

**STATE OF TENNESSEE
BEFORE THE HEALTH FACILITIES COMMISSION**

In The Matter of:)	
)	
Laughlin Healthcare Center,)	
Skilled Nursing Facility,)	
License No. 96,)	Case No. 2023035121
)	
Respondent.)	
)	
Greeneville, Tennessee)	

CONSENT ORDER

This matter came to be heard before the Tennessee Health Facilities Commission (“Commission”), by and through the Office of Legal Services, and Laughlin Healthcare Center (“Respondent”) that the Commission adopt this Consent Order, the terms of which have been agreed upon by the parties, as signified by their signatures below.

I. JURISDICTION

1. The Commission is empowered to license and regulate hospitals, recuperation centers, nursing homes, homes for the aged, residential HIV supportive living facilities, assisted-care living facilities, home care organizations, residential hospices, birthing centers, prescribed childcare centers, renal dialysis clinics, ambulatory surgical treatment centers, outpatient diagnostic centers, adult care homes, and traumatic brain injury residential homes. T.C.A. § 68-11-202(a)(1).
2. The Commission has the authority to conduct reviews of all facilities licensed under this part in order to determine compliance with fire and life safety code rules as promulgated by the Commission. T.C.A. § 68-11-202(b)(1)(A).

3. “Nursing home” means any institution, place, building or agency represented and held out to the general public for the express or implied purpose of providing care for one (1) or more nonrelated persons who are not acutely ill, but who do require skilled nursing care and related medical services; and “Nursing Home” shall be restricted to facilities providing skilled nursing care and related medical services to individuals, beyond the basic provision of food, shelter and laundry, admitted because of illness, disease or physical infirmity for a period of not less than twenty-four (24) hours per day. T.C.A. § 68-11-201(37)(A)(B).
4. The Commission has the authority to conduct reviews of facilities licensed under this part to determine compliance with fire and life safety code regulations promulgated by the Commission. T.C.A. § 68-11-202(b)(1)(A).
5. The Commission shall conduct on-site inspections and investigations as may be necessary to safeguard and ensure at all times, the public’s health, safety, and welfare. T.C.A. § 68-11-210(c).
6. Upon a finding by the Commission that a nursing home has violated any provision of Tenn. Code Ann. §§ 68-11- 201, et seq., or the rules promulgated pursuant thereto, action may be taken, upon proper notice to the licensee, to impose a civil penalty, deny, suspend, or revoke its license. T.C.A. § 68-11-207.

II. STIPULATIONS OF FACT

7. At all times pertinent hereto, Respondent, Laughlin Healthcare Center, 801 East McKee Street Greeneville, Tennessee 37743, was licensed by the Commission as a nursing home, having been granted license number 96 on July 1, 1992, which currently has an expiration date of April 30, 2025.

8. On or about October 5, 2023, a survey of the facility was completed resulting in deficiencies being cited, including the facility's failure to properly prepare and/or update the plan of care for one resident.
9. On or about May 30, 2023, Resident #14 had a documented fall that did not result in injury to the resident. Although the facility identified interventions after the resident's initial fall on May 30, 2023, and implemented those interventions, the resident's plan of care was not revised to reflect those interventions.
10. On or about July 30, 2023, Resident #14 had a documented fall which did result in injury to the resident.
11. The facility was unable to provide documentation of the interventions that were allegedly implemented for Resident #14 because the care plan was not formally updated.
12. On or about October 16, 2024, the facility indicated to the Commission that it has modified its procedures to ensure that plans of care for all residents will be revised and documented after any fall in the future.

III. GROUND FOR DISCIPLINE

The facts in Section II are sufficient to establish that grounds exist for the discipline of Respondent's nursing home license. Specifically, Respondent has violated the following statutes and/or rules, for which disciplinary action by the Commission is authorized.

13. The facts in paragraphs eight (8) through eleven (11) are sufficient to constitute a violation of Tenn. Comp. R. and Reg. 0720-18-.06(4)(f), the relevant portion of which reads as follows:

The facility must ensure that an appropriate individualized plan of care is prepared for each resident with input from appropriate disciplines, the resident and/or the resident's family or the resident's representative.

IV. REPRESENTATIONS OF RESPONDENT

14. Respondent understands and admits the allegations, charges, and stipulations in this Order.
15. Respondent understands the rights found in the Code, Rules, and the Uniform Administrative Procedures Act, TENN. CODE ANN. §§ 4-5-101 thru 4-5-404, including the right to a hearing, the right to appear personally and by legal counsel, the right to confront and to cross-examine witnesses who would testify against Respondent, the right to testify and to present evidence on Respondent's own behalf, as well as to the issuance of subpoenas to compel the attendance of witnesses and the production of documents, as well as the right to appeal for judicial review. Respondent voluntarily waives these rights in order to avoid further administrative action.
16. Respondent agrees that presentation of this Order to the Commission and the Commission's consideration of it and all matters divulged during that process shall not constitute unfair disclosure such that the Commission or any of its members become prejudiced requiring their disqualification from hearing this matter should this Order not be ratified. All matters, admissions, and statements disclosed during the attempted ratification process shall not be used against the Respondent in any subsequent proceeding unless independently entered into evidence or introduced as admissions.
17. Respondent agrees that facsimile/PDF copies of this Order, including facsimile/PDF signatures thereto, shall have the same force and effect as originals.
18. Respondent also agrees that the Commission may issue this Order without further process. If the Commission rejects this Order for any reason, it will be of no force or effect for either party.

19. Respondent agrees that the facility has not received any threats or promises of any kind by the State or any agent or representative thereof, except such as is detailed herein.

V. ORDER

NOW THEREFORE, Respondent, for the purpose of avoiding further administrative action with respect to this cause, agrees to the following:

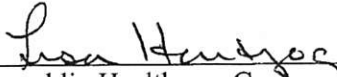
20. Respondent is hereby assessed one (1) Civil Monetary Penalty, in the amount of **one thousand dollars (\$1,000.00)** for violating Tenn. Comp. R. and Reg.0720-18-.06(4)(f).
21. The total assessed CMP amount is one thousand dollars (\$1,000.00). Payment shall be submitted to the following address within **thirty (30) calendar days** of the effective date of this Order.

**Tennessee Health Facilities Commission
Attention: Disciplinary Coordinator
665 Mainstream Drive, Second Floor
Nashville, Tennessee 37243**

**PLEASE DO NOT REMIT PAYMENT UNTIL THE CONSENT ORDER HAS
BEEN RATIFIED AND APPROVED BY THE COMMISSION**

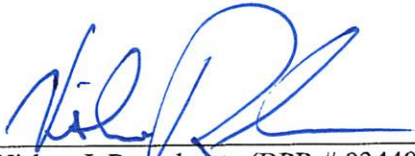
22. Each condition of discipline herein is a separate and distinct condition. If any condition of this Order, or any application thereof, is declared unenforceable in whole, in part, or to any extent, the remainder of this Order, and all other applications thereof, shall not be affected. Each condition of this Order shall separately be valid and enforceable to the fullest extent permitted by law.

APPROVED FOR ENTRY:


Laughlin Healthcare Center
License No. 96
Signature of Authorized Representative
Respondent

Lisa Hartzog
Printed Name of Authorized Representative

Nursing Home Administrator
Title of Authorized Representative


Vishan J. Ramcharan (BPR # 034403)
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Health Facilities Commission
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Approval by the Commission

Upon the agreement of the parties, and the record as a whole, this **CONSENT ORDER** was approved as a **FINAL ORDER** by a majority of a quorum of the Health Facilities Commission at a public meeting of the Commission and signed this 11th day of December, 2024.

ACCORDINGLY, IT IS ORDERED that the agreement of the parties does hereby become the Final Order of the Commission.


Chairperson
Health Facilities Commission

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of this document has been served upon the Respondent, Laughlin Healthcare Center, c/o Mary Malone, Esquire, Hancock, Daniel & Johnson, P.C., 4701 Cox Road, Suite 400, Glen Allen, Virginia 23060, and Laughlin Healthcare Center, c/o Takoma Regional Hospital, Inc., Owner, 400 North State of Franklin Road Johnson City, Tennessee 37604 by delivering same in the United States regular mail and United States certified mail, numbers **7020 0640 0001 4807 1769** and **7020 0640 0001 4807 1776**, return receipts requested, with sufficient postage thereon to reach its destination. A copy was sent via electronic mail to: tammy.edwards@balladhealth.org.

This 11th day of December, 2021.



Vishan J. Ramcharan
Associate General Counsel