STATE OF TENNESSEE
DEPARTMENT OF HEALTH

JOHN J. DREYZEHNER, MD, MPH
COMMISSIONER

BILL HASLAM
GOVERNOR

December 1, 2017

Shelly Morgan, Administrator
Green Hills Health and Rehabilitation
3939 Hillsboro Circle
Nashville, TN 37215

Dear Ms. Morgan:

On October 23, 2017 through October 31, 2017, surveyor(s) for the Department of Health conducted a complaint investigation survey at your nursing home pursuant to T.C.A. § 68-11-210. Upon exiting the facility on October 31, 2017 the surveyor(s) notified you or your representative of the possibility of the issuance of a Suspension Of Admissions and a Type A Civil Monetary Penalty, due to deficient practices and conditions in the home which were, or were likely to be, detrimental to the health, safety, or welfare of the residents. T.C.A. § 68-11-812. The investigation was completed on December 1, 2017.

As Commissioner of the Tennessee Department of Health, I find, based upon the investigation and survey report that the conditions at Green Hills Health and Rehabilitation are, or are likely to be, detrimental to the health, safety, or welfare of the residents due to violations of the following standards: Basic Services [Performance Improvement and Physician Services] and Records and Reports. For the specific findings, please refer to the facility's statement of deficiencies. Therefore, I am suspending the admission of new residents to the facility and imposing a Type A Civil Monetary Penalty in the amount of five thousand and one dollars ($5001.00), as provided by T.C.A. §§ 68-11-207(b)(1), 68-11-802(a), 68-11-811, and 68-11-813.

The penalty is to be submitted in the form of a certified check or money order, made out to "Treasurer, State of Tennessee," and mailed to: Office of Health Care Facilities, 665 Mainstream Drive, Second Floor, Nashville, TN 37243, to the attention of Eddie Stewart.

The Suspension of Admissions shall be effective at 5:00 p.m., this 1st day of December 2017. This facility is hereby ordered to post a copy of this letter where it may be plainly seen by those entering the facility and to make a copy of this letter available for anyone requesting a copy.

Attached is a statement of your rights in this matter.

Sincerely,

David Reagan, MD PhD for

John J. Dreyzehner, MD, MPH, FACOEM
Commissioner

JD/

xc: Secretary of State – Administrative Procedures Division
Division of Health Licensure and Regulation
Health Care Facilities Central Office
Health Care Facilities West TN Regional Office

BEFORE THE COMMISSIONER OF THE TENNESSEE DEPARTMENT OF HEALTH

IN THE MATTER OF:	)	
	)	
Green Hills Health & Rehabilitation	)	
3939 Hillsboro Circle	)	
Nashville, TN 37215	)	
	)	
License No. **52**	)	BY ORDER OF THE COMMISSIONER

NOTICE OF SUSPENSION OF ADMISSIONS

On October 23, 2017 through October 31, 2017, a Department of Health (hereinafter "Department") survey team conducted a complaint survey at **Green Hills Health and Rehabilitation in Nashville**, Tennessee (hereinafter "**Green Hills**"), pursuant to T.C.A. § 68-11-210. The investigation was completed on December 1, 2017.

The investigation and survey revealed violations of licensure statutes and regulations that are considered detrimental to the health, safety, or welfare of the residents.

Pursuant to T.C.A. §68-11-207(b), whenever the Commissioner of the Department of Health (hereinafter "Commissioner") determines that conditions in a nursing home are, or are likely to be, detrimental to the health, safety, or welfare of the residents, the Commissioner shall have the authority to suspend new admissions of residents to the facility, pending a prompt hearing.

Pursuant to T.C.A. §68-11-801, the Commissioner has the authority to impose civil monetary penalties upon deficient nursing homes. Further, pursuant to T.C.A. §68-11-802, the Commissioner has the authority

to impose a Type A Civil Monetary Penalty upon a nursing home when the penalty assessment is accompanied by an Order suspending admissions pursuant to T.C.A. §68-11-207(b).

Based upon the surveyors' findings and recommendations, the Commissioner has exercised the authority to suspend admissions to the facility, effective December 1, 2017, at 5:00 p.m. Further, the Commissioner has concluded that a Type A Civil Monetary Penalty should be imposed upon this facility.

The facility was orally advised and provided written notification of the possible imposition of a Type A Civil Monetary Penalty when surveyors exit the facility on October 31, 2017 and by letter from the Commissioner dated December 1, 2017 in conjunction with the Commissioner's notification of the Suspension Of Admissions imposed upon the facility, appended hereto as Attachment 1.

FACTS

A detailed statement describing the findings of the survey with particularity and citing the law with specificity, pertaining to the Suspension Of Admissions and the assessment of a Type A Civil Monetary Penalty, is appended hereto as Attachment 2 and incorporated by reference herein. Attachment 2 is the licensure "Statement of Deficiencies" compiled by the surveyors upon completion of the survey.

SUSPENSION OF ADMISSIONS AND ASSESSMENT OF TYPE A CIVIL MONETARY PENALTY

Therefore, pursuant to T.C.A. §§68-11-207(b) and based upon the aforementioned facts and incorporated by reference herein, the Commissioner has ordered that the admission of new residents at Green

Hills be suspended, effective on the December 1, 2017, at 5:00 p.m. Pursuant to T.C.A. §§68-11-801 and 68-11-802, the Commissioner hereby assesses a Type A civil monetary penalty in the amount of five thousand and one dollars ($5001.00) against Green Hills.

The violations which the Commissioner considers to be detrimental to the health, safety, or welfare of the residents are the serious violations of Basic Services [Performance Improvement and Physician Services] and Records and Reports.

In order for this Suspension Of Admissions to be lifted, the cited conditions must be corrected so as to remove the detriment to the health, safety, or welfare of the residents, as verified by a follow-up survey of the facility conducted by the Department.

Pursuant to T.C.A. §68-11-221, which provides that whenever admissions at a health care facility are suspended under the authority of T.C.A. §68-11-207, the Commissioner shall appoint one or more special monitors if the deficiencies threaten serious bodily harm to the residents at the facility, the Commissioner hereby appoints a monitor or monitors to be present in the facility for a minimum of twenty (20) hours per week in order to observe the operation of the facility and to submit written reports on the operations of the facility to the Department. The monitor(s) shall have the power to observe and review all of the facility's operations with attention to those aspects for which the Suspension Of Admissions was imposed. The facility shall be liable for the cost of the special monitor(s) until it is determined by the Department that all the deficiencies which caused the appointment of the monitor(s) have been corrected.

The facility's attention is directed to the statement of its rights in this matter, appended hereto as Attachment 3.

The facility is hereby ordered to post a copy of this Notice and Order, pursuant to the rules of the Board for Licensing Health Care Facilities Rule 1200-08-11-.03(5) upon the public entrance doors of the facility and prominently display it there for so long as it remains effective. During the Suspension Of Admissions, the facility shall inform any person who inquires about the admission of a new resident of the provisions of the order and make a copy of the order available.

This Suspension Of Admissions became effective at 5:00 p.m. on December 1, 2017, and continues as effective.

This assessment of a Type A Civil Monetary Penalty in the amount of five thousand and one dollars ($5,001.00) shall go into effect on the 1st day of December 2017.

Entered this 1st day of December 2017.

John J. Dreyzehner, MD, MPH, FACOEM
Commissioner