no response
Mr. Louis Caputo–yes
Dr. Howard Clark-yes
Dr. Patsy Carihfield–yes
Mr. Joshua Crisp–yes
Mr. Chuck Griffin–yes
Ms. Patricia Ketterman–yes
Mr. Roger Mynatt–yes
Ms. Susan Peach–yes
Dr. Sherry Robbins–yes
Dr. René Saunders–abstain
Ms. Jennifer Tatum-Cranford-yes
Ms. Gina Throneberry–yes

The motion was approved.

Copper Basin Medical Center, Copperhill (Hosp #94)

This twenty-five (25) bed hospital facility requested a third extension waiver for their license to remain on inactive status for one (1) additional year through October 7, 2021. The county of Polk and the city of Ducktown currently hold the title to Real Property and Personal Property, since acquiring the property they have been working on finding a potential buyer. Currently, Copper Basin has leased the Medical Building to a couple of doctors and a physical therapy group which helps retain some health services for the community. They have talked with other hospitals about possible health services for their community and they are still in communication with some of these potential providers. The representative for the facility was Mayor Doug Collins. **Mr. Mynatt made a motion to grant the waiver until October 2021; Ms. Peach seconded.**

A roll call vote was taken:

- Mr. Robert Breeden–no response
- Mr. Louis Caputo–yes
- Dr. Howard Clark–yes
- Dr. Patsy Carihfield–yes
- Mr. Joshua Crisp–yes
- Mr. Chuck Griffin–yes
- Ms. Patricia Ketterman–yes
- Mr. Roger Mynatt–yes
- Ms. Susan Peach–yes
- Dr. Sherry Robbins–yes
- Dr. René Saunders–abstain
- Ms. Jennifer Tatum-Cranford–yes
- Ms. Gina Throneberry–yes

The motion was approved.

Jamestown Regional Medical Center, Jamestown (Hosp #48)

This eighty-five (85) bed hospital facility requested to place their license back on inactive status for one (1) additional year. Jamestown Regional Medical Center was previously on inactive status which expired on June 3, 2020. Mr. Michael Alexander was unable to attend the June 2020 meeting; he requested to be placed on the October 7-8, 2020 Board meeting agenda to request a further inactive status of the facility's license. Jamestown Regional Medical Center will not be admitting or treating patients at this location. At this time, no patients needed to be relocated to other facilities. The representative for the facility was Mr. Michael Alexander. **Mr. Mynatt made a motion to grant the waiver until October 2021; Dr. Robbins seconded.**

A roll call vote was taken:

- Mr. Robert Breeden–no response
- Mr. Louis Caputo–yes
- Dr. Howard Clark–yes
- Dr. Patsy Carihfield–yes
- Mr. Joshua Crisp–yes
- Mr. Chuck Griffin–yes
- Dr. Julie Jeter–yes (Joined meeting at approximately 9:40 am)
- Ms. Patricia Ketterman–yes
- Mr. Roger Mynatt–yes
- Ms. Susan Peach–yes
- Dr. Sherry Robbins–yes
- Dr. René Saunders–abstain
- Ms. Jennifer Tatum-Cranford–yes
- Ms. Gina Throneberry–yes

The motion was approved.

Kingsport Ambulatory Surgery Center, Kingsport (ASTC #113)

This ambulatory surgical treatment center requested to place their license on inactive status for a period of two (2) years. COVID-19 has affected the ability for elective surgeries to be performed at Kingsport Ambulatory Surgery Center. Ms. Kim Harvey Looney was the representative for the facility. **Dr. Robbins recused. Mr. Mynatt made a motion to grant the waiver until October 2022; Ms. Peach seconded.**

A roll call vote was taken:

Mr. Robert Breeden–no response
Mr. Louis Caputo–yes
Dr. Howard Clark–yes
Dr. Patsy Carihfield–yes
Mr. Joshua Crisp–yes
Mr. Chuck Griffin–yes
Dr. Julie Jeter–yes
Ms. Patricia Ketterman–yes
Mr. Roger Mynatt–yes
Ms. Susan Peach–yes
Dr. Sherry Robbins–recused
Dr. René Saunders–abstain
Ms. Jennifer Tatum-Cranford–yes
Ms. Gina Throneberry–yes

The motion was approved.

Saint Thomas Outpatient Neurosurgical Center, Nashville (ASTC #126)

This ambulatory surgical treatment center requested an extension waiver for their license to remain on inactive status for an additional one (1) year through October 2021 as Ascension Saint Thomas continues to perform an administrative review. Mr. Timothy Shalvey was the representative for the facility. **Mr. Caputo made a motion to grant the waiver until October 2021; Mr. Mynatt seconded.**

A roll call vote was taken:

Mr. Robert Breeden–no response
Mr. Louis Caputo–yes
Dr. Howard Clark–yes
Dr. Patsy Carihfield–yes
Mr. Joshua Crisp–yes
Mr. Chuck Griffin–yes
Dr. Julie Jeter–yes
Ms. Patricia Ketterman–yes
Mr. Roger Mynatt–yes
Ms. Susan Peach–yes
Dr. Sherry Robbins–yes
Dr. René Saunders–abstain
Ms. Jennifer Tatum-Cranford–yes
Ms. Gina Throneberry–yes

The motion was approved.

Tenova Healthcare Hospice In-Patient Hospice House, Knoxville (RHF #2)

This eighteen (18) bed residential hospice facility requested a third extension waiver for their license to remain on inactive status for an additional one (1) year through October 2021. This facility is reviewing its status and hopes to be able to reopen if it can be financially feasible. The representative for the facility was Ms. Kim Harvey Looney. **Ms. Peach made a motion to grant the waiver until October 2021; Mr. Mynatt seconded.**

A roll call vote was taken:

Mr. Robert Breeden—no response
Mr. Louis Caputo—yes
Dr. Howard Clark—yes
Dr. Patsy Carihfield—yes
Mr. Joshua Crisp—yes
Mr. Chuck Griffin—yes
Dr. Julie Jeter—yes
Ms. Patricia Ketterman—yes
Mr. Roger Mynatt—yes
Ms. Susan Peach—yes
Dr. Sherry Robbins—yes
Dr. René Saunders—abstain
Ms. Jennifer Tatum-Cranford—yes
Ms. Gina Throneberry—yes

The motion was approved.

WAIVER REQUESTS:

Ms. Ann Reed presented six (6) waiver requests.

Mabry Health Care and Rehab, Gainesboro (NH #136)

This eighty-three (83) bed skilled nursing facility requested to waive Nursing Home Rule 1200-08-06-.04(1) to allow the interim nursing home administrator who is also the Director of Nursing to assume both roles until a permanent administrator can be hired. Ms. Heather Stafford was the representative for the facility. Ms. Stafford informed the Board the previous administrator was hospitalized unexpectedly subsequently passing away. No one has been hired to this point and the facility reports trying without success to fill the position. Ms. Stafford further informed the Board the owner's daughter will assume the administrator role after obtaining the proper credentials. Mr. Mynatt asked if this request had been made before. Ms. Reed stated yes, many years ago. Ms. Caroline Tippens stated this is a Board rule and the Board has ability to waive. Mr. Mynatt expressed a discomfort with approving. Ms. Peach also stated discomfort and may the offer of having a virtual survey of the facility. Mr. Vincent Davis, Director of the Office of Health Care Facilities, stated a virtual survey was not an opportunity; may do per the Governor's Executive Orders and on-site survey but defers to OGC for guidance. Ms. Peach stated a survey would make her more comfortable with granting the requested waiver. She felt a survey could address DON duties, clinical aspects, and business administration duties. Dr. Robbins also concurs with an onsite visit. Ms. Tippens stated a survey could occur. She also asked the efforts made to secure a licensed nursing home administrator. Ms. Stafford stated she had contacted other administrators in the area with no success. Ms. Tippens asked if she had reached out to the Nursing Home Administrator Board. Ms. Stafford stated

no. Ms. Tippens informed she would provide the contact information for that Board. Ms. Ketterman stated didn't want to set a precedent and asked what happens if Ms. Stafford becomes ill. Ms. Tippens informed the requestor that if the request was denied and in the Board minutes it could/would result in a contested care or a deficient practice. She informed withdrawal of the request was an option. Dr. Saunders recapped the options for the facility: deny request, withdraw the request, or table the request with the owner appearing before the Board. Mr. Mynatt asked about the owner and why they were not presenting this request. Ms. Stafford indicated he was out with of the office. Ms. Stafford also asked if the February 2020 waiver granted by the Board still stands. Ms. Tippens stated yes with Ms. Reed concurring. **Dr. Robbins made a motion to table to the end of the meeting for discussion with the owner of the facility to make a final decision or to withdraw their request before the Board; Ms. Ketterman seconded.**

A roll call vote was taken:

Mr. Robert Breeden–yes (Mr. Breeden was able to respond to the meeting at this time)

Mr. Louis Caputo–yes

Dr. Howard Clark–yes

Dr. Patsy Carihfield–yes

Mr. Joshua Crisp–yes

Mr. Chuck Griffin–yes

Dr. Julie Jeter–yes

Ms. Patricia Ketterman–yes

Mr. Roger Mynatt–yes

Ms. Susan Peach–yes

Dr. Sherry Robbins–yes

Dr. René Saunders–abstain

Ms. Jennifer Tatum-Cranford–yes

Ms. Gina Throneberry–yes

The motion was approved.

This item was later revisited with the owner of the facility present. Mr. Mabry addressed the Board. Mr. Mynatt asked what has been done to recruit an administrator. Ms. Mabry stated his daughter is finishing school and will be doing the AIT program to be an administrator. Ms. Tippens informed the Board the AIT program takes six (6) months. Ms. Mynatt asked if attempts had been made to find a preceptor with Mr. Mabry responding yes. Dr. Robbins voiced concern with the pandemic and flu season with one individual to handle the facility operation. Mr. Mabry stated a contingency plan is being developed. Ms. Ketterman again expressed her concern with workload of both a DON and administrator and asked if hiring a consultant had been considered. Mr. Breeden asked if the facility had worked with a temporary nursing home administrator agency to fill the gap. Dr. Robbins stated still uncomfortable even after further discussion. Ms. Tippens recapped the Board members voiced concerns, Ms. Stafford wearing two hats. Ms. Tippens presented options to Mr. Mabry to include withdrawing the request, reaching out to Board staff for further assistance. Ms. Stafford voiced a solution – have a part-time RN move to full-time and temporarily act as the DON. Ms. Tippens doesn't advise on how to address staff but hearing the Board state doesn't like Ms. Stafford filling two roles. Mr. Davis asked if the nursing home association had been reached out to for filling the administrator position. Ms. Stafford stated no. Mr. Breeden agreed with Mr. Davis' recommendation. Ms. Ketterman agreed with Mr. Breeden. Leave the DON position filled and

reach out to a management company for an administrator. Mr. Mynatt agrees with this too. Mabry Health Care and Rehab withdrew their request.

Perry Community Hospital, Linden (Hosp #93)

This fifty-three (53) bed rural hospital requested to waive Hospital Rule 1200-08- 01-.06(4)(c) which states in part, "There must be supervisory and staff personnel for each department or nursing unit to ensure, when needed, the immediate availability of a registered nurse for bedside care of any patient." Due to the current COVID-19 pandemic this hospital is having a difficult time in meeting the requirement for 1 RN per unit. Currently, LPNs and CNAs are assisting in provision of patient care under the supervision of the RN. This hospital requested this waiver requirement until at such time they can recruit and train adequate RNs to meet this requirement or the ending of this current pandemic. The representative for the facility was Ms. Liane Parker. **Mr. Mynatt made a motion to move item to end of agenda due to the representative not available; Dr. Robbins seconded.**

A roll call vote was taken:

Mr. Robert Breeden–yes
Mr. Louis Caputo–yes
Dr. Howard Clark–yes
Dr. Patsy Carihfield–yes
Mr. Joshua Crisp–yes
Mr. Chuck Griffin–yes
Dr. Julie Jeter–yes
Ms. Patricia Ketterman–yes
Mr. Roger Mynatt–yes
Ms. Susan Peach–no
Dr. Sherry Robbins–yes
Dr. René Saunders–abstain
Ms. Jennifer Tatum-Cranford–yes
Ms. Gina Throneberry–yes

The motion was approved.

Siskin Hospital for Physical Rehabilitation, Chattanooga (Hosp #67)

This eighty-eight (88) bed hospital requested to increase their rehab bed count by eight (8) additional beds. The total licensed acute beds complement will be ninety-six (96) beds upon approval.

Siskin Hospital for Physical Rehabilitation's second request was an extension of the temporary addition of twelve (12) IRF beds until August 31, 2021. Due to the COVID-19 pandemic, as allowed via CMS 412.29(c)(2) Hospital without Walls, the Governor's Executive Orders #36 and #50, and Board Policy #82, Siskin was approved for the use of twelve (12) IRF beds in the adjacent nursing home, St. Barnabas at Siskin Hospital, effective August 17, 2020. This extension request is to carry Siskin through the completion of the build out of their 2-East Unit in which the permanent ten percent triennial increase would be put into place. The representatives for the facility were Mr. Matthew Gibson and Ms. Carol Arnhart. **Mr. Mynatt made a motion to grant the eight (8) bed increase and extension of the temporary use of twelve (12) IRF beds until August 2021; Mr. Caputo seconded.**

A roll call vote was taken:

Mr. Robert Breeden–yes
Mr. Louis Caputo–yes
Dr. Howard Clark–yes
Dr. Patsy Carihfield–yes
Mr. Joshua Crisp–yes
Mr. Chuck Griffin–yes
Dr. Julie Jeter–yes
Ms. Patricia Ketterman–yes
Mr. Roger Mynatt–yes
Ms. Susan Peach–yes
Dr. Sherry Robbins–yes
Dr. René Saunders–abstain
Ms. Jennifer Tatum-Cranford–yes
Ms. Gina Throneberry–yes
Ms. Janet Williford–yes (Ms. Williford was able to respond to the meeting at this time)

The motion was approved.

St. Jude Children’s Research Hospital, Memphis (Hosp #113)

St. Jude Children’s Research Hospital, Memphis requested an expansion of services provided at their temporary COVID-19 locations. The federal and state COVID-19 waivers allow hospital services to expand to new temporary locations, to enforce distancing and prevent unnecessary exposure. St. Jude hopes this will allow their temporary COVID-19 and respiratory illness drive-thru sample collection sites to continue past October 7, 2020 and to expand their scope of specimen collection for laboratory testing and verbal screening to add vaccination services. Ms. Monica Hon was the representative for the facility. **Dr. Jeter made a motion to grant the extension of temporary COVID-19 sites and expand scope to include flu, tdap and when available COVID-19 vaccinations until February 2021; Dr. Robbins seconded.**

A roll call vote was taken:

Mr. Robert Breeden–yes
Mr. Louis Caputo–yes
Dr. Howard Clark–yes
Dr. Patsy Carihfield–yes
Mr. Joshua Crisp–yes
Mr. Chuck Griffin–yes
Dr. Julie Jeter–yes
Ms. Patricia Ketterman–yes
Mr. Roger Mynatt–yes
Ms. Susan Peach–yes
Dr. Sherry Robbins–yes
Dr. René Saunders–abstain
Ms. Jennifer Tatum-Cranford–yes
Ms. Gina Throneberry–yes
Ms. Janet Williford–yes

The motion was approved.

The University of Tennessee Medical Center, Knoxville (Hosp #46)

The University of Tennessee Medical Center (UTMC), Knoxville operates a COVID-19 screening and testing facility in a temporary testing structure on its campus in accordance with Board Policy #82. Approximately 700 COVID-19 tests per week are performed in the temporary testing structure. In its absence, these tests would be performed in the UTMC Emergency Department. UTMC requested that if Board Policy #82 is not extended that UTMC be granted a waiver from all Board rules and policies which would otherwise prevent the hospital from continuing to operate the temporary testing structure on its campus as needed. UTMC requested the waiver to be effective until the October 2021 Board meeting. Jerry Taylor was the representative for the facility. Dr. Jeter recused. Mr. Mynatt asked if life safety approved the structure. Mr. Taylor stated the facility has received all proper inspections under Board Policy #82. Mr. Caputo voiced concern over Board Policy #82 being heard and having this request before the Board. Ms. Tippens stated UTMC's request is in line with Board Policy #82 except for the end date. **Mr. Caputo made a motion to address Board Policy #82 before voting on UTMC and VUMC regulations; Ms. Peach seconded.**

A roll call vote was taken:

Mr. Robert Breeden–yes
Mr. Louis Caputo–yes
Dr. Howard Clark–yes
Dr. Patsy Carihfield–yes
Mr. Joshua Crisp–no response
Mr. Chuck Griffin–yes
Dr. Julie Jeter–yes
Ms. Patricia Ketterman–yes
Mr. Roger Mynatt–yes
Ms. Susan Peach–yes
Dr. Sherry Robbins–yes
Dr. René Saunders–abstain
Ms. Jennifer Tatum-Cranford–yes
Ms. Gina Throneberry–yes
Ms. Janet Williford–yes

The motion was approved.

Ms. Tippens provided Board Policy #82 revisions to the Board. She indicated the visitation item was removed and the extension of the policy's applicability to February 2021 due to vaccination development. **Mr. Mynatt made a motion to approve the revised Board Policy #82; Dr. Robbins seconded.**

A roll call vote was taken:

Mr. Robert Breeden–yes
Mr. Louis Caputo–yes
Dr. Howard Clark–yes
Dr. Patsy Carihfield–yes
Mr. Joshua Crisp–yes
Mr. Chuck Griffin–yes
Dr. Julie Jeter–yes

Ms. Patricia Ketterman–yes
Mr. Roger Mynatt–yes
Ms. Susan Peach–yes
Dr. Sherry Robbins–yes
Dr. René Saunders–abstain
Ms. Jennifer Tatum-Cranford-yes
Ms. Gina Throneberry–yes
Ms. Janet Williford-yes

The motion was approved.

The University of Tennessee Medical Center, Knoxville (Hosp #46)

The Board returned to UTMCC's request. Dr. Jeter recused herself. Mr. Taylor stated to the Board if a vaccine is developed the temporary structures will be used for the purposes of administering the vaccinations. **Ms. Peach made a motion to grant waiver to continue temporary structure until October 2021; Dr. Robbins seconded.**

A roll call vote was taken:

Mr. Robert Breeden–yes
Mr. Louis Caputo–yes
Dr. Howard Clark-yes
Dr. Patsy Crihfield–yes
Mr. Joshua Crisp–yes
Mr. Chuck Griffin–yes
Dr. Julie Jeter–recused
Ms. Patricia Ketterman–yes
Mr. Roger Mynatt–yes
Ms. Susan Peach–yes
Dr. Sherry Robbins–yes
Dr. René Saunders–abstain
Ms. Jennifer Tatum-Cranford-yes
Ms. Gina Throneberry–yes
Ms. Janet Williford-yes

The motion was approved. Dr. Jeter returned to the meeting.

Vanderbilt University Medical Center, Nashville (Hosp #27)

Vanderbilt University Medical Center (VUMC), Nashville, sought to continued-operation of its temporary structure known as the E-Pod Unit and E-Pod Employee Assessment Center located in the VUMC parking garage across from the VUMC adult emergency department (“ED”) according to Board Policy #82. The facility used to evaluate patients who presented to the ED and who are either identified as a COVID-19 patient or who are exhibiting symptoms consistent with COVID-19. VUMC fully supports the extension of Board Policy #82 as it relates to temporary hospital structures. If Board Policy #82 is not extended VUMC respectfully requests (1) approval by the Board to continue operation of the E-Pod until the Board’s meeting in October of 2021 and (2) a waiver of any facility guidelines applicable to the E-Pod except those set forth in Board Policy #82. Mr. Dan Elrod was the representative for the facility. **Dr. Jeter made a motion to grant the waiver until October 2021; Mr. Mynatt seconded.**

A roll call vote was taken:

Mr. Robert Breeden–yes
Mr. Louis Caputo–yes
Dr. Howard Clark–yes
Dr. Patsy Carihfield–yes
Mr. Joshua Crisp–yes
Mr. Chuck Griffin–yes
Dr. Julie Jeter–yes
Ms. Patricia Ketterman–yes
Mr. Roger Mynatt–yes
Ms. Susan Peach–yes
Dr. Sherry Robbins–yes
Dr. René Saunders–abstain
Ms. Jennifer Tatum-Cranford–yes
Ms. Gina Throneberry–yes
Ms. Janet Williford–yes

The motion was approved.

A break was taken, and a roll call vote was needed to re-convene the meeting and re-establish a quorum:

Mr. Robert Breeden–not here
Mr. Louis Caputo–here
Dr. Howard Clark–here
Dr. Patsy Carihfield–here
Mr. Joshua Crisp–here
Mr. Chuck Griffin–here
Dr. Julie Jeter–here
Ms. Patricia Ketterman–here
Mr. Roger Mynatt–here
Ms. Susan Peach–here
Dr. Sherry Robbins–here
Dr. René Saunders–here
Ms. Jennifer Tatum-Cranford–here
Ms. Gina Throneberry–here
Ms. Janet Williford–here

A quorum was re-established.

Perry Community Hospital, Linden (Hosp #93)

At this time, the representative for the facility was available to present. Mr. Mynatt made a motion to bring the Perry Community Hospital request back to the Board; seconded by Dr. Robbins.

A roll call vote was taken:

Mr. Robert Breeden–yes (Mr. Breeden returned to the meeting at this time)
Mr. Louis Caputo–yes
Dr. Howard Clark–yes
Dr. Patsy Carihfield–yes
Mr. Joshua Crisp–yes
Mr. Chuck Griffin–yes
Dr. Julie Jeter–yes
Ms. Patricia Ketterman–yes
Mr. Roger Mynatt–yes
Ms. Susan Peach–yes
Dr. Sherry Robbins–yes
Dr. René Saunders–abstain
Mr. Jim Shulman–yes (Mr. Shulman was able to be heard at this time)
Ms. Jennifer Tatum-Cranford–yes
Ms. Gina Throneberry–yes
Ms. Janet Williford–yes

The motion was approved.

Ms. Liane Parker presented to the Board. She stated the facility has reduced their licensed bed count to 50 beds. She further stated the facility may not have patients in the ER during nighttime hours. Ms. Parker stated this is the only hospital available in a three (3) county area. She informed the Board the facility has plenty of LPNs on staff. Ms. Parker stated the hospital staff for 41 beds with an average daily census in the 20s.

Ms. Tippens asked if the CMS waiver requested by the facility has been obtained. Ms. Parker stated it has been sent and it is understood to be approved by CMS. Mr. Davis stated there was much conversation with CMS regarding this. He further stated RN coverage for the ER is not waivable. Mr. Davis then asked about the addition of beds. Ms. Parker stated she has not received a response from CMS and that the bed increase is a separate issue. Mr. Davis stated this can't be approved if CMS doesn't approve. Ms. Tippens further clarified the Board will not approve if a corresponding CMS requirement is not waived. She outlined options for the provider to include a denial by the Board in the minutes or withdrawal from the agenda and then back to the Board once the CMS waiver is granted. Ms. Parker asked what a contingency plan would be. Ms. Tippens stated the use of a staffing agency to provide required staff. Ms. Parker stated she doesn't want this request to linger. Ms. Tippens reiterated that the Board can't approve state waiver request without CMS waiver approval. Ms. Parker withdrew the request at this time.

DISCUSSION(S):

2020 Legislative Update Report –

Patrick Powell, TDH Legislative Liaison presented this item. He informed the Board the session was abbreviated due to COVID-19. Mr. Powell stated six (6) to eight (8) bills should be of interest to the Board. These bills ranged from topics such as Board sunshine to June 2023, charity care & indigent income, Annual 2020 Coverage Act, extension of annual nursing home assessment to June 2021, etc. No vote was needed for this item.

Revisit-Approved Interpretative Guidelines regarding the COVID-19 Crisis waivers in effect until the October 7, 2020 Board Meeting –

The following interpretative guidelines were considered by the Board for continuation –

ACLF Rule 1200-08-25-.10(3)(a & b) and Homes for the Aged rule 1200-08-11-.08(2) regarding conducting of fire drills

Assisted Care Living Facility rule 1200-08-25-.08(1)(c) regarding admission or retention of resident with COVID-19

Home Health Agency rule 1200-08-26-.05(2) & (4) regarding written plan of care being established & reviewed by a physician and care under the supervision of a physician and rule 1200-08-26-.05(8) regarding medication or treatment ordered by physician

Home Health Agency rule 1200-08-26-.06(3)(b) regarding evidence of review of plan of care must include physician's signature

Home Health Agency rule 1200-08-26-.06(7)(c) regarding supervisory visit by registered nurse to patient's place of residence at least monthly

Hospice rule 1200-08-27-.05(3) & (5) regarding written plan of care being established & reviewed by a physician and care or treatment under the supervision of a physician and rule 1200-08-27-.05(9) regarding medication or treatment ordered by physician

Hospice rule 1200-08-27-.06(11)(b) regarding supervisory visit by registered nurse to patient's place of residence at least monthly

Hospital Rule 1200-08-01-.15(19) regarding definition of Critical Access Hospital

Hospital Rule 1200-08-01-.05(23) et al regarding exceeding of licensed bed capacity during an emergency

Nursing Home Rule 1200-08-06-.05(7) regarding admission in excess of licensed bed capacity

Nursing Home Rule 1200-08-06-.15(3) regarding length of time a nurse aide may work in facility until name included on Nurse Aide Registry

Ms. Susan Peach made a motion to accept the IG's until the February 2021 Board Meeting; Ms. Ketterman seconded.

A roll call vote was taken:

Mr. Robert Breeden–no response

Mr. Louis Caputo–yes

Dr. Howard Clark–yes

Dr. Patsy Crihfield–yes

Mr. Joshua Crisp–yes

Mr. Chuck Griffin–yes

Dr. Julie Jeter–yes
Ms. Patricia Ketterman–yes
Mr. Roger Mynatt–yes
Ms. Susan Peach–yes
Dr. Sherry Robbins–yes
Dr. René Saunders–abstain
Mr. Jim Shulman–no response
Ms. Jennifer Tatum-Cranford–yes
Ms. Gina Throneberry–yes
Ms. Janet Williford–yes

The motion was approved.

CoPEC Final Draft of Pediatric Emergency Care Facilities Rules-Chapter 1200-08-30 for Board Approval – Natasha Kurth, Executive Director Children’s Emergency Care Alliance of Tennessee, was the representative for this item. She brought to the Board the revised PECF rules and regulations for approval for a rulemaking hearing. Dr. Kevin Brinkmann presented the revised regulations. Dr. Robbins had concern of the definition of neglect and lack of misappropriation from that definition. Dr. Brinkmann stated it was removed due to the term not being found in the body of the regulations. Dr. Robbins also had concern with language regarding special needs children with difficult transfer and a neonatologist not a specialist identified at any of the levels of PECF. Dr. Brinkmann stated neonatal rules separate from the PECF rule and not previously discussed. Dr. Robbins spoke to acuity and whether family medicine doctors are being edged out of the care spectrum. Dr. Brinkmann stated transfer is based upon acuity and up to the facility. There was not an intent to edge out family medicine doctors. Dr. Robbins asked if a pediatric emergency care coordinator could be a family medicine doctor. Dr. Brinkmann stated yes. Mr. Caputo stated a lot of changes to the Comprehensive Center designation; why were these changes made i.e. community support, data, physician requirements, and trauma. Dr. Brinkmann stated the trauma language from old regulations was ‘cleaned’ up. Mr. Caputo asked if a Comprehensive Center designation can be made without being designated as a trauma center. Dr. Brinkmann stated yes but will have to provide care as contained in the PECF rules and regulations. The issue for Dr. Robbins was rule 1200-08-30-.03(1)(g)2. Specifically, does this language require special needs children to be transferred to a higher level of care. Kyontzé Hughes-Toombs stated she does not read the regulation this way. Clarifying language may be needed if desired by the Board. Dr. Robbins prefers this. **Dr. Robbins expressed concern because often the primary care physician who knows the family best and she’s concerned because the language may implicate that there needs a higher level of care. She also stated she thought something in the laws in the past years about Board cert. not being a requirement for hospital privileges and although this is not exactly hospital privileges Board cert. is a requirement through out most of the language. She asked if Ms. Hughes-Toombs would speak on the legal side. She clarified with Dr. Brinkmann that with the board certification that it was an either or you can be Board certified, qualified or eligible to be Board certified. Mr. Brinkmann stated she was correct.** Ms. Hughes-Toombs could look through rules if needed. Dr. Robbins asked if this should go to the PI Standing Committee for consideration. **Dr. Robbins made a motion to send the item for PI for further evaluation specifically for Board certification/Board eligibility criteria and regarding referral perimeters for children with special needs; the motion died without a second.** Ms. Hughes-Toombs suggested to move it to the rulemaking hearing process. This process is long, and the concerns of Dr. Robbins can be addressed during that process. **Mr. Mynatt made a motion to move PECF draft language with consideration of items presented to rulemaking process; Ms. Peach seconded.**

A roll call vote was taken:

Mr. Robert Breeden–no response
Mr. Louis Caputo–yes
Dr. Howard Clark–yes
Dr. Patsy Carihfield–yes
Mr. Joshua Crisp–yes
Mr. Chuck Griffin–yes
Dr. Julie Jeter–yes
Ms. Patricia Ketterman–yes
Mr. Roger Mynatt–yes
Ms. Susan Peach–yes
Dr. Sherry Robbins–yes
Dr. René Saunders–abstain
Mr. Jim Shulman–yes (Mr. Shulman was able to be heard at this time)
Ms. Jennifer Tatum-Cranford–yes
Ms. Gina Throneberry–yes
Ms. Janet Williford–yes

The motion was approved.

DIDD Submission of Interpretative Guideline for PSS Agency Survey –

Karen Wills, Director, Therapeutic Services Office of Clinical Services, was the representative for this item. Ms. Wills presented this request on behalf of providers contracted with DIDDs as a PSS provider. She referred to rule 1200-08-34-.02(4). Ms. Wills' emphasis was on single individual PSS licensed agencies or small agencies in rural areas for purpose of this discussion. These licensed providers generally have offices in their home. Ms. Wills further informed the Board that DIDDs' audits these providers as well. She stated she has developed an interpretative guidance but doesn't want to provide given the unannounced survey language is not in the rule. Ms. Tippens stated state law requires surveys to be unannounced with allowance of shared surveys plus other options are available in statute. **Mr. Shulman made a motion to move the item to PI for IG development; Dr. Robbins seconded.**

A roll call vote was taken:

Mr. Robert Breeden–yes (Mr. Breeden was able to be heard at this time)
Mr. Louis Caputo–yes
Dr. Howard Clark–yes
Dr. Patsy Carihfield–yes
Mr. Joshua Crisp–yes
Mr. Chuck Griffin–yes
Dr. Julie Jeter–yes
Ms. Patricia Ketterman–yes
Mr. Roger Mynatt–yes
Ms. Susan Peach–yes
Dr. Sherry Robbins–yes
Dr. René Saunders–abstain
Mr. Jim Shulman–yes
Ms. Jennifer Tatum-Cranford–yes

Ms. Gina Throneberry–yes
Ms. Janet Williford-yes

The motion was approved.

Home Medical Equipment Licensure Requirement –

David Baxter, President, Baxter Management, was the representative for this item. Mr. Baxter owns Reliance Mobility a licensed HME in Tennessee which meets the physical requirements for an HME. His question is around the MD order to dispense requirement defining home medical equipment and what items fall in this category. Many of these items require a MD order to bill Medicare. This could impact many HME providers such as not requiring licensure if a MD order is not required to dispense this item. Ms. Tippens spoke to previous and similar situations which were addressed by the PI Standing Committee of the Board. She recommended movement of this item to the PI Standing Committee. **Mr. Shulman made a motion to move the item to PI Standing Committee for discussion; Mr. Caputo seconded.**

A roll call vote was taken:

Mr. Robert Breeden–yes
Mr. Louis Caputo–yes
Dr. Howard Clark-yes
Dr. Patsy Carihfield–yes
Mr. Joshua Crisp–yes
Mr. Chuck Griffin–yes
Dr. Julie Jeter–yes
Ms. Patricia Ketterman–yes
Mr. Roger Mynatt–yes
Ms. Susan Peach–yes
Dr. Sherry Robbins–yes
Dr. René Saunders–abstain
Mr. Jim Shulman–yes
Ms. Jennifer Tatum-Cranford-yes
Ms. Gina Throneberry–yes
Ms. Janet Williford-yes

The motion was approved.

Request Rule Change for Ambulatory Surgery Treatment Centers According to CMS Changes -

Judy Eads, RN Consultant, Key Management Associates, LLC, was the representative for this item. Ms. Throneberry on behalf of Tennessee Ambulatory Surgery Center Association (TASCA) stated CMS received a response from TASCA regarding these changes. The CMS changes went into effect in November of last year. These changes have created a confusion nationwide. All states have different requirements for ambulatory surgery centers. This item needs further vetting. Ms. Tippens asked Ms. Reed to read the TASCA letter into the record. Mike Bivens, Tennessee TASCA, stated in conversation with the TASCA Board they were asked to move slow. Moving this item to the PI Standing Committee of the Board would be desired. Tennessee TASCA wants to vet membership across the state and bring these responses forward. Dr. Robbins agreed with this further vetting. Ms. Peach recused. **Mr. Shulman made a motion to move the item to the PI Standing Committee for further review; Dr. Robbins seconded.**

A roll call vote was taken:

Mr. Robert Breeden–yes
Mr. Louis Caputo–yes
Dr. Howard Clark–yes
Dr. Patsy Crihfield–yes
Mr. Joshua Crisp–yes
Mr. Chuck Griffin–yes
Dr. Julie Jeter–yes
Ms. Patricia Ketterman–yes
Mr. Roger Mynatt–yes
Ms. Susan Peach–recused
Dr. Sherry Robbins–yes
Dr. René Saunders–abstain
Mr. Jim Shulman–yes
Ms. Jennifer Tatum-Cranford–yes
Ms. Gina Throneberry–yes
Ms. Janet Williford–yes

The motion was approved. Ms. Peach rejoined the meeting.

Propose Board Meeting Dates for Year 2021 –

Ms. Reed presented meeting dates for the next calendar year. The dates were as follows:

February 3-4, 2021

June 2-3, 2021

October 5-6, 2021

Mr. Mynatt made a motion to approve dates; Mr. Breeden seconded.

A roll call vote was taken:

Mr. Robert Breeden–yes
Mr. Louis Caputo–yes
Dr. Howard Clark–yes
Dr. Patsy Crihfield–yes
Mr. Joshua Crisp–yes
Mr. Chuck Griffin–yes
Dr. Julie Jeter–yes
Ms. Patricia Ketterman–yes
Mr. Roger Mynatt–yes
Ms. Susan Peach–yes
Dr. Sherry Robbins–yes
Dr. René Saunders–abstain
Mr. Jim Shulman–yes
Ms. Jennifer Tatum-Cranford–yes
Ms. Gina Throneberry–yes
Ms. Janet Williford–yes

The motion was approved.

BOARD POLICY CONSENTS:

The following Board Policy Consent requests were presented–

Board Policy #81-

Donalson Care Center, Fayetteville (NH #159)

Magnolia Healthcare and Rehabilitation Center, Columbia (NH #182)

Tennessee State Veteran’s Home, Humboldt (NH #346)

Diversicare of Martin, Martin (NH #281)

Mr. Shulman made a motion to approve; Dr. Jeter seconded.

A roll call vote was taken:

Mr. Robert Breeden–yes

Mr. Louis Caputo–yes

Dr. Howard Clark–yes

Dr. Patsy Carihfield–yes

Mr. Joshua Crisp–yes

Mr. Chuck Griffin–yes

Dr. Julie Jeter–yes

Ms. Patricia Ketterman–yes

Mr. Roger Mynatt–yes

Ms. Susan Peach–yes

Dr. Sherry Robbins–yes

Dr. René Saunders–abstain

Mr. Jim Shulman–yes

Ms. Jennifer Tatum-Cranford–yes

Ms. Gina Throneberry–yes

Ms. Janet Williford–yes

The motion was approved.

CONSIDERATION AND RATIFICATION OF LICENSURE APPLICATIONS (CHANGE OF OWNERSHIP (CHOWS) AND INITIALS):

The CHOW and Initial licensure applications received by the Office of Health Care Facilities were presented as follows–

The following initial applications was presented to the Board for approval under ratification-

Assisted Care Living Facility:

Harbor Chase of Germantown, Memphis

South High Senior Living, Knoxville

The Lantern at Morning Pointe Alzheimer’s Center, Knoxville

End Stage Renal Dialysis Clinics:

Kingsport Kidney Center, Kingsport

Home Medical Equipment:

Neurology Clinic, PC, Cordova

Queen City Medical Supply, LLC, Clarksville

Outpatient Diagnostics Centers:

Lebanon PET Scan Center, LLC, Lebanon

Professional Support Services:

Americare Home Health Agency, LLC, Memphis

Lorie Bain, Franklin

North Delta Medical Services, Inc., Memphis

Rhonda Bolton, Johnson City

Mr. Griffin recused himself on South High Senior Living; Board members agreed to accept this facility individually. **Mr. Shulman made a motion to approve South High Senior Living, Knoxville initial application; Dr. Robbins seconded.**

A roll call vote was taken:

Mr. Robert Breeden–yes

Mr. Louis Caputo–yes

Dr. Howard Clark–yes

Dr. Patsy Carihfield–yes

Mr. Joshua Crisp–yes

Mr. Chuck Griffin–recused

Dr. Julie Jeter–yes

Ms. Patricia Ketterman–yes

Mr. Roger Mynatt–yes

Ms. Susan Peach–yes

Dr. Sherry Robbins–yes

Dr. René Saunders–abstain

Mr. Jim Shulman–yes

Ms. Jennifer Tatum-Cranford–yes

Ms. Gina Throneberry–yes

Ms. Janet Williford–yes

The motion was approved. Mr. Griffin rejoined the meeting.

Mr. Shulman made a motion to approve the remaining of the facilities; Dr. Robbins seconded.

A roll call vote was taken:

Mr. Robert Breeden–yes

Mr. Louis Caputo–yes

Dr. Howard Clark–yes
Dr. Patsy Crihfield–yes
Mr. Joshua Crisp–yes
Mr. Chuck Griffin–yes
Dr. Julie Jeter–yes
Ms. Patricia Ketterman–yes
Mr. Roger Mynatt–yes
Ms. Susan Peach–yes
Dr. Sherry Robbins–yes
Dr. René Saunders–abstain
Mr. Jim Shulman–yes
Ms. Jennifer Tatum-Cranford–yes
Ms. Gina Throneberry–yes
Ms. Janet Williford–yes

The motion was approved.

APPROVAL OF MINUTES:

Ms. Reed presented the following minutes for approval by the full Board–

May 27, 2020 – Emergency Called Rulemaking Hearing
June 3, 2020 – Board Meeting
September 8, 2020 – Emergency Called WebEx Board Meeting
September 15, 2020 – Performance Improvement Issue Standing Committee Meeting

Dr. Robbins indicated a correction to the June 3rd Board meeting minutes inserting one word. **Mr. Shulman made a motion to approve minutes with correction on June 3, 2020 given by Dr. Robbins; Ms. Peach seconded.**

A roll call vote was taken:

Mr. Robert Breeden–yes
Mr. Louis Caputo–yes
Dr. Howard Clark–yes
Dr. Patsy Crihfield–yes
Mr. Joshua Crisp–yes
Mr. Chuck Griffin–yes
Dr. Julie Jeter–yes
Ms. Patricia Ketterman–yes
Mr. Roger Mynatt–yes
Ms. Susan Peach–yes
Dr. Sherry Robbins–yes
Dr. René Saunders–abstain
Mr. Jim Shulman–yes
Ms. Jennifer Tatum-Cranford–yes
Ms. Gina Throneberry–yes
Ms. Janet Williford–yes

The motion was approved.

Perry Community Hospital, Linden (Hosp #93)

Perry Community Hospital requested to present an additional time to the Board for Licensing Health Care Facilities. Liane Parker remained the representative for the facility. The provider received and shared with Board administrative staff their CMS approval letter waiving RN coverage in the facility. Mr. Mynatt asked if other hospitals with this waiver. Ms. Reed stated not that she was aware. Ms. Parker stated a nurse practitioner will be available in the facility. MS. Peach is not certain a nurse practitioner will be counted as a RN functioning in that role. This maybe a question for Ms. Tippens. Ms. Parker stated there will always be a RN present. Dr. Saunders posed a question regarding one RN to handle the entire facility if an emergency occurs. Ms. Tippens stated have LPNs on staff. Dr. Saunders asked if LPNs can do IV push meds. Ms. Tippens stated she knows an LPN can get an IV certificate. She would defer this to subject matter experts on the Board. Ms. Mynatt wanted to see more of the hospital rule to see if it adds clarification. Dr. Crihfield stated an LPN scope of practice regarding IV push excludes a patient population of 80 pounds or less. They must be supervised by an RN. Mr. Shulman stated he is now confused after the discussion. Dr. Robbins sought clarification of what is being asked to waive. Additional discussion ensued around Perry Community Hospital's request to the Board as well as the waiver request to CMS. The CMS approval letter provided by Ms. Parker was further discussed. **Mr. Shulman made a motion to approve waiver of hospital rule 1200-08-01-.06(4)(c) to be in line with the CMS waiver approval and follow timeframe of the CMS waiver; Mr. Caputo seconded.**

A roll call vote was taken:

Mr. Robert Breeden–yes
Mr. Louis Caputo–yes
Dr. Howard Clark–yes
Dr. Patsy Crihfield–yes
Mr. Joshua Crisp–yes
Mr. Chuck Griffin–yes
Dr. Julie Jeter–yes
Ms. Patricia Ketterman–yes
Mr. Roger Mynatt–yes
Ms. Susan Peach–no
Dr. Sherry Robbins–yes
Dr. René Saunders–abstain
Mr. Jim Shulman–yes
Ms. Jennifer Tatum-Cranford–yes
Ms. Gina Throneberry–yes
Ms. Janet Williford–yes

The motion was approved.

LICENSE STATUS UPDATES:

Ms. Reed presented the following items–

Deaconess Homecare, Mt. Juliet (HHA #282)

This home health agency had experienced flooding due to broken pipes. The main provider was temporarily working from the branch office in Cookeville, TN and has forwarded their phones and faxes

to that location. Deaconess HomeCare has notified the department they are no longer working with their branch office in Cookeville, TN. All issues have been resolved and their phone lines were returned to their main office.

Dialysis Associates of Murfreesboro Home Training, Murfreesboro (ESRD #133)

Effective June 22, 2020, Dialysis Associates of Murfreesboro Home Training, Murfreesboro clinic flooded due to a subcontractor hitting the sprinkler head and causing the fire alarm and sprinkler system to come on. The clinic is currently under repairs, but it is taking longer than previously estimated for this completion. Dialysis Associates of Murfreesboro Home Training currently has 65 patients that need their monthly visits as well as 8 additional patients that need to be admitted and trained on Home Therapy. Until August 29th we are going to utilize a previously licensed and certified Home Therapy treatment room in our FKC Franklin clinic. The FKC Franklin clinic has 1 pod available that we can use the 4 chairs to draw labs and do assessments. There are some patients that are not able to travel to the Franklin clinic, so they are using one of the exam rooms at the physician's office that is across the street from the Home clinic in Murfreesboro. Dialysis Associates of Murfreesboro Home Training is estimating the required repair work to the clinic will take until August 29th to complete. They are hoping to move their patients back to the clinic by August 31st.

Unicoi County Hospital, Erwin (Hosp #119), Hawkins County Memorial Hospital, Rogersville (Hosp #60) and Hancock County Hospital, Sneedville (Hosp #165)

Effective July 16, 2020 Ballad Health Hospitals will temporarily suspend inpatient services at Unicoi County Hospital, Erwin; Hawkins County Memorial Hospital, Rogersville; and Hancock County Hospital, Sneedville. The emergency departments of such hospitals will remain open to assist residents with urgent medical needs-this temporary suspension only affects inpatient services. Any inpatients at the three hospitals on the effective date will continue to be treated at the facility until they are medically cleared for discharge. Ballad intends that such temporary suspension will be in effect only if the COVID-19 patient surge requires such additional staffing in the COVID-19 units. Once the COVID-19 surge subsides, Ballad will restore inpatient services at all three hospitals through a coordinated strategy and communications plan.

CST Communication & Swallowing Therapies (PSS #295)

This PSS provider was on the June 3, 2020 Board agenda but was not present regarding an unacceptable Plan of Correction and further disciplinary action was pending. The owner of CST Communication & Swallowing Therapies, Knoxville voluntarily closed the license effective July 14, 2020.

Unity Medical Center, Manchester (Hosp #17)

This forty-nine (49) bed hospital would like to withdraw their waiver request sent to the licensing agency on January 24, 2020 concerning the proposed 4 bed ICU. After collaboration with the State of Tennessee Plans Review Section and architectural and engineering firms, a plan was developed. This plan allowed Unity Medical Center to meet current codes for the ICU making a waiver request no longer necessary.

Dialyze Direct TN, LLC, Memphis (ESRD #270)

This ESRD facility was granted approval on April 1, 2020 to allow Dialyze Direct TN, LLC, Memphis an initial licensure approval. This approval was conditioned upon the submission of responses to Plan Review comments dated July 31, 2019 to the Office of Health Care Facilities, Plans Review. Plans have been submitted to the Office of Health Care Facilities, Plans Review thereby meeting the requested requirement.

Facility Closures

The facility closures report was given.

REPORTS:

EMS-

Mr. Seesholtz presented to the Board the TCAC minutes including Hendersonville Medical Center's desk review approval of full designation Level III with full review in one year. Mr. Caputo recused.

Mr. Mynatt made a motion the approve Hendersonville Medical Center full designation Level III with a full review in one year; Mr. Breeden seconded.

A roll call vote was taken:

Mr. Robert Breeden–yes
Mr. Louis Caputo–recused
Dr. Howard Clark–yes
Dr. Patsy Carihfield–yes
Mr. Joshua Crisp–yes
Mr. Chuck Griffin–not available
Dr. Julie Jeter–yes
Ms. Patricia Ketterman–yes
Mr. Roger Mynatt–yes
Ms. Susan Peach–yes
Dr. Sherry Robbins–yes
Dr. René Saunders–abstain
Mr. Jim Shulman–yes
Ms. Jennifer Tatum-Cranford–yes
Ms. Gina Throneberry–yes
Ms. Janet Williford–yes

The motion was approved. Mr. Caputo returned to the meeting.

Nurse Aide-

Wanda King, Nurse Aide Manager, presented to the Board the Nurse Aide Report. She stated there are 905 persons designated as temporary nurse aides per the April 1, 2020 Interpretative Guideline. Ms. King also reported 34, 846 active nurse aides, 318 training programs and 2,680 on the abuse registry.

Office of General Counsel-

Ms. Tippens held her report until the consent order portion of the agenda.

Office of Health Care Facilities-

Mr. Davis presented to the Board the Office of Health Care Facilities' Report. He presented the annual licensure survey compliance comparison from 2018-2020. He also presented the Triennial licensure survey compliance for 2020.

Performance Improvement Issue (PI) Standing Committee Meeting Report-September 15, 2020-

Ms. Reed presented to the Board the PI Report. She presented the two items that were addressed during the meeting. The first item to be addressed was Delta Specialty Hospital interpretation request of the general hospital designation rules 1200-08-01-.01(37)(a) & 1200-08-01-.06(7)(a). The committee members voted the facility was in compliance with the referenced rules. The second item to be addressed

was TNCO's concern regarding the provision of a nurse delegated task by an agency not licensed as a PSS. A mechanism was identified to be in place to address the issue and the provider in DIDD programs would seek a waiver from DIDD. The members voted to report the item to the full Board.

Mr. Mynatt made a motion to approve the PI report as given; Dr. Robbins seconded.

A roll call vote was taken:

Mr. Robert Breeden–yes
Mr. Louis Caputo–yes
Dr. Howard Clark–yes
Dr. Patsy Carihfield–yes
Mr. Joshua Crisp–yes
Mr. Chuck Griffin–not available
Dr. Julie Jeter–yes
Ms. Patricia Ketterman–yes
Mr. Roger Mynatt–yes
Ms. Susan Peach–yes
Dr. Sherry Robbins–yes
Dr. René Saunders–abstain
Mr. Jim Shulman–yes
Ms. Jennifer Tatum-Cranford–yes
Ms. Gina Throneberry–yes
Ms. Janet Williford–yes

The motion was approved.

ORDERS:

The following consent order was presented by Ms. Tippens–

Legacy Assisted Living- lift probation and the facility license to be placed on inactive status. **Mr. Shulman made a motion to accept the consent order including lifting probation and the facility license to be placed on inactive status; Mr. Caputo seconded.**

A roll call vote was taken:

Mr. Robert Breeden–yes
Mr. Louis Caputo–yes
Dr. Howard Clark–yes
Dr. Patsy Carihfield–yes
Mr. Joshua Crisp–yes
Mr. Chuck Griffin–not available
Dr. Julie Jeter–yes
Ms. Patricia Ketterman–yes
Mr. Roger Mynatt–yes
Ms. Susan Peach–yes
Dr. Sherry Robbins–yes
Dr. René Saunders–abstain

Mr. Jim Shulman–yes
Ms. Jennifer Tatum-Cranford-yes
Ms. Gina Throneberry–yes
Ms. Janet Williford-yes

The motion was approved.

The meeting was adjourned.